

**East Rockhill Township  
Planning Commission  
Meeting Minutes  
May 12, 2011**

**I. Call to order**

Chairman Dean Frankenfield called to order the regular meeting of the East Rockhill Township Planning Commission at 7:30 PM on Thursday, May 12, 2011 at the Township Municipal Building, 1622 N. Ridge Road, Perkasio, PA 18944.

**II. Roll call**

Present were Chairman Frankenfield, Vice-Chair Nancy Booz, Secretary David Nyman; members Anne Fenley, Brenda Sears, Bert Daikeler and Charles Turley as well as Township Engineer Steve Baluh and Township Manager Anne Klepfer.

**III. Approval of minutes from last meeting**

The minutes from February 10, 2011 were reviewed. By **motion** of David Nyman and **second** by Nancy Booz, the minutes were approved by a vote of **7-0**.

**IV. Correspondence**

- a) Correspondence listed on the agenda was reviewed.
- b) A 60 day Extension dated May 3, 2011 was noted as received for the Oak Tree Auto Recycling Land Development application.

**V. Old Business**

- a) **Oak Tree Auto Recycling Land Development.** Applicant family members Fran Monaghan II, Kathy Monaghan and their Engineer Scott McMacken of Cowan Associates and attorney David Juall were all present to review the Revised Land Development plan. They began with a brief over view of the plan and noted the changes on the plan since previously reviewed and recommended for approval. The buffer yards have been removed entirely along the Township boundary line, a 20 feet wide buffer with removal of existing stone, installation of plantings, and a solid six feet high fence is proposed along the rear/Moore property line; and no buffer yard/plantings is proposed along the side/Moore property line.

The Planning Commission asked the applicant to walk through the C. Robert Wynn Associates review letter dated May 6, 2011.

**Item #1** notes that the Zoning Hearing Board Decision dated October 20, 2010 granted approval of a Special Exception to extend the nonconforming use with the proposed construction of an 8,160 square feet pole building on the site. It also notes the conditions that include "designating existing fencing

on the plan, stabilization and planting of buffer around the perimeter of the storage area, no additional storage sheds or trailers on the property, and submission of land development plan for approval.” *The significance of this was tabled for discussion until review of the Engineer’s letter was completed.*

**Item #2** Speaks to the revision made to reduce or illuminated the previously proposed buffer yard and plantings around the perimeter of the outdoor storage area. The prior plan (and plan submitted as an exhibit to the Zoning Hearing Board) depicted a 40 feet wide buffer along each property boundary, with plantings to enhance existing vegetation. It was noted that the current plan is not consistent with the exhibit submitted to the ZHB, or buffer yard requirements of Section 27-1905 of the Zoning Ordinance. *This item was tabled until review the Engineer’s letter was completed.*

**Item #3** refers to a November 10, 2011 Waiver Request Letter requesting waivers from the Subdivision Ordinance requirements, including street improvements (cartway widening, curb, and sidewalk), street trees, replacement trees, driveway width, site lighting, and stormwater management/storm sewer design. The review letter notes that the existing driveway is still proposed to be widened at the entrance to permit two vehicles to pass, and minimize removal of existing trees. A note indicating that minimal security lighting will be installed in conjunction with the proposed poled building has been included on the plan. The applicant requests for waiver of storm sewer/stormwater management design pertains to the small size of the proposed facility. *The applicant also seeks relief from the requirement for fee in-lieu-of street improvements which is up to the Board of Supervisors.*

**Item #4** A stormwater management BMP is proposed adjacent to the pole building to address stormwater runoff from the new improvements. Stormwater management is not provided for the balance of the existing improvements/impervious area. However, establishment of the buffer yards (as originally proposed) reduces the amount of stone storage area, thereby reducing stormwater runoff from existing improvements. This reduction is not as significant based upon the currently proposed buffers. As indicated within the waiver request, small size of stormwater facility requires modification to standard design requirements, such as berm width, pipe size, and appurtenances. Stormwater facility as designed appears satisfactory, subject to approval of waiver for stormwater improvements based on the site impervious surface. (Ordinance 199 as amended). *This item was tabled until review of the Engineer’s letter was completed.*

**Item #5:** Letter of Adequacy, dated March 28, 2011, has been received from Bucks County Conservation District for erosion proposed and sedimentation control measures. Revised plan should be resubmitted for review, subject to Township approval. (SLDO Section 22-518) *The applicant's engineer stated that they will resubmit to the Conservation District, if the revised plan is approved.*

**Item #6.** Recreation land in the amount of 1,500 square feet per 4,000 square feet of new building area is required in accordance with Section 22-525.C of the Land Development Ordinance. In the alternate, Township may accept a fee in-lieu-of land dedication. (0.07 acre required x \$56,000.00 per acre = \$3,934.00) *Mr. Monahan confirmed his intent to pay the Fee In-lieu-of Recreation Land as calculated by the Township Engineer.*

**Item #7.** Property monumentation shown on the plan must be installed prior to plan recordation and be certified in writing by the responsible surveyor. (SLDO Section 22-522) *This is a "will comply" item.*

**Item #8.** Area within the ultimate right-of-way of Ridge Road is offered for dedication to the Township by note on the plan and should be accepted as an easement in accordance with Section 22-506.B.2 of the Subdivision Ordinance. Legal description for the right-of-way area (one original and two copies), signed and sealed by the responsible surveyor, must be submitted for review. *This is a "will comply" item.*

**Item #9.** Correspondence dated December 20, 2010 has been received from Perkasio Fire Company indicating no objection to the plan. *This is just noted for the file.*

