

East Rockhill Township Planning Commission
Minutes of Meeting – April 12, 2007

The meeting was called to order by Chairperson Dean Frankenfield with the following board members present; Sam Martin, Anne Fenley, Brenda Sears, Jim Valetta, Nancy Booz, Dave Nyman, Bucks County Planner Dave Sebastian, Township Manager Anne Klepfer, and Township Engineer Steve Baluh. Dean noted the correspondence list on the agenda.

The Minutes of March 8, 2007 were approved as presented by unanimous motion.

Old Business – Furmanski Subdivision – Paul Dietz, Urwiler & Walter discussed C. Robert Wynn's review letter of 3/30/07. Item 1 – Plan was revised to include construction of stabilized shoulder improvements along the front of both lots. Item 2 – Wetland delineation was submitted. Mr. Dietz is requesting a waiver not to require a Jurisdictional Determination by the US Army Corps of Engineers. He offered that a waiting period, at a minimum, could be 3 months for a response. Steve Baluh stated township policy had been consistent with requiring the study; however, the Corps stopped issuing them. If the area shown is consistent with what is shown in the field, Steve tends to agree with Paul; however, if something shows later, the applicant will be in violation of disturbing a wetland area if the line was modified at all. The board will consider the request. Item 3 – An attempt will be made to install the driveway without removing a large oak tree. A discussion ensued regarding the obvious removal of trees. Paul Dietz said the trees were removed on the tract prior to field work/plan execution. It was noted, under certain conditions, a permit is required to remove trees, if it was for forestry; for maintenance issues, an allowance is made. However, the trees cut were in the area of the building envelope.

Item 4 – Additional soil testing is required to support the infiltration feasibility analysis in the submitted storm water report. Item 5 – Application to BCCD has been submitted and awaiting comments. Item 6 – Property monumentation; will comply. Item 7 – Ultimate right-of-way of Three Mile Run Road; will comply. Item 8 – BC Dept of Health has signed the planning modules; no marginal soils exist, and confirmed with BC Dept of Health. Item 9 – Development Agreements; will comply. Item 10 – Various drafting items is a will comply. Mr. Dietz did not have calculations if the trees were included, and, he stated, he had no way to identify them. However, Steve Baluh indicated the stumps are still in place. Questions regarding trees felled and tree replacement ensued; along with the zoning regulations for forestry, logging, selective clearing for maintenance or development purposes. At a minimum, a forestry permit was necessary as the trees were felled prior to the plan submittal. An exemption from the ordinance is for the removal of sick and dead trees. Nancy Booz queried Mr. Dietz regarding a 3/9/7 inadequate review from BCCD. Mr. Dietz replied he resubmitted after the roadside swale work was added to the plan. Steve Baluh will visit the site with Mr. Dietz to review the tree clearing, and an extension will be given for the plan.

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Gulla Sketch/Stan's Stop -Tim Gulla and Cheryleen Strothers discussed with the board responses from Glackin, Thomas, Panzak, independent planners for which Mr. Gulla is paying to assist in village commercial-type concept planning. Three different sketches were received. Plan A is generally the same degree of development originally planned, but with a somewhat different layout. The proposed oil change building is not shown as a drive-through, as Cowan's sketch. The second sketch (Plan B) is a basic concept with a convenience store and the car wash facilities, manual and automatic. A third commercial building was added, similar to the plan for Mr. Gulla's opposite corner, across the street; but no oil change building. In addition, the buildings were moved forward to a setback Mr. Gulla is utilizing across the street received via a variance. Concept C moves the convenience store back, and utilizing the existing barn as a commercial building. They've met with the planners and the township staff. The preference is a 'hybrid' of A & B; A as far as the uses, and B, the buildings closer to the road, similar to the opposite corner proposal.

Cheryleen has a concern with the driveway on Hagersville Road as shown. Depending upon what PennDot says, it may have to be moved back within the riparian buffer, which is a permitted use. She presented the board with an initial preliminary design of the intersection re-design on Hagersville Road; the traffic study showed a left hand turn lane on Hagersville Road approaching Perkasio. However, PennDot may have an issue with the proximity of the turn lane with the driveway, therefore changes may be necessary. Anne Klepfer stated from a staff perspective, the planners helped to sway a bit on the multiple uses in the VC District, whereas previously, the boards were hesitant. It doesn't necessarily mean specific uses, but more than one use. Steve Baluh asked, with Plan A, does it mean the building would not be a drive-through building; the answer was yes. The car wash would be in front; the oil change building behind it. Dave Sebastian commented that, with Plan C the gas pumps are in the back, and the building provides a closer setback to the road. Tim Gulla stated Plan C would have traffic cutting through the parking lot and it would be hazardous. Dean agreed the gas station would be the heaviest use on the site, and a lot of interaction with the parking lot. Cheryleen and Tim are okay with Plan A; keeping the buildings back if that's the choice. Depending upon the uses/buildings across the street, another large commercial use building may not be warranted.

