

**AGENDA  
EAST NOTTINGHAM TOWNSHIP  
REGULAR PLANNING COMMISSION MEETING  
February 22, 2010**

- *Call meeting to order*
- *Pledge of Allegiance*
- *Approve Agenda*
- *Public Comment on Agenda*
- *Approve Minutes*
  - January 25, 2010
- *Ordinances*
  - To Create an Overlay District for Receiving TDR within Portions of the R-2 Residential Districts
  - To Incorporate a Zoning Map Change Creating an Overlay District for Receiving Transferable Development Rights within Portions of the R-2 Residential Districts
  - Special joint meeting with BOS and PC to discuss these drafts on Wednesday, March 3, 2010 at 7 p.m.
- *Subdivision/Land Development Plans*
  - Langston (Liz Miller Property) 180-Lot Preliminary Subdivision Plan – CCHD Review Letter
  - Herr's Subdivision for Industrial Park Sketch

**REQUEST FOR EXTENSION LETTERS - Letters to be date specific for June 15, 2010**

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

**PLANS RECENTLY WITHDRAWN**

- Preserve at White Oak Farm – Preliminary Plan

**OTHER SUBDIVISIONS IN PROCESS (FYI)**

- Elizabeth S. Miller – Preliminary 5-lot - Plan
- Liz Miller – 2003 Preliminary Subdivision Plan
- Oxford Hollow Associates Preliminary Subdivision Plan
- Lewis Tract – Final Subdivision Plan
- Reserves of Dunlap – Preliminary Subdivision Plan
- Wicklow – Final Subdivision Plan
- Wilson King – Final 2-Lot Subdivision & Land Development Plan

- *Correspondence*  
*NONE*
- *Old Business*
- *Planning Commission Members*
- *Recognition of Visitors*
- *Adjournment*

**East Nottingham Township  
Planning Commission Regular Meeting Minutes  
February 22, 2010**

The regular meeting of the East Nottingham Township Planning Commission was held in the Township Building on February 22, 2010 at 7:00 pm. Those present were: Chairperson, Joseph R. Bauer, Jr., Vice Chairperson, Clifford Lee, Planning Commission Members, Gene Turns, Walt Leis, and Janice Gavin, and Planning Commission Secretary, PJ Scheese. Member John Wallace arrived late. Member Shannon Wells was absent. Township Solicitor and Engineer, Gene Twardowski and Jim Gade, respectively, were also present.

The meeting opened at 7:04 p.m. Vice Chairperson, Cliff Lee, led the Pledge of Allegiance.

**Agenda**

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

Aye: 5      Nay: 0

**Public Comment on the Agenda**

There was none.

**Minutes to Approve**

A motion was made by John Wallace, seconded by Janice Gavin, to approve the January 25, 2010 minutes for the regular PC meeting. The motion carried:

Aye: 5      Nay: 0

John Wallace arrived at 7:07 p.m.

**Ordinances**

**Transferrable Development Rights (TDR) Ordinance**

Cliff Lee, the Chairman of the TDR Committee started the discussion with reasons as to why the PC was asked to amend this ordinance. There were three reasons:

- 1) The current TDR ordinance is out of date with the Township's current intentions as to how they want the area developed.
- 2) We want to responsibly develop East Nottingham.
- 3) To better align ourselves with the official PA policy to protect agricultural land.

The subcommittee is recommending policies to support modifications using four (4) tenets:

- 1) To include high quality soils in sending areas in the net out calculations in the sending tract.
- 2) To include lower quality soils in the receiving tracts, for which there is minimal opportunity.
- 3) To restructure the ordinance to include incentives to carry out tenets 1 and 2.
- 4) To promote the corridor of development of C-1, C-2, and I-1 districts along Baltimore Pike to be preferentially developed, allowing for more acreage in the receiving area. Also, as a secondary consideration, to include a residential area that is adjacent to the Baltimore Pike corridor, called the R-2A overlay district.

The map, and amendment to the zoning ordinance, were considered first. The map that was included was not quite right. It needs to be changed to also include in the area on the southeastern side of Oxford Borough, the land bordered by the Boro to the north; Mount Pleasant Road to the west; and Waterway Road to the south. The total receiving acreage, including the four zoning districts of C-1, C-2, I-1, and R-2A is approximately 3,641 acres.

Gene Twardowski stated the purpose of the amendment to the Zoning Ordinance:

- 1) To preserve environmentally sensitive lands.
- 2) To establish zoning districts and overlay districts.

It was suggested that the R-3 residential district that is north of Baltimore Pike should be included as part of the R-2A overlay district. There was some discussion about this and it was decided that this area does not really qualify for the receiving area, as it is already too fully developed to warrant consideration.

**A motion was made by Walt Leis, seconded by John Wallace, to recommend to the BOS they accept the ordinance that changes the zoning map, including the area on the southeastern side of Oxford Borough, the land bordered by the Boro to the north; Mount Pleasant Road to the west; and Waterway Road to the south. The motion carried.**

**Aye: 6      Nay: 0**

Next for consideration was the amendment to the zoning ordinance that creates the R-2A overlay district. Cliff Lee proposed the following changes:

- 1) Changes in the calculation of the TDR in section 1403.B.1.e to  
"multiply the gross tract area containing capability class soils I, II, IIe, IIIs and any delineated woodland as reduced by the applicable deductions in Subsections [b] – [d], above, by 1.5. This product shall be the total number of development rights allocated to the tract."
- 2) A change in the multiplier:  
"Multiply the gross tract area as reduced by the applicable deductions in subsections [b] – [d] for all other soils types not included in subsection e above by 0.7."

