

**AGENDA
EAST NOTTINGHAM TOWNSHIP
REGULAR PLANNING COMMISSION MEETING
February 23, 2009**

- I. *Call meeting to order*
- II. *Pledge of Allegiance*
- III. *Approve Agenda*
- IV. *Public Comment on Agenda*
- V. *Approve Minutes*
 - *January 26, 2009*
- VI. *Subdivision/Land Development Plans*

TOWNSHIP ENGINEER REVIEW LETTERS

The township's engineer will go over his review letter with the Planning Commission and the applicant, if he is present. The Planning Commission requests that the applicant wait until he is asked a question by the engineer or any member of the Planning Commission, or wait until the engineer's review of the plan is finished before directly addressing the Planning Commission regarding that plan.

- Oxford Area Rec Authority – LDP – Ron Ragan, Twp Engineer
 - Waiver Request from SALDO 502.07.G & .A
- Elizabeth S. Miller – Preliminary 2-Lot Subdivision Plan – Jim Gade, Twp Engineer
- Samuel & Elizabeth Esh – Subdivision Plan – Jim Gade, Twp Engineer
 - Waiver Request from SALDO 502.11.A

DEVELOPERS REQUESTING TO BE ON AGENDA

NONE

REQUEST FOR EXTENSION LETTERS - Letters to be date specific for June 15, 2009

- Liz Miller – 2003 Preliminary Subdivision Plan
- Samuel & Elizabeth Esh – Subdivision Plan
- Meadowview Estates – Preliminary Subdivision Plan
- Reserves of Dunlap – Preliminary Subdivision Plan
- Andy King Tract – Minor Subdivision Plan
- Timothy Bishop – Minor Subdivision Plan
- Muehlmatt Subdivision – Final Subdivision Plan
- Oxford Area Recreation Authority – Land Development Plan

OTHER SUBDIVISIONS IN PROCESS (FYI)

- Oxford Hollow Associates – Preliminary Subdivision Plan
- Preserve at White Oak Farm –Preliminary Plan
- Lewis Tract – Final Subdivision Plan
- Wicklow – Final Subdivision Plan
- Wilson King – Final 2-Lot Subdivision & Land Development Plan

VII. Ordinances

- TDR Ordinance – report from sub-committee

VIII. Correspondence

IX. Planning Commission Members

X. Old Business

XI. Recognition of Visitors

XII. Adjournment

**East Nottingham Township
Planning Commission Regular Meeting Minutes
February 23, 2009**

The regular meeting of the East Nottingham Township Planning Commission was held in the Township Building on February 23, 2009 at 7:00 pm. Those present were: Chairperson, Joseph R. Bauer, Jr., Vice-Chairperson, Clifford Lee, Planning Commission Members, Gene Turns, Walt Leis, Janice Gavin, Shannon Wells, John Wallace, and Planning Commission Secretary, PJ Scheese.

Chairperson, Joseph R. Bauer, Jr., called the meeting to order at 7:02 p.m.

Vice-Chairperson, Cliff Lee led the Pledge of Allegiance.

Agenda

A motion was made by Walt Leis, seconded by John Wallace, to approve the agenda. The motion carried.

Aye: 7 Nay: 0

Public Comment on the Agenda

There was none.

Minutes to Approve

January 26, 2009– A motion was made by Cliff Lee, seconded by John Wallace, to approve the minutes for the regular PC meeting. The motion carried:

Aye: 7 Nay: 0

Subdivisions & Land Development Plans

Township Engineer Review Letters

Chairman Bauer read the Planning Commission Protocol for the Township Engineer review letters.

Oxford Area Recreation Authority – Land Development Plan

Township Engineer Ron Ragan reviewed the revised plans dated February 12, 2009. He discussed the following issues.

- Two (2) decel lanes have been added to the plan after discussion with Penn Dot and the Planning Commission.
- Stormwater Management – the previous plan had a single large stormwater basin. The revised plan now has two (2) smaller basins. One is at the eastern end of the property. The other is at the western end.
- He differs with the Rec Authority's engineer on the methodology of some of the calculations. He believes a cumulative analysis should be done. However, the Chester County Conservation District will have the final word on this through the NPDES permit process.
- As of this meeting the Township has not received a copy of the new Penn Dot HOP application.

