

East Rockhill Township Planning Commission

Regular Meeting Minutes – July 10, 2008

The meeting was called to order at 7:30 PM by Chairperson Dean Frankenfield following a half-hour work session. Present were members Anne Fenley, Sam Martin, Jim Valletta, David Nyman and Nancy Booz. Also present were Township Manager Anne Klepfer and Township Solicitor John B. Rice, Esquire. Brenda Sears did not attend.

Chairman Frankenfield noted the correspondence listed on the agenda and requested the audience place their names on the sign-in sheet at the door. The Board followed up on a notice of a Zoning Hearing in West Rockhill Township for The Horse restaurant and bar for expansion of existing nonconformities regarding setbacks and parking. The Horse is proposing to purchase or lease a lot across the street for additional parking. The lot is in East Rockhill Township. The Planning Commission wants to send a letter to the West Rockhill Township Board of Supervisors indicating that any parking facilities in East Rockhill Township should comply with East Rockhill Township's Zoning Ordinance requirements. Dave Nyman moved that Mrs. Klepfer draft a letter to the WRT Zoning Hearing Board to make compliance with East Rockhill Township's Zoning Ordinance requirements, a condition of any improvements or amenities located in East Rockhill Township, are incorporated into their decision. Anne Fenley seconded the motion and the motion carried 6-0.

The Minutes of June 12, 2008 were not yet completed and action was deferred until the August 14, 2008 Regular Meeting of the Planning Commission.

Old Business

Pennridge School District – Synthetic Turf Field, Final Plan: The applicant's representative from D'huy Engineering reviewed the May 1<sup>st</sup> C. Robert Wynn letter. Since last months' meeting, Item one regarding zoning relief for the height of the proposed lighting was resolved when the Zoning Hearing Board granted the variance with conditions, as recommended by the Township. Item 2: Stormwater Management information is satisfactory. Item 3: Approval from the Conservation District has been received. Item Number 4: PBA water service issue; is compliant. Item 5: The restrictions for the days and hours for the use of the lights were resolved by the decision of the Zoning Hearing Board. Item 6: Addresses two waivers previously requested: The stormwater management report is in compliance; the second, plan details, which is recommended for approval by the Township Engineer. Item 7: This is in regards to installation of the emergency preemption device on the Traffic Signal. Bob Reinhart from the School District said the District will comply, but were very surprised because they don't feel they are adding any additional traffic. The cost will become part of the project cost considerations for the School Board when deciding whether or not this project will move

forward. Item 8: This is a technical plan detail to which they will comply. Item 9: Is a will comply, for installation of a slotted manhole lid. Item 10: Access to stormwater facilities will be resolved to the satisfaction of the Township. Item 11: Installation of handicapped accessible ramps and consideration to signs denoting the handicapped accessible pathway will be given. Item 12: Regarding development and financial security agreements to guarantee stormwater management and erosion control installation.

Bucks County Planning Commission's Letter of May 7, 2008: The Planners want to see lighting details; the plan will be revised to address this concern. They also want to see a stormwater management agreement. Nancy Booz moved to recommend preliminary/final approval subject to approval of the waivers and conditioned upon the completion of items in C. Robert Wynn Associates letter of May 1, 2008. David Nyman seconded the motion, which was approved with one abstention from Jim Valletta.

Holly Brooks Subdivision: Paul Dietz was present this evening as a friend of Jerry Harris to assist him on behalf of Brooks Harris who is unable to attend. Mr. Dietz is with the firm of Urwiler and Walter, Inc.

Mr. Dietz does not believe the plan is ready for preliminary approval. He asked that the Planning Commission clearly identify the areas that remain outstanding and what absolutely needs to be done to get preliminary approval.

John Rice indicated this plan has received a half dozen engineering reviews with some of the issues remaining unresolved after each resubmission. However, within the last 60 days, an additional issue has been identified: The presence of TCE in the water tables in the area. It's in one of the existing wells on the site which was revealed from recent DEP test results recently made available to the Township. The Township wants public water to be installed and Mr. Rice asked Mr. Dietz to respond to that issue and request.

Mr. Harris responded instead of Mr. Dietz. He showed the Planning Commission a sketch he drew on the back of a set of plans. Mr. Rice said the Planning Commission is not here to debate the presence of TCE or which direction it is headed. The Planning Commission simply wants to know if he is going to comply with the requirement to install public water. Mr. Nyman told Mr. Harris that public water is being extended right across the street. He told Mr. Harris that DEP test results of Mr. Harris's wells indicate that TCE is present. The Township cannot approve additional wells to be drilled knowing that there is contamination present. Mr. Harris was asked again if he will agree to extend public water to his subdivision as a condition of plan approval. Mr. Rice said that if Mr. Harris is not willing to respond to the question, then there is no purpose to continuing discussion of the plan to address the other outstanding items.