The number of parking spaces was discussed. The planners commented on the volume of parking spaces proposed to meet the ordinance; that to some degree, the number seemed excessive for what is proposed. Anne stated Plan C may show that, but not necessarily A or B. Dave Sebastian asked what the parking ratio was; Cheryleen stated 1 for 200. Discussion ensued regarding various scenarios should the access driveway change. Large truck parking placement is an issue so trucks do not stop on Rt. 313.

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Steve Baluh stated there are allowances for reduction in parking. Design the total number of parking spaces to meet the ordinance, but construct a percentage of that and hold the extra area in reserve, and finish the lot as needed at that time. Cheryleen will consider the best movement of tractor trailers in and out of the site, especially southbound on Rt. 313. The intersection has to be used. Cheryleen prefers the less front setback drawing in front. A circular traffic pattern is desired. There are issues of pedestrian traffic from the pumps to the store versus paying at the pumps. The planners moved the driveway back due to the existing stream that's in place. Dean suggested a plan avoiding a vehicle backing up when its discovered parking is not available in a certain area on plan B. The board desires the closer village appearance. Each proposed use is a permitted use in the VC District.

Kracht Minor Plan, Sterner Mill Road – Scott Mease was present to discuss the tract, which is east of Clymer Road in the RP District. The 8 plus acres will be divided into 2 bts. Lot 1 contains a mobile home destined to be removed. Lot 2 contains a pond; both lots will be sold for single family dwelling lots. Sand mounds are planned. Attenuating trenches are proposed for stormwater management. C. Robert Wynn's review letter of 4/2/7 was discussed. Item 1 – Wells and septic systems within 100' of the property boundary must be shown on the plan. A stabilized shoulder is recommended along the frontage of the site, as a waiver from street improvements is requested. Item 2 – An additional waiver will be requested for lot width to depth ratio as it's not on the list submitted. Discussion regarding the number of buildable lots, and new lots on a collector street, versus the two proposed, and the possibility of deed restricting the two from further subdivision. Item 3 – Site distance information will be added to the plan. Item 4 – A site analysis pertaining to tree removal will be provided in accordance with information for tree replacement. Item 5 – Calculations must be revised regarding watershed boundaries and stormwater management, as offsite stormwater runoff drains into the property. The possibility of rain gardens being used was suggested. Guidelines are offered by the County planners. Item 6 – BCCD submission; is a will comply. Item 7 – Existing well location should be shown on the plan (mobile home site). Item 8 – Planning modules, are will comply. Item 9 – Monumentation requirement; will comply. Item 10 – Dedication of Ultimate right of way of Sterner Mill Road, is a will comply. Item 11 – Lamp posts are favored over street lights. Item 12 – Opinion of Cost will be supplied. Item 13 – Trash and debris will be removed. Steve Baluh and Scott will walk the site to determine if a Phase 1 study is needed. Item 14 – Comments may be added with the submission of a revised plan, and resolution of waiver requests. Dave Sebastian offered that a maintenance schedule should be provided the property owners for the stormwater attenuation trenches (or rain gardens). Tree replacement requirements should be met.

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Scott Mease provided an extension for the Buck plan to 6/30/7, and Courtney and Goepfert plans to 7/30/7.

Draper DBS Land Development – Bradley Clymer, RC Mast Associates was present to discuss C. Robert Wynn's letter of 4/4/7, and BCPC review of 3/30/7. He gave a short history of the plan which began in 1998. Conditional final approval was granted, but the plan went dormant. Draper operates under the H7 use, crafts and cabinet making. There had been issues with EPA regarding pollutants, when Mr. Draper acquired the property and he spent money and time to clean it up. On-site sewer and a well service the property. The plan proposed is relatively similar to the previous approved plan; various changes and growth within the company prompted this new plan. Modular trailers are in use as a kitchen and break room. He described the placement and uses within the building. The remodeling will increase floor space and offer a better flow of movement within the site. A single, two way driveway is proposed to the back of the building. The new plan offers separate delivery traffic from employee uses and parking facilities. A retention basin is planned. The expansion of a non-conforming use is 50% of the original condition. This proposal is 104.7%, which will need another variance. The building floor area is needed to continue operating the business. Additionally, they'll need to reapply for a new variance for increased impervious surface.