Anne Yost, of YSM, representing the applicant, raised the issue about section 402.04.F of the SALDO regarding easements. They are proposing a single blanket easement instead of partial easements all over the property. This is an issue that needs to be raised with the Township Solicitor.

Ms. Yost stated that the revised Penn Dot HOP application was resubmitted today and will forward the Township and Ron Ragan a copy of it.

Additional waiver requests are from SALDO sections:

- 402.05.1 – requiring the U.S. Corp of Army Engineers to do a wetland jurisdiction determination and verification.
- 502.11 – requiring the improvement of existing streets and intersections.

- 503.01.C.8 -- requiring painted lines, arrows, signs and dividers to direct vehicular circulation.

Ms. Yost questioned the requirement of a maintenance agreement for the access drives, as the Park Authority would have full responsibility for the maintenance. Ron Ragan thinks a note would suffice, indicating that these drives are under the Park Authority.

Regarding Mr. Ragan's comments on the loading ration requirements approach taken on the BMP flows and the "Captured Area" delineations, Ms. Yost said she would verify the requirements with the Conservation District.

In response to Ron Ragan's comments about stormwater basin #2, Ms. Yost stated that this basin would not be used for a sediment trap and that she is waiting for the CCCD to weigh in on how basin #2 should be constructed.

Ron Ragan stated that Infiltration Basin #1 has a storage volume depth of 4.2' with only infiltration as the means of release. He suggested the basin be made large so that the depth would be no more than 2'. He suggests this because of the length of time it would take for water with a depth of 4.2' to evaporate.

Ms. Yost said she would resubmit a revised plan with the changes discussed.

Regarding section 402.04.F of the SALDO:

A motion was made by Cliff Lee, seconded by Shannon Wells, to ask the Board of Supervisors to ask the Township Solicitor's opinion of a blanket easement to cover the stormwater facilities. The motion carried.

Aye: 6 Nay: 0 Abstain: 1 (Joe Bauer)

Waivers voted on were:

- **503.01.C.8 -- A motion was made by Walt Leis, seconded by Gene Turns, to waive the SALDO requirement for painted lines, arrows, signs & divider to be provided and maintained until Phase II of this project. . The motion carried.**

Aye: 6 Nay: 0 Abstain: 1 (Joe Bauer)

- **402.05.I -- A motion was made by Walt Leis, seconded by Gene Turns, to waive the SALDO requirement for a wetland jurisdictional determination and verification by the U.S. Corps of Army Engineers. The motion carried.**

Aye: 6 Nay: 0 Abstain: 1 (Joe Bauer)

- **502.11 -- A motion was made by Gene Turns, seconded by John Wallace, to waive the SALDO requirements for further improvements over and above the decel lanes and bank work indicated by the applicant. The motion carried.**

Aye: 6 Nay: 0 Abstain: 1 (Joe Bauer)

A motion was made by Cliff Lee, seconded by Walt Leis, to take no further action. The motion carried.

Aye: 6 Nay: 0 Abstain: 1 (Joe Bauer)

At 7:44 pm a five minute break was taken. The meeting was called back to order at 7:49 pm.

Elizabeth S. Miller -- 2-Lot Preliminary Subdivision Plan

Jim Gade, Township Engineer, reviewed his letter, stating that this is a 2-lot subdivision of an approximately 80-acre farm in the R-2 District. It is subdividing an existing house off, with about 1.3 acres. The remaining tract being left as the farm has a mobile home on it. The Township Zoning Ordinance requires either a Conditional Use Hearing or the use of the Retained Open Space Development (ROSD) ordinance in order to allow this subdivision. The applicant decided to use the ROSD ordinance. Therefore, the open space indicated in this plan will mimic the larger subdivision plan the applicant proposes to submit in the future. This plan will be for 180 new lots for houses. Some of the points made were:

- The new smaller lot has supplied enough room for a replacement septic system.
- Mr. Gade stated that the applicant shows only 25' for the Riparian Corridor when 75' is required.

- As there is no new construction planned from this subdivision, the applicant has requested a waiver from doing a Sewage Facilities Planning Module from DEP

Martina Moore of Lake Roeder Hillard represented the applicant, who is requesting waivers from having to do both a preliminary plan and a separate final plan. They are also requesting a waiver from making road improvements.

