

AGENDA
EAST NOTTINGHAM TOWNSHIP
REGULAR PLANNING COMMISSION MEETING
August 24, 2009

- I. *Call meeting to order*
- II. *Pledge of Allegiance*
- III. *Approve Agenda*
- IV. *Public Comment on Agenda*
- V. *Approve Minutes*
 - July 27, 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 – Land Development Plan – Ron Ragan
 - Waiver Request - from Sections 502.17.G & 502.07.A
- Oxford Hollow Associates - Preliminary Subdivision Plan – Jim Gade
 - Planning Module Component 4A to be signed
- Andy King Tract – Minor Subdivision Plan – Jim Gade

DEVELOPERS REQUESTING TO BE ON AGENDA

- Herr Foods Inc. - Preliminary Land Development Plan – Ed Jefferis, CLP

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

- Liz Miller – 2003 Preliminary Subdivision Plan
- Meadowview Estates – Preliminary Subdivision Plan
- Andy King Tract – Minor Subdivision Plan
- Timothy Bishop – Minor Subdivision Plan
- Muehlmatt Subdivision – Final Subdivision Plan

OTHER SUBDIVISIONS IN PROCESS (FYI)

- Elizabeth S. Miller – Preliminary 5-lot - Plan
- Wilson King – Final 2-Lot Subdivision & Land Development Plan
- Preserve at White Oak Farm – Preliminary Plan
- Reserves of Dunlap – Preliminary Subdivision Plan
- Lewis Tract – Final Subdivision Plan
- Wicklow – Final Subdivision Plan

VII. Ordinances

- TDR Ordinance

VIII. Correspondence

- SSM brochure

IX. Planning Commission Members

X. Old Business

XI. Recognition of Visitors

XII. Adjournment

**East Nottingham Township
Planning Commission Regular Meeting Minutes
August 24, 2009**

The regular meeting of the East Nottingham Township Planning Commission was held in the Township Building on August 24, 2009 at 7:00 pm. Those present were: Chairperson, Joseph R. Bauer, Jr., Vice Chairperson, Clifford Lee, Planning Commission Members, Gene Turns, Janice Gavin, John Wallace, Shannon Wells, and Planning Commission Secretary, PJ Scheese. Member Wait Leis was absent.

Chairperson, Joseph R. Bauer, Jr., called the meeting to order at 7:04 p.m.

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

Agenda

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

Aye: 6 Nay: 0

Public Comment on the Agenda

There was none.

Minutes to Approve

A motion was made by Gene Turns, seconded by John Wallace, to approve the July 27, 2009 minutes for the regular PC meeting. The motion carried:

Aye: 4 Nay: 0 Abstain: 2 (Members Lee and Wells)

Subdivisions & Land Development Plans

Township Engineer Review Letters

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

Oxford Area Rec Authority

Ron Ragan, Township Engineer, reviewed his letter. This plan has already been given a conditional approval by the BOS, for the purpose of grant money. There are still several open items. Penn Dot has issued the required permits with the requested road tapers, which he believes has resolved any issues with the entrance to the park. Mr. Ragan does not oppose the waivers from SALDO sections 502.17.G & 502.07.A that have been awaiting approval. This waiver request, though previously approved by the PC at the December 12, 2008 PC meeting, were sent back to the PC by the BOS to be reviewed again, pending Penn Dot's response.

Another waiver is being requested. It is from SALDO sections 403.04.M & 506, regarding the placement of monuments.

The Storm Water Management Facilities Maintenance Agreement has been provided by Township Solicitor Gene Twardowski. However, it still must be executed by the applicant.

Ann Yost, of YSM, represented the applicant. She reiterated that the township's requests had been incorporated into the Penn Dot permits. Ms. Yost stated that they are still awaiting the NPDES permit. Some technical discussion took place regarding this.

YSM is in the process of addressing the other open items on Mr. Ragan's review letter. The escrow still needs to be worked up. The storm water open comment has been satisfied, according to Ms. Yost. The PECO issue is still outstanding. Everything has been provided to them, however, this could be a mute point as no construction is going to take place anywhere near that area.

Waiver Requests:

A motion was made by Cliff Lee, seconded by Shannon Wells, to grant a waiver from SALDO 403.04.M & 506, with the modification that the four corners of the proposed usable space will each have a concrete marker, and the remainder of the property boundaries will be pinned. The motion carried.

Aye: 5 Nay: 0 Abstain: 1 (Joe Bauer)

A motion was made by Shannon Wells, seconded by John Wallace, to grant a waiver from SALDO 502.17.G & 502.07.A, to allow a reduction of the horizontal alignment to 42 feet, and in Phase I for the access road to be paved beyond the radius and a centerline painted; Phase II will include paving the rest of the access drive & parking lot; also to include the comment C.19 stated in YSM's response letter dated December 10, 2008 which says the following:

"A paving cross-section will be added to the plans. As discussed with the ENT PC, the drive entrances within the Penn Dot right-of-way will be paved and paving on the western entrance will extend through the radius of the drive curve."

And also to include the comment C.20 which states:

"Exhibit A – Waiver Request defines the horizontal alignment deviation. No deviation from the vertical alignment standard is requested."

The motion carried.