Joe Bauer suggested a reference to a soil capability class table to be added. Gene Twardowski suggested adding an appendix if so desired. This would be the simplest way to reference this.

- 3) Section 1404.A.1 regarding the receiving areas as a residential use is to be in the R-1A or R-2A district. The non-residential use is to be in the C-1, C-2 and I-1 districts to be given the incentive that each TDR is equivalent to 6,500 SF of building coverage. This increase in the multiplier is 2.5 for non-residential use of TDR.

Gene Twardowski stated that the Board of Supervisors has asked why an overlay district has been created. The answer is that this overlay district narrows the receiving area. It makes sense to more densely develop that ground closest to the Boro. This is consistent with the Regional Comp Plan, according to Joe Bauer.

**A motion was made by Walt Leis, seconded by John Wallace, to recommend the BOS amend the zoning ordinance to create the overlay district. The motion carried.**

**Aye: 6      Nay: 0**

A special joint meeting with the PC and BOS on Wednesday, March 3, 2010 at 7pm has been advertised to discuss these two amendments.

### Subdivisions & Land Development Plans

#### Langston Subdivision

There was some discussion about the review letter received from the Chester County Health Department regarding the sewage facilities planning module. Jim Gade said the issues are regarding problems in the surrounding area of the subdivision. The applicant will need to respond to Jim's next review letter, which will include the CCHD's comments.

**A motion was made by Gene Turns, seconded by Cliff Lee, to take no action. The motion carried.**

**Aye: 6      Nay: 0**

**Herr's Industrial Park Subdivision Sketch**

The PC looked at this plan for the purpose of Jim Gade meeting with the applicant's engineer prior to a formal submission. Issues coming up during this discussion can then be incorporated into Mr. Gade's discussions with their engineer.

Walt Leis is concerned about the amount of wetlands on that parcel. Jim Gade stated that Ron Ragan, one of the applicant's engineers, has indicated that there had been some discussion regarding the upkeep of the riparian corridor. Walt Leis suggested the possibility of replacing these wetlands somewhere else, if these needed to be filled in. Mr. Gade said he would make a point of the rules and regs that need to be followed. This is just going to be a subdivision. As lots are considered individually, a land development plan will need to be submitted for each one.

There was some discussion of a center turn lane down Baltimore Pike from Walgreen's to 272. There was also some discussion about trucks turning right and driving through the Boro. It may be necessary to put some sort of signal or sign to prevent a right turn onto Baltimore Pike. Joel Brown said that at the Tasty Cake exit onto Old Baltimore Pike the trucks are only allowed to turn left. It was part of an agreement. The same could be done in this case.

**A motion was made by Walt Leis, seconded by Janice Gavin, to take no action. The motion carried.**

**Aye: 6      Nay: 0**

**Letters of Extension**

**A motion was made by Cliff Lee, seconded by Gene Turns, to request letters of extension for the following:**

- **Meadowview Estates – Preliminary Subdivision Plan**
- **Andy King Tract – Minor Subdivision Plan**
- **Timothy Bishop – Minor Subdivision Plan**
- **Muehlmann Subdivision – Final Subdivision Plan**

**to be date specific for June 15, 2010. The motion carried.**

**Aye: 6      Nay: 0**

**Plans Recently Withdrawn**

- **Preserve at White Oak Farm – Preliminary Plan – Letter received by Board of Supervisors**
- **Reserves of Dunlap 165 Lot – Preliminary Plan – Letter received from applicant, not yet seen by the Board of Supervisors.**

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

- **Elizabeth S. Miller – Preliminary 5-lot - Plan**
- **Liz Miller – 2003 Preliminary Subdivision Plan**
- **Oxford Hollow Associates Preliminary Subdivision Plan**
- **Lewis Tract – Final Subdivision Plan**
- **Reserves of Dunlap – Preliminary Subdivision Plan**
- **Wicklow – Final Subdivision Plan**
- **Wilson King – Final 2-Lot Subdivision & Land Development Plan**

**Correspondence**

**NONE**

**Old Business**

**NONE**

**PC Members**  
NOTHING

**Visitors**  
NOTHING

A motion was made by John Wallace, seconded by Janice Gavin, to adjourn. The motion carried.

Aye: 6      Nay: 0

The meeting adjourned at 8:20 pm.

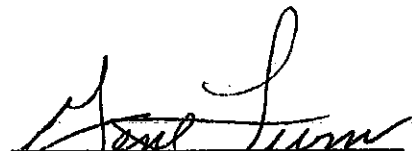
Respectfully Submitted,



PJ Scheese  
Planning Commission Secretary

APPROVED:

Date 3/22/10

  
Joseph R. Bauer Jr., Chairperson  
Gene TURN, Member