Brad said he has not designed stormwater BMP's at this time; not opposed, but will wait until the outcome of the variance issues. Anne suggested it may be wise to approach the issue prior to going to the Zoning Hearing Board. The driveway is to be relocated to the high point of the road, and will offer increased site distance and a straighter entry for the trucks. The setback between this parking area and the rear line was shown at 11.3'; it needs to be 15', and it will be changed to 15' 10" with the adjustment. Item 1 – Reiterates the variances granted and the new ones just reviewed. Item 2 – Road improvements are required and are on the plan; PennDot approval is needed. Item 3 – Sidewalks are not proposed and a waiver will be requested, in keeping with the surrounding area. Item 4 – The 15' setback, just discussed; is a will comply, and landscaping as required. Item 5 – Truck movements will be documented and submitted for review, including a tractor trailer. Item 6 – Discussion of the on-site sewer system and Steve's letter notes that should public sewer become available, it should be connected. Previously BC Dept. of Health agreed that it could remain, but did not guarantee it. The question is, have any modifications or repairs been made to the system, and two, is there any increased sewer flow anticipated with the expansion. Brad stated, there has not been an increase in employees from the previous plan; the space is cramped and it needs to increase in size. The same maintenance agreements are a requirement, with connection to public service if available.

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Item 7 – Brad realizes since he submitted this plan, PBA is pursuing a water main extension along Fifth Street. PBA desires to install from the frontage of a proposed housing development up to Cedar View Drive; it has not been submitted shown on the plan. A dry main will be installed after discussion with Gary Winton. Another well exists in the back of the property; however, it would have to be tested. The well in use, will be under the expansion area. The applicant has not looked at the fire suppression issue. As there isn't a time-line for public water, it should, however, be considered. Brad was directed to contact the Township code official for the regulations. Item 8 – Stormwater testing; will comply. Item 9 – BCCD requirements; will comply. Item 10 – Dedication of the Ultimate Right-of-Way of Fifth Street; will comply. Item 11 – Lighting plan will be supplied. Item 12 – Development agreements; will comply. Item 13 – Drafting details; is will comply. He asked if there was any opposition from this board. The board agrees the traffic pattern is improved. Dave Sebastian noted items in BCPC review. Item 1 – Suggests the Township planners should wait for the decision of the Zoning Board prior to its recommendation to the Supervisors. Item 2 – Compliance of all conditions should be satisfied prior to plan approval. Brad answered that with the reapplication, the new, same, or old are possible. They are; #1. The location and construction of the additions will conform to the zoning application, and the exhibits shown at the zoning hearing. #2 - There will be no outside storage of either materials or product. There's a conflict that Mr. Draper has with that requirement. Outdoor storage is required for certain materials used in their process. The small building is a secured area and is covered; the board stated it's covered, so it is not outside storage; #3 - The applicant shall use public gas for heating. They use propane, and public gas is not in the area; the board is unsure why the term was used. #4 - The applicant will comply with all applicable federal, state and local laws. Item 3 – Two plantings proposed are not on the Township's official plant list, and will be revised with another. Item 4 – Class A buffer is the same as the 1998 plan – No additional parking is proposed. Class B buffer item – Drafting error shows plantings in the driveway; it will be revised.

Hollybrooks Farms Sketch Plan – Jerry Harris, a 38 year resident of Branch Road was present to discuss the plan. He has corrected erosion problems on the tract along the stream, with tree plantings. Additional 26 trees were planted along Branch Road. He will be requesting a waiver from street improvements, such as roadway widening, curbing, and sidewalks. He discussed C. Robert Wynn's review letter of 4/4/07. Item 1 – Site calculations are will comply. Item 2 – Flood analysis – No changes are planned for the stream. The Township has different regulations than the county or Federal government. The Township's zoning does not permit disturbing of the flood plain area. As a result, the regulations may conflict with what the county or conservation district allows.

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If it's to repair an erosion or flood control problem, that may be ok, but it must further investigate the intent and how much disturbance would occur. Therefore, more information would be needed to determine if it may be permissible. Item 3 – Property line with Lot 7 needs revision to be in compliance with setbacks. Item 4 – Discussion on road improvements and/or improved grass swale ensued. Twenty-nine trees were previously planted along the front, and grass is mowed along the roadway. Mr. Harris stated one of the roadway pipes is tilted and only 36" wide; and water backs up in the area. Item 5 – Cul-de-sac width is based on parking. The plan shows 28' width; with parking, it may need to be 32' or 36'. Curbing and sidewalk is required. Item 6 – The smaller cul-de-sac is lined up with Cedar View Drive; grading can improve the site distance, for the left view of the road. Item 7 – AP Zoning – new residential lots along the farm tract, street and buffer trees must be shown. Existing vegetation may suffice if shown on the plan. Item 8 – Stormwater management must be designed for new roadways; run off must be addressed. Item 9 – Mr. Harris stated at least 10 test sites have been located for on-site sewage systems. Item 10 – A fee or designated area for useable recreation is required depending on the number of lots per the parameters in the ordinance. Item 11 - Street lights are desired at intersections, and driveway lamp posts for the dwellings. Depending upon the recreation use, a light may be considered there, too. Recreation land should be for both residents of the development and the community at large.

