

## East Rockhill Township Planning Commission

### Minutes of Meeting - September 11, 2008

Vice-Chairperson Nancy Booz called the meeting to order due to the absence of Chairperson Dean Frankenfield. Members present were Brenda Sears, Jim Valletta, Sam Martin, Anne Fenley, Township Engineer Steve Baluh, and Township Manager Anne W. Klepfer. Member Dave Nyman was absent. Nancy noted the listed correspondence on the agenda. The minutes of August 14, 2008 were accepted unanimously as presented on a motion of Anne Fenley; seconded by Jim Valletta.

Old Business – B & D Builders – Ed Wild, Esq., and Peter Stratton, B & D Builders were present to discuss the plan. Nick Rose of Pro-Tract Engineering did not attend. Ed Wild stated one issue needs to be resolved. Peter Stratton reviewed the history of the plan. He stated the Board challenged him to look at moving two of the lots to the Rockhill Road side from Old Bethlehem Pike in order to mitigate some of the traffic concerns in that area. Delval Soils did an exhaustive study in the area and could not locate an area that would be acceptable for a septic system. One lot was re-located due to storm water drainage concerns of the neighbors. Ed Wild stated even that required alternative conduct regarding a neighboring well. Peter offered they are relocating the well as a proposed septic system is too close to it.

Ed Wild continued that one waiver is for new driveways on collector streets. Both roads qualify as collector streets. An aerial shows 27 driveways within approximately one-half mile. Two lots now show a shared driveway on Old Bethlehem Pike. The two lots shown on Rockhill Road could be changed to sharing a driveway. Ed Wild stated In terms of improvements to address storm water concerns, it will make the existing conditions better than if nothing was built. The trade-off is, there are five additional houses, and the middle portion of the tract would be open space and undeveloped. They're looking for a consensus on the waivers. If the waiver cannot be secured, they would have to consider if the project is viable; they do not want to be adversarial as the project doesn't warrant it. If the waiver can be granted, they would return with a fully engineered plan. He referred to the last C. Robert Wynn review letter, and did not see any major issues with any of them. Mr. Stratton reiterated that with these homes, the current storm water issue will be improved.

Nancy opened the meeting for any comments from the audience. Donald Swartley stated the driveways are not his concern, but storm water is. Additionally, the intersection is the scene of numerous accidents. Steve Baluh recalls from prior discussions, that the developer would address on-site storm water issues, but also look at properties immediately downstream along Kooker Avenue if any improvements could be made.

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One was possibly replacing an existing drainage pipe that appears to be too small, and or changing the swale to divert it elsewhere. Peter Stratton and Ed Wild agreed. The plan will be engineered to meet storm water requirements. Steve offered the applicant has agreed to work with the Township and the neighbors, to address the run-off issues. They're not asking for plan approval, just associated questions to determine whether it would be appropriate for the owner to go through with the project. Jim Valletta asked if different driveway options, to omit backing up onto the road, could be designed. Steve Baluh offered a turn-around area could be put in place; he doesn't think there would be an impervious surface issue. He stated the applicant provided a letter from DelVal Soils that discussed the additional testing that was done on the lot for verification.

Nancy asked for clarification of the waiver; is the 3/12/08 waiver letter the latest? Steve stated yes, and it's Item 7 on his review letter of 4/3/08. Ed Wild read aloud, Section 22-504.J regarding the waiver. Sam Martin stated the Board asked the applicant to try a re-design, and they complied; and proposed drainage improvements will help the storm water issues. The ATV trails which came up in discussions are undesirable. The open areas, whether public or through a conservation easement; it is hoped those trails would be abandoned. Anne Klepfer noted currently no ordinance regulations exist for ATV use on private property. The nuisance ordinance for noise and dust could be utilized, but it would have to be witnessed. Neighbors stated they called the police and they did see the dust from the racing which occurred. The neighbor stated wetlands are there, and the area bulldozed and dirt brought in. Additionally, ATV's come via Rockhill Road and then leave in the dark. The wetlands were shown on the submitted plan; the Township Engineer did not make that determination. Anne asked if the current owner will remain. Ed Wild responded, they may, but the open space would be regulated; whether owned by a homeowner's association, by the Township through dedication; or, by one lot owner; as the ordinance has options. That would be a later discussion; currently, they are equitable owners, and cannot stop the existing conditions. Anne Klepfer stated currently, no homeowner's associations exist in the Township. The board is agreeable to recommending the requested waiver.

Anne Klepfer asked Steve Baluh if anything new with the Hollybrooks plan. He stated he has had conversations with Mr. Dietz who is working on the plan. Mr. Dietz has spoken with PBA. A motion to deny the Peace Lutheran Plan unless an extension is received, was made by Brenda Sears, seconded by Anne Fenley and passed unanimously. Nancy asked what is occurring with a house on Branch Road; Anne is unaware, but DEP asked PBA to connect it to public services. Jim Valletta asked what is occurring at the house next to the airport.

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Anne stated the airport owned the house and a demolition permit was issued as trees must be removed. They were deemed obstructions by the Bureau of Aviation.

Nancy asked for any additional public comment. Joe Perott asked if in fact, they could donate that open space to the Township, why wouldn't we take it (using Open Space tax money)? Anne Klepfer stated they have to provide the open space under the SLDO. The question is, will we accept dedication and ownership of it – or just have an “easement” on it. One answer is – it's a maintenance issue. Different scenarios were offered, but the Township has not agreed to anything at this point, as a preliminary plan has not been submitted. The applicant chose to submit this type of subdivision, there are other options provided in the SLDO. Anne stated this is open space land, not recreation land.

A resident stated guard rails are being removed further down on Rockhill Road. Steve Baluh observed the same today, and saw that a PA One-Call was issued. The Township may be replacing a pipe in the area; Anne Klepfer will talk to the Director of Public Works to confirm.

Jim Valletta made a motion to sign the PHS Sports Turf Field mylars, seconded by Sam Martin and passed unanimously. There being no further business to come before the Board, Anne Fenley made a motion to adjourn, seconded by Jim Valletta, and passed unanimously.

Respectfully submitted:

Sam Martin  
Secretary

Recorded:

Ellen L. Roesener  
Non-member Secretary