There was some discussion about all the open space shown on this plan and that it will reflect the larger plan (aka "Langston") soon to be submitted. There was also discussion about the fact that at the start this is a tract made up of four (4) tax parcels and that after this subdivision the remaining large lot will be split up by roads in two places (Hickory Hill Road and Fulton Road). The Zoning Ordinance states that:

"Lot: A parcel of land held in single and separate ownership, undivided by any street or dedicated future street right-of-way."

It was determined that further investigation needs to be done before any action can be taken.

A motion was made by Cliff Lee, seconded by Walt Leis, to take no further action. The motion carried.

Aye: 7 Nay: 0

Samuel & Elizabeth Esh Subdivision Plan

Jim Gade reviewed his letter. This is a resubmital on a 107-acre farm on Union Square and Forge Roads. It has been revised to reflect that it is a Preliminary Plan, since the applicant wishes to reserve the right to come back in the future to further subdivide. The PECO easement has been netted out and the applicant is requesting a waiver from 502.11.A requiring the road to be improved.

Jim Hillard of Lake Roeder Hillard represented the applicant. DEP sent out a letter telling the applicant that no Sewage Facilities Planning Module is required, and further that there was no requirement to submit a Request for Planning Waiver and Non-Building Declaration.

The following waiver from the SALDO was requested:

502.11.A – requiring the existing street to be improved to the cartway width established for new streets. A motion was made by Shannon Wells, seconded by Janice Gavin, to approve this waiver request for Union Square Road. The motion carried.

Aye: 7 Nay: 0

Mr. Hillard also asked if Preliminary Plan approval could be granted at this time.

A motion was made by Walt Leis, seconded by John Wallace, to give plan approval from the Planning commission. The motion carried.

Aye: 7 Nay: 0

Developers Requesting to be on Agenda

There were none.

Letters of Extension

A motion was made by Janice Gavin, seconded by Shannon Wells, to request letters of extension for the following:

- **Liz Miller – 2003 Preliminary Subdivision Plan**
- **Samuel & Elizabeth Esh – Subdivision Plan**
- **Meadowview Estates – Preliminary Subdivision Plan**
- **Reserves of Dunlap – Preliminary Subdivision Plan**
- **Andy King Tract – Minor Subdivision Plan**
- **Timothy Bishop – Minor Subdivision Plan**

- Muehlmatt Subdivision – Final Subdivision Plan
- Oxford Area Recreation Authority – Land Development Plan

to be date specific for June 15, 2009. The motion carried.
Aye: 7 Nay: 0

Other Plans Currently in Subdivision or Land Development Process (FYI)

- Oxford Hollow Associates – Preliminary Subdivision Plan
- Preserve at White Oak Farm – Preliminary Plan
- Lewis Tract – Final Subdivision Plan
- Wicklow – Final Subdivision Plan
- Wilson King – Final 2-Lot Subdivision & Land Development Plan

TDR Ordinance – Subcommittee Report

Cliff Lee told the PC that this committee has met three times. They have identified a number of items that will result in recommended changes to the current ordinance. Walt Leis has been working on the number of available TDR and Mr. Lee will work on the language. The committee will present the details at the next PC meeting on March 23rd, and then again at the April 20th Work Session.

Correspondence

- Booklet on a Penn State Conference

Old Business

None

PC Members

Janice Gavin asked some questions about the Elizabeth S. Miller 2-lot preliminary subdivision plan.

Visitors

Nothing

A motion was made by Cliff Lee, seconded by Gene Turns, to adjourn. The motion carried.

Aye: 7 Nay: 0

The meeting adjourned at 8:37 pm.

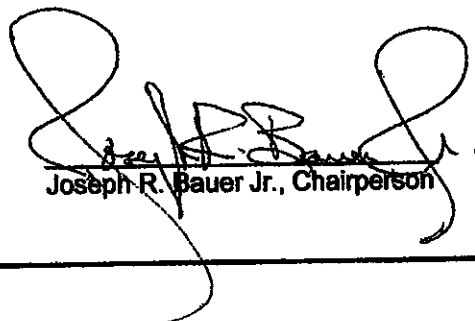
Respectfully Submitted,



PJ Scheese
Planning Commission Secretary

APPROVED:

Date 3/23/09



Joseph R. Bauer Jr., Chairperson