

East Rockhill Township Planning Commission
Minutes of Meeting - October 11, 2007

The meeting was called to order by Vice Chairperson Nancy Booz at 7:30 PM due to the absence of Chairperson Dean Frankenfield. Also present were Anne Fenley, Jim Valletta, Brenda Sears, Sam Martin, Dave Nyman, Township Manager Anne W. Klepfer, and Township Engineer Steve Baluh. Nancy noted the list of correspondence on the agenda, with additional extensions received for Buck, Courtney/Craig, Goepfert, and B & D Builders.

The Minutes of 8/9/07 (September meetings canceled) were approved as presented on motion by Dave Nyman, seconded by Jim Valetta.

Old Business – Holly Brooks Farm – Branch Road: Jerry Harris showed photographs of a 6-dwelling plan on County Line Road, and a 7-dwelling plan in Bedminster, which he had envisioned similarly for his project. He stated DEP issued a 600 page document outlining Best Management Practices to reduce the amount of impervious surface on all subdivisions to reduce flooding. He reviewed the layout of the project and issues on parking, curbing, roadway width, and sidewalks. He discussed C. Robert Wynn's review letter of 10/5/07. Item 1 – The out-buildings shown do not meet the required setbacks on Lot 7. A third building on Lot 7 is slated for removal. The existing farmhouse and barn are non-conforming. Item 2 – Setback lines are not conforming to the Zoning ordinance requirements. Mr. Harris was under the impression after his sketch plan review, they were. Steve Baluh will review the accessory structure issue. Anne Klepfer offered that under preliminary review, the details are reviewed for compliance. The newly-created lines create non-conformities with the structures. The sketch phase review is more for design. A note will be placed on the plan regarding the structure to be removed, and the front yard setback lines will be measured and noted. Item 3 – Site capacity calculations must be shown on the plan set. All resources must be delineated as in Sections 27-1900 and 1901 of the Zoning Ordinance. Item 4 – A wetland delineation report must be submitted and validated by the US Army Corps of Engineers. Dave Nyman stated it is done at the preliminary stage; documented, prior to a plan approval.

Item 5 – Information must be forwarded to FEMA, along with calculations, to revise the floodplain map for the proposed floodplain boundary. Item 6 –Mr. Harris gave five lots irregular lot lines to have access to the stream. A waiver can be added to his waiver list. It was suggested making it open space which can be discussed later. Item 7 and 8 discusses curbing, siding, road widening, and drainage improvements. Mr. Harris explained the improvements he made several years ago. He improved the stream banks and planted trees; which if the street is to be widened, the trees would have to be removed. Pictures were passed to the board showing zero runoff from his site. With curbs and drains; he feels it would be a maintenance nightmare. He showed pictures of curbing in the Cedar View development; weeds growing up through it.

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The township sprays for weeds and it drains into the creek. Farmers have more stringent requirements using a computer, specific herbicides measuring the water, its temperature and weather conditions. The 25 trees, one being 150 years old, the fencing, the original farmhouse well, and the grass waterway with mature trees, would be gone. Members offered their comments regarding plowing, maintenance, and zoning requirements all developers must follow.

Dave Nyman stated an existing development built without curbing has continuous issues, and a member of the board is a resident living at the bottom of the hill. The issues depend on the amount of rain. Mr. Harris argued his plan is flat and only seven houses. Item 9 – The roadway is designed at 28 feet wide, and the ordinance requirement is 32 feet wide. Mr. Harris stated parking is not planned on the street and changes can be made to accommodate fire equipment. To enforce parking, signs would need to be posted. Item 10 – Specifics need to be placed on the plans regarding driveway information. Item 11 – Mr. Harris would like to place mature 'spade' trees rather than the required size. Information must be placed on the plan. Item 12 – Steve Baluh offered comments in his letter should be reviewed by Mr. Harris's engineer in regards to the stormwater comments; the plans will change whether or not agreement is made on curbing and street widths. Infiltration may or may not work. Further detail as noted in Items A – D need to be resolved. Item 13 – BCCD is a will comply. Item 14 – A letter from PBA of 8/16/07 responded to a feasibility question water could be supplied to the development. However, Mr. Harris is proposing private wells. Mr. Harris's well has been tested. Any new wells must also be tested for contamination, as some exists in the area. Item 15 - Comments will be requested from the fire company on the plan. Item 16 – Sanitary Sewer Items – A – Notes a spray irrigation buffer extends from Lot 1 onto Lot 2. It should be acknowledged by the Lot 2 owner and restrictions established on building in those areas. Item 16B – O & M Agreements are required for Lots 1 and 6, and easement documents for Lot 6. Item 16C – If the County notes marginal conditions exist on the site, replacements system areas must be identified for each lot. Item 16D – Item must be confirmed with the Dept. of Health, that sewage disposal areas are not too close to stormwater management BMP's. Item 16E – Detail for Lot 11's replacement facility should be noted on the plan. Item 16F – Notes the requirement for a complete Planning Module Package to be submitted to the Township for review and approval.

