

**AGENDA  
EAST NOTTINGHAM TOWNSHIP  
REGULAR PLANNING COMMISSION MEETING  
JANUARY 27, 2014**

- I. *Call meeting to order*
- II. *Pledge of Allegiance*
- III. *Approve Agenda*
- IV. *Public Comment on Agenda*
- V. *Approve Minutes*
  - December 16, 2013 Regular Meeting
  - January 7, 2014 Organizational Meeting
- VI. *Subdivision/Land Development Plans*

**TOWNSHIP ENGINEER REVIEW LETTERS – Mark Deimler, Solanco Engineering**

  - Bowden, Mark & Gail Minor Subdivision
  - Mease, Carl & Lesley Final Land Development Plan

**DEVELOPERS REQUESTING TO BE PUT ON AGENDA**

  - Herr Foods Inc. Preliminary Industrial Subdivision Plan – Ken Crossan or Joel Brown

**REQUEST FOR LETTERS OF EXTENSION – NONE**

**PLANS REMOVED FROM PC AGENDA**

  - Wilson King Final Subdivision & Land Development Plan – BOS has denied plan

**SUBDIVISIONS & LAND DEVELOPMENT PLANS IN PROCESS (FYI)**

  - Bishop, Timothy– Final Subdivision Plan
  - David T. Muehlmann – Final Subdivision Plan
  - Frank H. III & Angela Thompson Lobb Land Development Plan
  - Langston Preliminary Subdivision Plan
  - Liz Miller Preliminary Subdivision Plan
  - Meadowview Estates (Frost) (Option 1)
  - Wicklow Final Subdivision Plan
- VII. *Ordinances*
  - Stormwater Management Ordinance – was adopted at the 1/6/2014 BOS meeting
- VIII. *Correspondence - None*
- IX. *Old Business - **None***
- X. *New Business*
- XI. *Planning Commission Members*
- XII. *Recognition of Visitors*
- XIII. *Adjournment*

**East Nottingham Township  
Planning Commission Regular Meeting Minutes  
January 27, 2014**

The regular meeting of the East Nottingham Township Planning Commission was held in the Township Building on January 27, 2014 at 7 pm. Those present were: Chairman John Wallace, Members Art Rieck, Marc Arot, and Walt Leis and Planning Commission Secretary, PJ Scheese. Vice-Chair Janice Gavin arrived late. Members Tom Faux and Robert Stewart were absent.

The meeting was called to order at 7:01 p.m. by Chairman Wallace.

The Pledge of Allegiance was led by Chairman Wallace.

**A motion was made by Art Rieck, seconded by Walt Leis, to approve the agenda. The motion carried.**

**Aye: 4      Nay: 0      Abstain: 0**

There was no public comment on the agenda.

**A motion was made by Marc Arot, seconded by Art Rieck, to approve the minutes of December 16, 2013 and January 7, 2014. The motion carried.**

**Aye: 4      Nay: 0      Abstain: 0**

**Subdivisions & Land Development Plans**

Engineer Review letters - Mark Deimler, of Solanco Engineering, presented.

*Member Janice Gavin arrived at 7:07 p.m.*

*Mark & Gail Bowden Minor Subdivision Plan*

Mark Deimler went over his review letter, stating that all comments have been addressed satisfactorily. The only outstanding items were waiver requests from SALDO Sections:

- 22-502.11 – Improvement of Existing Streets. Mr. Deimler stated he had no objections to this waiver request based on the scope of the project.
- 22-403.C.1 – Existing Features. Mr. Deimler stated he had no objections to this waiver request based on the scope of the project.

**A motion was made by Walt Leis, seconded by Mark Arot, to recommend approval of these two waivers to the Board of Supervisors. The motion carried.**

**Aye: 5      Nay: 0      Abstain: 0**

The applicant, represented by Ed Jefferis, of Concord Land Planners, requested consideration for the recommendation of plan approval.