The Planning Commission stopped to review the number of other outstanding issues in C. Robert Wynn Associates letter of June 30, 2008, including stormwater management issues, planning module/soils condition issues, and floodplain mapping.

Mr. Rice told Mr. Harris that he is responsible for his professionals to ensure they respond to the items identified as deficient in the Township Engineers letter, and that he wasn't aware, isn't acceptable.

Mr. Harris said with regards to the wells, he was told to go to the Health Department and they were told they only test wells upon requests for well permits for construction. Mr. Harris said he doesn't have a problem with public water if it gets there in time. Mr. Rice said that a large part of the delays has been the applicant's failure to comply and respond to the Township engineer's comments.

Paul Dietz originally had asked, what are the critical issues that need to be resolved to move this plan forward? Mr. Dietz said he is going to help both Mr. Jerry Harris and Mr. Brooks Harris to work out the issues. Mr. Dietz is recommending to Mr. Harris to agree to extend public water, and that it will be cheaper, provided that it is there for them to use. Mr. Dietz wants to make sure that the line is sized adequately to accommodate 11 additional homes. Mr. Baluh said that it will be a 12 inch line, and there would be no problem servicing the development. Mr. Frankenfield said the time line for the water extension is not an issue here. The Township simply can't approve additional private wells when there is known TCE contamination on site.

Review of the other items:

#1. Wetland line must be shown on the plan. Meets and Bounds needed for JD by final Plan approval.

#2. This requirement is for the Army Corps of Engineers to validate the submitted wetland delineation report.

#3. Floodplain Analysis: Report is okay, but because the floodplain is being altered they need to get the map revised.

#4. Waiver Requests: Fence type and extension needs to be clarified. Applicant needs to understand that fees are required in lieu of improvements. This is an issue for the Board of Supervisors. They need the applicant to prepare cost estimates to show what the costs of public improvements required are, versus costs of improvements proposed.

#5. Species of trees and locations need to be straightened out; number is okay.

#6. Stormwater Management is still a concern. Originally, infiltration basins were proposed and it's not expected infiltration in this area is possible. They have now been converted to outlet structures to dewater facilities. Steve is not happy with the design of these systems. Also, basins take up most of the build-able areas of the lots. Easements and disclosure statements will be needed for each of those lots. Steve Baluh's concerns need to be addressed. The mechanics of the basin and the disclosure (6c of his letter) need to be compliant. Paul Dietz and

Brooks should re-evaluate the options to address Mr. Baluh's concerns and possibly consider converting the existing pond into a stormwater facility.

#7. Conservation District and NPDES approval will come before final approval.

#8. Applicant needs to contact PBA to apply for public water and designed to PBA's standards. East Rockhill Township would require it to be in Branch Road's lane of traffic unless extended internally. Restoration would have to comply with Township Standards.

#9. Relates to sanitary sewer regarding the proposed stream discharge systems. Lots #1 and #6 are now also proposed for a stream discharge and will require maintenance agreements. Item # 9C states whether or not replacement system areas will be required. Mr. Baluh alerted Mr. Dietz to the proximity of septic systems to the BMP's, and stated he should confirm that they will be accepted by the Health Department.

#10. This item has been resolved with regard to the greenway plan.

#11. This is listed as a condition of approval regarding street lights and inclusion in the street light district.

#12. Indicates a detailed disclosure statement is required as a condition of final plan approval.

#13. Relates to development and financial security agreements needed for final plan approval.

Public Water, cost estimates, stormwater management and the soils testing for the septic systems are considered threshold items. Mr. Dietz will work with Mr. Harris to resolve the items and will resubmit.

Act 537 Plan; Ridge Investment Project(Stan's Stop) – Gulla, Components 3s & 4A: The Planning Commission determined that since they have not received preliminary plans for review yet, it is premature to determine zoning consistency, but it doesn't appear to be consistent with zoning and subdivision ordinances. Steve Baluh will write a letter to this effect to respond to the submission as is required. David Nyman moved to authorize Steve to write the letter for the comment letter and to have Dean Frankenfield sign it on the Planning Commissions' behalf. The motion was seconded by Nancy Booz and approved 6-0.

Nancy Booz reviewed plans that are nearing the end of the 90 day review period. The High Tract, B&D Custom Builders and Goepfert Minor Subdivision all need action. Nancy moved that the above referenced plans either give extensions or they be denied. Anne Fenley seconded the motion which was approved 6-0.

There being no further business to come before the board, Dean adjourned the meeting at 8:55 PM and to sign Component 4A.

Respectfully submitted:

Sam Martin

Secretary

Recorded:

Anne W. Klepfer

Manager