Property monumentation requirement is a will comply. Item 17 – Mr. Harris offered a half soccer field on Branch Road across from Mr. Dornstreich. Anne Klepfer said that would certainly be acceptable, however, the Pennridge Greenway Plan suggest easements be acquired for public access along streets for a future trail system throughout the area. A 20' wide easement is the minimum. He will consider it.

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Item 18 – The board suggests intersections have street lights to illuminate the area. Mr. Harris feels it's excessive; though he is in favor of driveway lamp posts. Item 19 – Pertains to organizing the plan sheets for eventual recordation. Item 20 – The road named, Holly Way, should be changed to Cedar View Drive on the plan and must be approved by the postmaster and East Rockhill Township. Items 20 – 34 are engineering items for revisions on the plans. Steve Baluh offered that the Board's desired curbing, street width and widening, are unresolved issues. Dave Nyman offered that the Pettit tract road is planned for 28' and no parking. The Township staff is recommending improvements as noted in Item 9 including replacement of a culvert. During land development along the frontage, the ordinance requires the developer to upgrade to the newer stormwater standards. The standard widening would be 14' from the center of the road. Mr. Harris would be removing the existing features he discussed earlier. He commented that widening the road will increase speeding, with a 90 degree turn further up the street on Branch. Steve offered a more detailed plan is desired. Perhaps some areas would be slightly different depending on the road changes.

The new business, discussion on a conditional use, was deferred to the end of the meeting.

Daniel Scholl, Minor Plan – Scott McMackin of Cowan Associates, Ben Scholl, and Dan Scholl were present to discuss the plan, and C. Robert Wynn's Review letter of 10/4/07. Ben Scholl lives in the existing dwelling, and his grandson, Daniel plans to build a single family dwelling on proposed Lot 2. It's an irregularly-shaped lot with about 150' frontage on Rt. 313, and the flag lot would have 30' frontage on Branch Road with a stream crossing access. The driveway to the existing house access is on Rt. 313. A stormwater management facility is proposed on Lot 2, with on-lot sewage systems and wells.

Item 1 – A waiver is requested for irregularly-shaped lots, Section 504.2.k. Item 2 – Minimum lot area as shown is a typo; will correct it. Item 3 – Wetland Delineation – Scott stated John Scypanski did the report and met with the US Army Corps of Engineer at the site and certified that no wetlands are located on the site, or Waters of the Commonwealth. A Jurisdictional Determination will be forthcoming. Item 4 – Scott stated the riparian buffer is shown along the southern property line which borders the stream. The 75' buffer is not shown along the western area, though it's labeled as "Waters of the US" as it is not considered a stream, but a "femoral" ditch, as determined by the US Army Corps of Engineers. It's not perennial or intermittent; it's basically a drainage ditch. Steve Baluh agrees with Scott as he had a discussion with Cheryleen Strothers; it will be relabeled. Therefore, additional buffer is not required. Item 6 – Street improvements, including curbing, sidewalks, and paving are required; however, waivers were submitted.

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Improvements are not planned along Rt. 313. The access to Branch Road is 50' wide and it is listed as #3 on the waiver list. Waivers #4 and #5 state sidewalks and curbs do not exist in the area. Discussion was had on the proximity of an adjoining driveway. Dan Scholl stated it's at least 60' from his proposed driveway. The exact location will be shown on a revised plan. Item 7 – Pertains to the stream crossing and possible impact. Additional calculations will be provided and revisions made if necessary. Item 8 – A waiver will be requested from stormwater management on the original Lot 1. Item 9 – Application to BCCD was submitted and is pending. Item 10 – Planning modules will be submitted; on-lot systems are proposed. Item 11 through 17 are all will comply and are standard legal and design issues. A waiver was submitted for Section 402.4H, showing existing features within 100' of the site. However, the adjoining driveway, and any wells or septic system locations will be shown.

Scott McMackin will prepare a cost estimate for the requested waivers for submission to the board. Waiver #6 regarding street trees will be removed as it's not a requirement for a minor plan. Signed planning modules must be received from the Health Department. An existing culvert will be labeled on the plan as requested. The applicant should consider an easement along Branch Road for a possible future greenway area.