Aye: 5 Nay: 0 Abstain: 1 (Joe Bauer)

Oxford Hollow Associates – Major Subdivision Plan

Township Engineer, Jim Gade, reviewed his letter. Most of the engineering comments have been satisfied. An email was received from Township Solicitor, Winnie Sebastian, regarding the requirement of a conditional use hearing for land tracts of 5 acres, or greater, as of November 19, 2003, when not using the Retained Open Space Development option. Ed Jefferis of Concord Land Planners, representing the applicant, made the statement that the letter was somewhat ambiguous and it is now in the hands of the BOS.

A motion was made by John Wallace, seconded by Gene Turns, to take no further action. The motion carried.

Aye: 6 Nay: 0

Andy King 3-Lot Tract – Minor Subdivision Plan

Jim Gade reviewed his letter. This is a 3-lot subdivision plan of approximately 120 acres along Media Road. Most of the ground has recently been put into an agricultural easement through the County Challenge Grant Program. There is one single family house proposed. There is a 50 foot access strip attached to lot 2. This strip is required in order to keep the lot compliant. However, only a 25 foot width is required. Waivers requested are from SALDO sections 202, 402.05.E, and 502.11.B.

Ben Weber, from Lake, Roeder, Hillard, represented the applicant. He stated that barn buildings have already been erected on lot 2. He had some question as to whether a waiver from having to do a preliminary plan, was required. PJ Scheese informed him that it was a minor subdivision by definition. Therefore the waiver regarding this was withdrawn. Mr. Weber said they could easily change the 50 foot wide access strip to 25 feet. A planning module would be forthcoming.

Waiver Requests:

A motion was made by John Wallace, seconded by Shannon Wells, to grant a waiver from SALDO 502.11.B requiring the side of the road where the subdivision is be improved to current standards. The motion carried.

Aye: 6 Nay: 0

A motion was made by Cliff Lee, seconded by Gene Turns to grant a waiver from SALDO 202, defining a common driveway as providing access to not more than two contiguous lots, and instead allow it to serve all three lots. The motion carried.

Aye: 6 Nay: 0

Developers Requesting to be on Agenda

Herr Foods Inc. – Land Development Plan

Jim Gade started the discussion by reviewing his letter. This is an existing Herr's warehouse. A new loading area is being proposed. There will be an increase of approximately 22,000 SF of impervious surface. There are two zoning issues.

1. Section 1903.A.3 of the Zoning Ordinance requires all loading and unloading access have an all-weather surface. There is confusion as to whether the intension is to pave this surface. Ed Jefferis stated that the applicant would pave this surface.

2. Section 1909.A.4 of the Zoning Ordinance prohibits loading facilities to be constructed between the building setback line and a street right of way. The plan shows a portion of the labeled loading area between Baltimore Pike's right of way and the front yard setback. Mr. Jefferis stated that this will be changed on the plan to read "loading access area."

Mr. Gade stated that off street parking is not permitted within ten feet of a side property line, per section 503.C1 of the SALDO. The applicant must prohibit the parking of vehicles in this area, with the exception of activities related to loading and off loading of trucks. There are some minor storm water management issues.

Mr. Jefferis said he will make all necessary changes and resubmit the plan to the Township.

Letters of Extension

A motion was made by Gene Turns, seconded by Walt Leis, to request letters of extension for the following:

- Liz Miller – 2003 Preliminary Subdivision Plan
- Meadowview Estates – Preliminary Subdivision Plan
- Andy King Tract – Minor Subdivision Plan
- Timothy Bishop – Minor Subdivision Plan
- Muehimatt Subdivision – Final Subdivision Plan

to be date specific for December 15, 2009. The motion carried.

Aye: 6 Nay: 0

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

- Elizabeth S. Miller – Preliminary 5-lot - Plan
- Wilson King – Final 2-Lot Subdivision & Land Development Plan
- Preserve at White Oak Farm – Preliminary Plan
- Reserves of Duntap – Preliminary Subdivision Plan
- Lewis Tract – Final Subdivision Plan
- Wicklow – Final Subdivision Plan

TDR Ordinance – Subcommittee Report

Cliff Lee stated that the committee is gearing up a response to the BOS' request for details of the suggested modifications. Specifically the locations and quality of lands referenced. No meeting is scheduled as of yet.

Correspondence

- SSM brochure about doing a multi-municipality comprehensive plan

Old Business

None

PC Members

Shannon Wells raised an issue regarding soil erosion on Hopewell Road, and that tree roots are being uncovered. This could become a safety hazard. PJ Scheese said she would contact the Road Master regarding this issue.

Visitors

Mike Vitale thanked the PC for their hard work and cooperation regarding the OARA land development plan.

A motion was made by Cliff Lee, seconded by John Wallace, to adjourn. The motion carried.
Aye: 6 Nay: 0

The meeting adjourned at 8:15 pm.

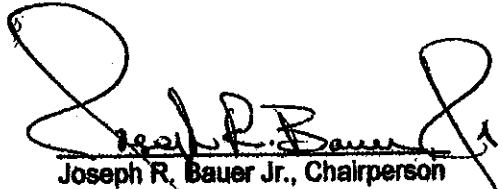
Respectfully Submitted,

PJ Scheese

PJ Scheese
Planning Commission Secretary

APPROVED:

Date 9/28/09


Joseph R. Bauer Jr., Chairperson