

**AGENDA  
EAST NOTTINGHAM TOWNSHIP  
REGULAR PLANNING COMMISSION MEETING  
June 28, 2010**

- I. *Call meeting to order*
- II. *Pledge of Allegiance*
- III. *Approve Agenda*
- IV. *Public Comment on Agenda*
- V. *Approve Minutes*
  - March 22, 2010
  - April 26, 2010
  - May 24, 2010
- VI. *Ordinances*
  - TDR Ordinance
  - Water Ordinances
- VII. *Act 537 Plan – Ed Lennex of OASA presentation*
- VIII. *Subdivision/Land Development Plans*

**TOWNSHIP ENGINEER REVIEWS**

- David & Elizabeth Fisher Preliminary Subdivision Plan

**DEVELOPERS REQUESTING TO BE ON AGENDA**

- Dr. Mease – Veterinary Clinic expansion sketch.

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

- Langston 180-Lot Preliminary Subdivision Plan

**OTHER SUBDIVISIONS IN PROCESS (FYI)**

- Elizabeth S. Miller – Preliminary 5-lot - Plan
- Liz Miller – 2003 Preliminary Subdivision Plan
- Meadowview Estates (Frost) (Option 1)
- Andy King Tract – Minor Subdivision Plan
- Timothy Bishop – Minor Subdivision Plan
- Lewis Tract – Final Subdivision Plan
- Muehlmatt Subdivision – Final Subdivision Plan
- Oxford Hollow Associates Final Subdivision Plan
- Wicklow – Final Subdivision Plan
- Wilson King – Final 2-Lot Subdivision & Land Development Plan

- IX. *Correspondence*  
*NONE*
- X. *Old Business*  
*NONE*
- XI. *Planning Commission Members*
- XII. *Recognition of Visitors*
- XIII. *Adjournment*

**East Nottingham Township  
Planning Commission Regular Meeting Minutes  
June 28, 2010**

The regular meeting of the East Nottingham Township Planning Commission was held in the Township Building on June 28, 2010 at 7:00 pm. Those present were: Chairperson, Joseph R. Bauer, Jr. Vice Chairperson, Clifford Lee, Planning Commission Members, Walt Leis, Janice Gavin, John Wallace, Shannon Wells, Rick Orner and Planning Commission Secretary, PJ Scheese. Supervisors Leo Levandowski, Dave Shelton, Gene Turns, and Percy Reynolds were present, along with other guests.

The meeting was called to order by Chairman Joe Bauer at 7:02 p.m. Everyone stood while Vice-Chairman, Cliff Lee led the Pledge of Allegiance.

**Agenda**

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

**Aye: 7      Nay: 0**

**Public Comment on the Agenda**

There was none.

**Minutes to Approve**

**A motion was made by Walt Leis, seconded by Shannon Wells, to approve the March 22 2010 minutes for the regular PC meeting. The motion carried:**

**Aye: 4      Nay: 0      Abstain: 2 (Chairman Bauer & Vice-Chairman Lee)  
Gene Turns, who was present at this meeting, is no longer a member of the PC.**

**A motion was made by Cliff Lee, seconded by John Wallace, to approve the April 26 2010 minutes for the regular PC meeting. The motion carried:**

**Aye: 5      Nay: 0      Abstain: 2 (Walt Leis & Janice Gavin)**

**A motion was made by Walt, seconded by Cliff Lee, to approve the May 24 2010 minutes for the regular PC meeting. The motion carried:**

**Aye: 5      Nay: 0      Abstain: 2 (John Wallace & Shannon Wells)**

**Ordinances**

**Transferable Development Rights**

Chairman Bauer told the members of the PC what transpired during the June 21<sup>st</sup>, 2010 Work Session and what was discussed regarding the direction The BOS is taking with the TDR Ordinance. Township Solicitor, Gene Twardowski is heading up the committee and they will be working with the Brandywine Conservancy. Walt Leis stated that the TDR committee had met with the BOS and at no time were they told to remove residential as a receiving area. There was some discussion about the meetings and some disagreement between Walt Leis and BOS Chairman Levandowski as to how these meetings went. There was a review of how the TDR committee came about and what the desires of the BOS were at the time it was set up. The PC never knew what the viewpoint of the BOS was. Janice Gavin and Shannon Wells explained the committee's thinking when they were working on the ordinance. BOS Chairman Levandowski said that the BOS had changed its mind about TDR being used in residential districts. Cliff Lee said that the BOS is the elected body and it is their job to decide these things for the Township.

**Water Ordinances**

Chairman Bauer told the PC that the BOS has elected to have Township Solicitor, Gene Twardowski, work on the water ordinances. Mr. Leis reviewed the time when the township was first working on these ordinances. It was a different BOS, with Sam Goodley, Tom Olivieri, and Dave Shelton. Then he stated "Whatever the Board wants, go ahead."

Chairman Joe Bauer said that he thought the way the Work Session was handled was obnoxious. Then he said to the Board of Supervisors that he could not work with them, and therefore could no longer work for them. He then said "I quit" and left.

Vice-Chairman Cliff Lee, by default became the new Chairman of the PC. He asked for a motion to recommend candidates for the Vice-Chairmanship.

**A motion was made by Walt Leis, seconded by Janice Gavin, to nominate Shannon Wells for the position of Vice-Chairman of the PC. The motion carried.**

**Ayes: 6      Nays: 0**

Vice-Chairman Shannon Wells asked what the procedure was regarding the acceptance of a resignation. Secretary PJ Scheese stated that this will be handled at the next BOS meeting.

