

**AGENDA  
EAST NOTTINGHAM TOWNSHIP  
REGULAR PLANNING COMMISSION MEETING  
JANUARY 10, 2011**

- I. *Call meeting to order*
- II. *Pledge of Allegiance*
- III. *Approve Agenda*
- IV. *Public Comment on Agenda*
- V. *Approve Minutes*
  - October 25, 2010
  - January 4, 2011
- VI. *Subdivision/Land Development Plans*

Planning Commission Meeting Protocol

In the *Subdivision/Land Development Plans* section of the agenda, under the heading of "**TOWNSHIP ENGINEER REVIEW LETTERS**" the township's engineer will go over his review letter with the Planning Commission and the applicants, if they are present. The Planning Commission requests that the applicant wait until he is asked a question by the engineer or the chairman, or wait until the engineer's review of the plan is finished before directly addressing the Planning Commission.

**TOWNSHIP ENGINEER REVIEW LETTERS – Jim Gade, Stantec**

- Andy King Minor Subdivision Plan
  - Possible request for conditional approval recommendation
- Joe England Minor Preliminary Subdivision Plan
- Stephen & Lydia Fisher Minor Subdivision Plan
  - New Requirement – Sewage Facilities Planning Module

**DEVELOPERS REQUESTING TO BE ON AGENDA**

- Langston Preliminary Subdivision – Laura Swiski – Northpoint Engineering
  - Waiver Requests from SALDO
    - ❖ 502.7.A
    - ❖ 502.16.A
    - ❖ 503.3.D
  - Request for TDR certification for:
    - ❖ Merrill Property
    - ❖ David & Elizabeth Fisher Property

**REQUEST FOR EXTENSION LETTERS**

- Lewis Tract – Final Subdivision Plan

**OTHER SUBDIVISIONS IN PROCESS (FYI)**

- Timothy Bishop – Minor Subdivision Plan
- David T. Muehlmatt – Minor Subdivision Plan
- Liz Miller – 2003 Preliminary Subdivision Plan
- Meadowview Estates (Frost) (Option 1)
- Wicklow – Final Subdivision Plan
- Wilson King – Final 2-Lot Subdivision & Land Development Plan

VII. *Correspondence*

VIII. *Old Business*

- Oxford Area Recreation Authority - Revisit Conditional Approval
  - Look at plan changes – specifically the relocation of the pavilion
  - Clean letter from Ron Ragan
  - Sign plans

IX. *Planning Commission Members*

X. *Recognition of Visitors*

XI. *Adjournment*

**East Nottingham Township  
Planning Commission Regular Meeting Minutes  
January 10, 2011**

The regular meeting of the East Nottingham Township Planning Commission was held in the Township Building on January 10, 2011 at 7 pm. Those present were: Planning Commission Chairman Shannon Wells, Vice-Chair Janice Gavin, Members, John Wallace, Walt Leis, Rick Orner, Robert Williams, Art Rieck and Planning Commission Secretary, PJ Scheese.

The meeting was called to order at 7:02 p.m. by Chairman Shannon Wells.

The Pledge of Allegiance was led by Vice-Chair Janice Gavin.

**A motion was made by Walt Leis, seconded by Rick Orner, to approve the agenda.**

**Aye: 7      Nay: 0**

In the public comment period Ken Hershey, Lower Oxford Township Supervisor and OARA representative, thanked East Nottingham Township for everyone's efforts in the OARA Land Development Plan.

**A motion was made by the Walt Leis, seconded by Janice Gavin, to approve the regular meeting minutes for October 25, 2010. The motion passed.**

**Aye: 5      Nay: 0      Abstain: 2 (Art Rieck & John Wallace)**

**A motion was made by the Rick Orner, seconded by John Wallace, to approve the organization meeting minutes for January 4, 2011. The motion passed.**

**Aye: 7      Nay: 0**

**Subdivisions & Land Development Plans**

**Township Engineer Reviews**

**Andy King Final Subdivision Plan**

Jim Gade reviewed his December 17, 2010 letter with the commission. There had been some changes since that letter was issued. On January 3, 2011 the Board of Supervisor approved the two waivers the applicant wished to have reconsidered. They were from SALDO sections 202 and 502.11.B. Issues still open are:

- Declaration of Covenant and Easement for Common Driveway Maintenance;
- Sewage Facilities Planning Module approval from the PA DEP;
- Approval from Open Space Preservation state and county agencies.

Applicant requested a recommendation for conditional approval.