**A motion was made by Walt Leis, seconded by Art Rieck, to recommend to the Board of Supervisors to approve this plan, conditional upon their approval of the two waivers requested. The motion carried.**

**Aye: 5      Nay: 0      Abstain: 0**

*Carl E. & Lesley L. Mease Land Development Plan*

Mark Deimler went over his review letter, stating that most comments have been addressed satisfactorily. Outstanding items were:

- SALDO Section 22-502.11 – Improvement of Existing Streets. Mr. Deimler recommended the applicant request a waiver from this section based on the fact that the roadway is a state highway.
- SALDO Section 22-601 – Completion of Improvements or Guarantee Thereof. Mr. Deimler stated that the submitted cost estimate of \$99,928.20 represents a fair and reasonable amount for this project, and that the applicant shall post the guarantee with the Township in a form acceptable to the Township Solicitor.
- SALDO Section 22-602 – Subdivision Agreement – Mr. Deimler stated that this is something that would be prepared by the Township Solicitor and thought perhaps one would not be required in this case.
- New Comment – The applicant has provided copies of an “AMENDED STORMWATER AND SANITARY SEWAGE EASEMENT AGREEMENT” for the tie-in of the proposed stormwater piping from the proposed underground facility. The Locksley Glen HOA has raised the issue that this may not be adequate and that they should have approval of any discharge in the piping system on lands of a resident in Locksley Glen. Mr. Deimler believes the applicant has provided the calculations which show the rate of stormwater after development is less than or equal to the rate of stormwater prior to development, required by ENT SALDO. He stated that Township Solicitor and he agreed on this and that the HOA has no standing in this.

There was some discussion among the PC members after which

**A motion was made by Walt Leis, seconded by Art Rieck, to recommend to the Board of Supervisors approval of the waiver request from SALDO Section 22-502.11 regarding the improvement of existing streets. The motion carried.**

**Aye: 5      Nay: 0      Abstain: 0**

**A motion was made by Walt Leis, seconded by Art Rieck, to recommend to the Board of Supervisors approval of this land development plan with following conditions:**

- **A waiver from SALDO Section 22-502.11 has been approved by the Board;**
- **The applicant must post the guarantee of \$99,928.20 in a form acceptable to the Township Solicitor;**
- **Town Solicitor must determine if a subdivision agreement is necessary and if one is, she will prepare it for execution by the applicant.**
- **Confirmation that nothing further is required from the applicant in regards to the “AMENDED STORMWATER AND SANITARY SEWAGE EASEMENT AGREEMENT.”**

**The motion carried.**

**Aye: 5      Nay: 0      Abstain: 0**

*Developers Requesting to be put on the Agenda*

*Herr's Industrial Subdivision – Ron Ragan and Joel Brown represented for the applicant.*

The applicant asked to come in front of the Planning Commission to request consideration of a recommendation from them for the Board of Supervisors to give its approval

of the preliminary plan. The lack of a sewer line is a deterrent to any potential buyers of any of this property. It was stated that Herr's does not have interest in providing money for a sewer line if there are no interested buyers, and they cannot have interested buyers without at least a preliminary approval. There are other parties who have an interest in seeing a sewer line down Baltimore Pike. The applicant believes would be willing to put up money, along with Herr's, to see this project move forward. The Oxford Area Sewer Authority has chosen the plan they wish to follow, once the funds are provided.

Mr. Deimler stated that he believe that this was more of a political decision for the Board of Supervisors. His concern is that in light of another situation, that will most likely end in litigation, that approval of a plan without something more firm regarding the disposal of sewage waste could once again put the Township in a situation where they may be expected to provide some of the funding for a solution.

Members of the Planning Commission agreed that they could not recommend plan approval to the Board at this time. The applicant requested a public meeting be set up for provide a forum for further discussion about this.

**A motion was made by Art Rieck, seconded by Walt Leis, to recommend to the Board of Supervisors that a public joint work session between the BOS, PC and applicant's representatives, be set up, and to also include the Township Engineer, Solicitor, representatives from the OASA and any other interest parties, including West Nottingham Township. The motion carried.**

**Aye: 5      Nay: 0      Abstain: 0**

Letters of Extension - NONE

Subdivisions and Land Development Plans in Process (FYI)

- Bishop, Timothy– Final Subdivision Plan
- David T. Muehmatt – Final Subdivision Plan
- Frank H. III & Angela Thompson Lobb Land Development Plan
- Langston Preliminary Subdivision Plan
- Liz Miller Preliminary Subdivision Plan
- Meadowview Estates (Frost) (Option 1)
- Wicklow Final Subdivision Plan

Ordinances

- Stormwater Management Ordinance – was adopted at the 1/6/2014 BOS meeting

Correspondence - NONE

Old Business - NONE

New Business - NONE

PC Members - NONE

Recognition of Visitors Nothing

**A motion was made by Marc Arot, seconded by Janice Gavin, to adjourn the meeting.**

The meeting adjourned at 7:55 p.m.

Respectfully Submitted,



PJ Scheese  
Planning Commission Secretary

APPROVED:

Date 2/24/14

  

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John Wallace, Planning Commission Chairman