Sketch Plan Update, Peace Lutheran Church – Rich Kapusta reviewed the proposal. There is an excess amount of parking than is required by the ordinance. The new fellowship hall will be entirely on the existing paved area. In removing the parking islands, redeveloping the parking, with perpendicular, double-loaded isles, the post-development impervious surface is less than the previous development impervious surface. Previously, a waiver was requested from stormwater management. With the design, it appears a large detention basin would take about half of the front yard of the church, which is now grass.

Mr. Kapusta stated there are good sheet flows, with a large mowed grass area, with the best, slowest water runoff condition. The stormwater structure would have a single outflow in a single flow down a pipe and into the stream. Anne queried if there were BMP's to achieve the functionality without a huge basin, and request a partial waiver. He answered it's based on calculated volume necessary to control the stormwater. Mr. Kapusta's argument is that it's all there now and functioning well. He explained during development, much dirt will be moved, constrained dirt for erosion and sediment control; creating situations that it will have to be fenced, with an 8'-10' high berm installed. It's a radical departure from what is there currently. Anne stated administratively, the board cannot recommend without a complete full-plan submission application to review. Mr. Kapusta stated DEP favors undisturbed, sodden areas. BCCD only reviews the amount of disturbance on a lot, not on how to propose and what to do with it.

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Steve Baluh's commented there are existing flooding issues with the East Branch of the Perkiomen Creek. The goal is to reduce downstream flooding. To keep it lawn doesn't accomplish that goal, though it may help with water quality. He perused the report that was given and offered suggestions to possibly help reduce the size of the basin. Some items could be interpreted differently. One was to change from a deep-water impoundment to a flat-bottomed basin, with a shallow meandering channel for wet-tolerant plantings. Limit as much trapped water as possible; detain it and get infiltration during the times of the year when not a high ground water level. Church member Richard Devlin was concerned after viewing this plan, it appeared as a lake, distressing members who were envisioning geese and mosquitoes. Steve Baluh replied it could be done without 'a lake' and without standing water; envisioning a "meadow feel", esthetically pleasing, re-working the numbers, and using vegetation. He agrees that DEP likes to use infiltration. The general premise is to alleviate flooding occurring down through Branch Creek. Dave Nyman offered that BCPC wants the Upper Bucks communities to fix the flooding problem with development that is flooding the Lower Bucks area. Dave Nyman offered what created the problem was the amount of impervious surface built without stormwater management. This will help alleviate the problem. It was suggested to look at rain garden opportunities.

Conditional Use – Friezo – It is adjacent to the Furmanski property on the Lake side of Three Mile Run Road. It's a 'second' home property and they hired a contractor to renovate the barn. It's a detached building and the use did not fit into a particular zoning use. It will not have bedrooms, but a gourmet kitchen, full bath, meditation room, office/den area, steam room; all for family entertainment. They tried to make it 'family recreation'. Anne conferred with Mike Gardner, and they agreed it was a residential conversion. One of the conditions of a residential conversion is that it meets zoning setbacks. The Board could say, not a problem, but go to the zoning hearing board and get set-back relief. It's an existing 180 year old barn. They are showing a deck out the back, facing the lake. The hearing is on Tuesday evening. The applicant stated they do not have intentions of making it living quarters or an in-law suite, and would agree to that restriction placed on it. The occupancy permit would be for a residential conversion; additionally, not to be used as a commercial space. It does have a newer septic system.

Jim Valetta made a motion to suggest the Supervisors consider this plan with its reservations included: To be used for a specific purpose; family entertainment; not rented space, not a separate dwelling, not an income-producing space, or commercial use. It was seconded by Anne Fenley, motion passed with 5 yeas; Dave Nyman abstained.

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Public Comment – Jim Nietupski asked for verification on the Tim Gulla plan which was denied at the last meeting. He was advised that an extension was received in a timely matter and it's up to Mr. Gulla to resubmit. It was noted that extensions were received for the Buck, Courtney/Craig, and B & D Builder plans. The Kracht plan is scheduled for the Supervisors meeting on 10/16/07. Dave Nyman recommended conditional denial of the Pettit plan, unless an extension is received. It was seconded by Brenda Sears and passed unanimously.

Minor Plan, Perkasio Borough – Glen Enterprises – It is located at Ridge Road and Blooming Glen Road. This was a larger lot from a previous subdivision being divided into another lot.

Anne Fenley, Sam Martin, Steve Baluh, and Dave Nyman plan to attend the PACC meeting at Penridge High School.

The meeting was adjourned to sign the Leister, Cloonan, Furmanski, and Capizzi mylars on motion of Anne Fenley, seconded by Dave Nyman; motion passed unanimously.

Respectfully submitted,

Sam Martin
Secretary

Ellen L. Roesener
Non-member Secretary