**A motion was made by Janice Gavin, seconded by Art Rieck, to recommend approval of this plan conditional on PA DEP approval of the PM, finalization of the Common Driveway Maintenance Agreement, and other outside agency approvals. The motion carried.**

**Aye: 6      Nay: 0      Abstain: 1 (Rick Orner)**

**Joe England Minor Subdivision Plan**

Jim Gade started to review his December 17, 2010 letter with the commission. However, since the applicant has already responded to that letter with significant changes in the plan, it was decided it would be better to wait until January 24, 2011 to review this plan with the commission

**A motion was made by John Wallace, seconded by Janice Gavin, to table any further review of this plan until January 24, 2011. The motion carried.**

**Aye: 6      Nay: 0      Abstain: 1 (Rick Orner)**

**Stephen & Lydia Fisher Minor Subdivision Plan**

PJ Scheese told the commission that the applicant was now considering putting a house on the lot they had originally said they were not planning on building on any time soon. Therefore, this plan

should not be considered for final approval recommendation since they may need to do a sewage facilities planning module. This will be determined by the PA DEP.

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

#### **Langston Preliminary Subdivision Plan**

Laura Swiski, of Northpoint Engineering, represented the applicant, Keystone Custom Homes. She spent some time reviewing the history of this project:

- The ENT BOS gave a Conditional Use approval in 2007;
- The preliminary plan was first submitted to the Township by Lake Roeder Hillard in September, 2009;
- Stantec had done one review;
- LRH originally requested 11 waivers from the SALDO;
- Ms. Swiski has cut that down to just 3 waivers from SALDO 502.07.A, 502.16.A, & 503.03.D.

Ms. Swiski proceeded to sketch out significant changes in the plan. She said it would be at least another 6 weeks to get the redesign together. The purpose of her coming to this meeting was to re-introduce the plan to the commission, as there are so many new members. Ms. Swiski said that she did not expect the PC to consider or vote on the waiver requests at this meeting.

Concern was expressed about snow removal in the new plan design proposal. There was some discussion about putting in slant curves, as opposed to straight curves, but this is not a waiver request. It's just something the BOS needs to consider.

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

**Aye: 7      Nay: 0**

TDR Certification was discussed regarding the Merrill tract, but as there were some open issues at the applicant's end of things, no consideration was given to vote on that at this meeting.

**A motion was made by John Wallace, seconded by Rick Orner, to table TDR certification. The motion carried.**

**Aye: 7      Nay: 0**

### ***Letters of Extension***

PJ Scheese explained that the **Lewis Tract Subdivision** litigation with the PA DEP had ended and not in favor of the applicant. Therefore, they would not be pursuing this application. However, since we have yet to receive a letter of withdrawal, a letter of extension would be required. This will be obtained and hopefully a letter of withdrawal from the applicant will follow.

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

- Timothy Bishop – Minor Subdivision Plan
- David T. Muehlmann – Minor Subdivision Plan
- Liz Miller – 2003 Preliminary Subdivision Plan
- Meadowview Estates (Frost) (Option 1)
- Wicklow – Final Subdivision Plan
- Wilson King – Final 2-Lot Subdivision & Land Development Plan

### **Correspondence**

- Delaware Valley Fair Housing News

### **Old Business**

#### ***Oxford Area Recreation Authority***

Representing were Ann Yost, of YSM, Ken Hershey and Tony der Kinderen of the Rec Authority. This land development plan has already received conditional approval from the Board of Supervisors.

However, there was a change in the plan, and so the applicant wanted to show these to the members of the PC. The pavilion has been relocated to the opposite end of the track. Ms. Yost showed the change to the PC.

Shannon Wells raised a question about the proximity of one of the ball fields to Locust Street and the issue of foul balls landing in the road. There was some discussion about this. Ms. Yost said that there is a good sized backstop that should take care of this, but some of the PC members were not convinced. Ms Yost suggested we contact the Township Solicitor to see what the Township's liability would be if there was an injury. A suggestion was made regarding getting "kangaroo netting" put up to handle this.

Also in the back of one of the ball fields and a soccer field are some pretty steep slopes. These issues were raised because of the question of liability if someone is injured rolling down one of the hills accidentally. Ideally a fence would take care of this problem, but the Rec Authority does not have the money to put one in at this time. Ms. Yost suggested the township solicitor be contacted regarding this issue as well.

The Rec Authority has liability insurance, but the PC members still were not satisfied that the Township would not be covered completely by this.

Supervisors Levandowski and Turns were in the audience and gave the PC permission to contact the solicitor. Tony der Kinderen and PJ Scheese will talk about the OARA's liability insurance policy and Ms. Scheese will contact the solicitor with questions.

**PC Members**

NOTHING

**Visitors**

NOTHING

A Motion was made by John Wallace, seconded by Rob Williams, to adjourn the meeting.

The meeting adjourned at 8:19 p.m.

Respectfully Submitted,



PJ Scheese  
Planning Commission Secretary

APPROVED:

Date 1.29.2011

  
Shannon Wells, Planning Commission Chairman