### **Oxford Area Sewer Authority Authority Act 537 Plan**

Ed Lennex, Executive Director of the Sewer Authority began his presentation by introducing Michelle Braas of Rettew, the Authority's engineering firm. He continued with a review of how we got to where we are today. All PC members had been given a disc with the Act 537 on it, and two hard copies were delivered to the Township on June 24<sup>th</sup>.

The Act 537 team consisted of board members and engineers from each municipality. Mr. Lennex then reviewed the process they followed. Four zones were created, and they looked at both 5 and 10 year growth. The project consists of the treatment, storage and disposal of waste. They are building a 1.25 million gallon treatment plant which should create almost enough capacity for the next 20 years. They are in the process of securing grant money to help cover the costs of construction of the Osborne Lagoon and the new mechanical treatment plant, as well as outfitting the Ross spray fields. Their projections say they will need 41 acres of spray field and 30 million gallons of storage.

Chairman Cliff Lee asked how they came up with their projections. Mr. Lennex said that the municipalities' engineers came up with them based on subdivision plans.

Mr. Lennex said that the PC needs to submit a letter with comments about the Act 537 Plan to the Sewer Authority for the August 23, 2010 submission.

Each Planning Commission member is to send his/her comments by July 15, 2010 to PJ Scheese, including if they have no comments at all, who will put them in a letter to the OASA, and then send out to each PC member for their review. The letter will then be sent on to Ed Lennex with a copy going to the Township Board of Supervisors.

**A motion was made by John Wallace, seconded by Walt Leis, for all PC comments to be consolidated into a letter that will represent the PC's official position on this Act 537 Plan. The motion carried.**

**Ayes: 6      Nays: 0**

### **Subdivisions & Land Development Plans**

#### **Township Engineer Reviews**

#### **David & Elizabeth Fisher Preliminary Subdivision Plan**

Jim Gade reviewed his letter with the PC. This is one of the properties from which the TDR are being purchased to put toward the increase in density for the Langston Subdivision. The applicant wishes to subdivide off ten acres into a non-buildable lot, from the 78 +/- acre agricultural lot. They are seeking a planning waiver from DEP to preclude the necessity of doing a sewage facilities planning module. The Township still has not received the CCHD response to this request.

Two SALDO waivers have been requested:

- From Section 304.4 requiring the submission and approval of a Preliminary Plan. Because there is no proposed construction, Stantec does not oppose combining the Preliminary and Final Plans into a single plan. *This request was turned down by the BOS.*
- From Section 502.11.A requiring the cartway, i.e. Forge and Union Square Roads, improvement to current township standards.

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

**Aye: 5      Nay: 0      (Shannon Wells had stepped out of the room during this time.)**

***Developers Requesting to be on the Agenda***

**Oxford Veterinary Clinic**

Dr. Carl Mease, vet and proprietor, wishes to expand his building in order to accommodate his business needs. He came to the PC meeting to see if he had to do a land development plan or if an Erosion & Sedimentation permit would serve his purpose.

This is a non-conforming building in that it is closer to the road and his neighbor on the left than the required setbacks. His septic system is failing and so he has his tank pumped out once a week. He does own an EDU, but was informed several years ago that because of the sewer moratorium he could not get hooked up. This was discussed and it was suggested he contact Ed Lennex, as this situation may have changed and he may be able to hook into public sewer, particularly since he now has a failed system. Other issues include:

- Zoning information is needed such as total impervious coverage, square footage of the building, etc.
- The number of parking spaces must meet the twp requirements.
- The type of usage should be clarified, retail, medical, etc.
- Increase in impervious should be calculated and storm water management facilities should be provided if needed.
- Total ground coverage
- Total impervious surface

Jim Gade suggested Dr. Mease have Concord Land Planners, who had done the sketch he brought to the meeting, generate documentation to fill in these blanks, and then come back to the PC for their review. Mr. Gade said the Ed Jefferis, of CLP, could call him to find out exactly what is needed in the plan.

***Letters of Extension***

**A motion was made by John Wallace, seconded by Walt Leis, to request a letter of extension for the following:**

- **Langston 180-lot Preliminary Subdivision Plan to be date specific for October 15, 2010. The motion carried.**

**Aye: 6      Nay: 0**

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

- Andy King Tract – Minor Subdivision Plan
- Elizabeth S. Miller – Preliminary 5-lot - Plan
- Lewis Tract – Final Subdivision Plan
- Liz Miller – 2003 Preliminary Subdivision Plan
- Meadowview Estates – Preliminary Subdivision Plan
- Muehlmatt Subdivision – Final Subdivision Plan
- Oxford Hollow Associates Final Subdivision Plan
- Timothy Bishop – Minor Subdivision Plan
- Wicklow – Final Subdivision Plan
- Wilson King – Final 2-Lot Subdivision & Land Development Plan

Correspondence

- dvrpc TIP
- dvrpc Link

Old Business

NOTHING

PC Members

NOTHING

Visitors

NOTHING

**A motion was made by Shannon Wells and Walt Leis, seconded by Cliff Lee, to adjourn.  
The motion carried.**

**Aye: 6      Nay: 0**

The meeting adjourned at 8:27 pm.

Respectfully Submitted,



PJ Scheese  
Planning Commission Secretary

APPROVED:

Date 9/27/10

  
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Planning Commission Chairman