Dave Sebastian commented on the BCPC review of 4/10/7. The AP zoning requires a site analysis at the preliminary plan stage. No more than 40% of prime farmland soils may be developed; it could affect the density and lay out of the plan. Item 2 – The area is designated in the Township's Comprehensive Plan as a "Scenic Road". A layout alternative could be placement and/or the reduction of the size of the lots. Moving the 10 lots to one area of the site to preserve the view is an option. A community system is an alternative; however, it's not favored by the Township. Item 3 – One of the cul-de-sacs is less than 250'; PennDot will not pay maintenance fees on streets less than 250'. An increase in the length is suggested. PennDot measures the edge of Branch to the back of the cul-de-sac. Fire trucks must be able to enter and exit the road, along with other emergency equipment. Site distance must be shown on the plan for the cul-de-sacs. Landscaped medians are recommended as the lots are over 2 acres as shown. It would reduce the impervious surface ratio for the site; although maintenance of them will be an issue.

Peace Tohickon Lutheran Church Land Development – Sketch Plan – Richard Kapusta, Planner for the project, was present to discuss the plan. Stout, Tacconnelli & Associates will prepare the preliminary plan. He gave a description of the area, the location; located primarily within an existing paved parking area for a fellowship hall, choir room, offices, and Sunday School rooms.

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Shaded areas on the plan show the location of where paving has been removed. It's in the AP Zoning district, under a C1 Use. The maximum impervious surface is 10%; the existing is 21.8%, already non-conforming. With the improvements, the 21.8% will be reduced to 21.6%. Based on staff, 121 spaces are needed; 122 are shown; and the need is substantially less than that. Easter Sunday, parking was still available. Steve Funk looked at the site, his concern was the condition of the road surface at the edge of Branch Road and the swale; it does not grade away from the road properly. They plan to reconstruct the swale along the road, and resurface approximately 300'.

Mr. Kapusta discussed C. Robert Wynn's review letter of 4/2/7- Item 1 –The plan as shown is not increasing the non-conformity. Item 2 – A conditional use is required; it will comply. It can run concurrently with the plan. Item 3 – Parking was discussed. Item 4 – Waiver request of 3/19/7 include A – Existing features and items within 100' of the boundary line. The location of the adjoining house; basic information to meet the zoning table, stormwater calculations, and the location of the sewage system would be required. B – Site Improvement Plan- the intent is not to change driveways, and the area is relatively flat. #3 – Lighting and Landscape Plan – show the basic information on the plan. #4 – Waivers also requested as noted from the Final plan submission. #5 – The addition will not increase the occupant load, and the applicant is working with the BC Dept. of Health. #6 – Wetland Delineation - If hydric soils are identified in the area of the construction activity, it needs to be on the plan. F-Buffer plantings will be added. G – One tree is being removed; and trees surround the site; existing vegetation may be adequate. H – Stormwater facilities; Mr. Kapusta stated that due to the current nature of site, they're already in place; a 2% slope in lawn with the steepest area towards Rt. 313, being 5 ½%. Steve Baluh stated some type of stormwater management is desired. I – The Township is not opposed to the concept of the parking areas, but additional buffering may be needed. Item 5 – Dedication of the ultimate right of way, it will comply. Item 7 –The existing well will be tested. Mike Gardner has been queried on the sprinkler system issue. Item 8 - Property monumentation; it will comply. Item 9 – The preliminary plan should be reviewed by Perkasio Fire Company. The waivers will be reformulated. BCPC's review commented on the street trees and parking lot plantings in its review of 4/11/7.

Sam Martin made a motion to recommend the reenactment of the Township's Zoning Ordinance in its entirety to protect any procedural challenges based on recent laws. Jim Valletta seconded the motion. The B & D Builders, MSTC Investors (Pettit), the Wright and Creekside Independent Living plans will be denied unless extension requests are received on motion by Jim Valletta, seconded by Dave Nyman, and passed unanimously.

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No additional public comment. As there was no further business to come before the board, the meeting was adjourned at 10:35 PM on unanimous motion.

Respectfully submitted:

Sam Martin
Secretary

Recorded:

Ellen L Roesener
Non-member Secretary