**Item #10.** Development/Financial Security Agreement should be executed between the applicant and Township to guarantee installation of required improvements including, but not limited to, stormwater management, erosion control, entrance improvements, landscaping, and etc. An Opinion of Cost for required improvements, prepared by the design engineer, should be submitted for review. (SLDO Section 22-606) *This is a "will comply".*

**Item #11.** Drainage area for the stormwater management basin should be clarified on the plan. *This is a "will comply".*

The Applicant's engineer discussed Item's #1, #2,#3 and #4 with the Planning Commission. The Planning Commission advised the applicant that they

cannot recommend or waive zoning requirements and that until the Zoning Buffer requirements are resolved or clarified by the Zoning Hearing Board they could not complete their review or make any decisions regarding the waivers including stormwater management, tree replacement, buffer requirements, etc. Mr. Juall tried to argue that the project was an existing non-conforming use. However, the Planning Commission noted that the use was not in question and has been approved, rather it's the buffer requirements that need to be clarified both because it is a zoning provision and because it was part of the Zoning Hearing Board's Special Exception Decision. Until those issues are resolved, the Planning Commission cannot complete its review.

**VI. New business**

- a) **First Baptist Church Land Development Plan.** Church member Daniel Soliday and the Church's Engineer Paul Dietz, II, P.E. of Urwiler & Walter Inc. were present representing First Baptist Church. Mr. Soliday and Mr. Dietz reviewed the project. The Church received land development approval in 1999 to expand its facilities on Fifth street to include a new church sanctuary, gym, kitchen addition, parking lot expansion, and stormwater management provisions. Since then improvements with some modifications/deviations from the plan have been constructed. The approved sanctuary was not built. The proposed plan will update the previous plan and includes a 9,830 square feet addition to the gym facility, including a stage area and portico entrance. Parking and internal driveway modifications are proposed to accommodate the same. The new sanctuary building previously proposed is not included on the new plan. The site is served by public water facilities via Perkasio Borough Authority, and sanitary sewer disposal via East Rockhill Township facilities.

Mr. Soliday and Mr. Dietz reviewed the May 6, 2011 Review letter with the Planning Commission.

**Item #1.** Proposed total impervious surface ratio (30.4%) exceeds impervious surface ratio proposed on the 1999 land development plan (24.2%) and exceeds the maximum allowable impervious surface ratio within the Cultural-Educational Zoning District (30%). Accordingly, applicant must reduce the amount of proposed impervious surface or make application to Township Zoning Hearing Board for relief. (Z.O. Section 27-1102) *The applicant is looking for a way adjusting the plan to bring it into compliance.*

**Item #2.** Based on the increase of impervious surface on the site, as noted above, stormwater management calculations must be submitted to verify if existing stormwater facilities are adequate to manage the increase in stormwater runoff or require design modifications. Additionally, design calculations for proposed storm sewer should be submitted for review. Stormwater management calculations/design should be consistent with current Township Stormwater Management Ordinance 199, as amended. *This is a “will comply” item.*

**Item #3.** Parking data included on sheet 1 of 6 indicates that the highest anticipated need for parking is calculated based on the previously proposed lobby and sanctuary. Applicant should clarify the use/capacity of the new expanded gym facility to determine if its parking requirements exceed available parking on the site. 300 parking spaces (including 20 handicapped accessible spaces) are proposed. (Z.O. Section 27-304.c1) The applicant will comply. *Mr. Soliday noted that based on those revisions parking space compliance will not be a problem.*

**Item #4.** Proposed parking area along northeast property line encroaches within the buffer yard in non-compliance with Section 27-1905.b(4), and must be revised. *The plan will be adjust to comply.*

**Item #5.** Proposed landscaping in the vicinity of revised parking areas should be shown. (SLDO Section 22-515) *This is a “will comply” issue.*

**Item #6.** Proposed site and building lighting should be identified on the plan, including isolux information. (SLDO Section 22-526) *This is a “will comply” issue.*

**Item #7.** Applicant should clarify anticipated water usage/sewage disposal needs based on the proposed expansion. (Historical water meter records may be utilized.) An increase in use may require purchase of additional EDUs from Perkasio Borough Authority and East Rockhill Township for service. The property currently maintains two sewage EDU's from East Rockhill Township. (SLDO Section 22-519 & 520) *This is a “will comply” issue.*

**Item #8.** Plan should be submitted to the servicing fire company for comment on access and internal circulation for fire protection. (SLDO Section 22-519) *This is a “will comply” issue.*

**Item #9.** Existing dumpster enclosure should be identified on the plan, including relocation if necessary. Additionally, the enclosure should be enlarged to accommodate the larger dumpster noted during site investigation. *This is a "will comply" issue.*

**Item #10.** Concrete sidewalk and curb details included on sheet 6 of 6 should be revised to specify Class AA concrete. (SLDO Appendix F) *This is a "will comply" issue.*

**Item #11.** Verification of approval of erosion/sedimentation control measures to be implemented during earthmoving activities must be received in writing from the Bucks County Conservation District. If the limit of disturbance exceeds one acre, an NPDES Permit must be obtained from Bucks County Conservation District/PADEP for discharge of stormwater during construction activity. (SLDO Section 22-518) *This is a "will comply" issue.*

**Item #12.** Proof of notice of filing land development plan should be submitted to the Township in accordance with Section 22-403.13 of the Land Development Ordinance. *This will be done. The plan was originally submitted as a revised final plan.*

**Item #13.** Execution of Development/Financial Security Agreement should be required between the applicant and East Rockhill Township to guarantee completion of "proposed" public improvements, including, but not limited to stormwater management, landscaping, and erosion control. (SLDO Section 22-606) *This is a "will comply" issue.*

**Item #14.** Due to extent of site modifications required. Submission should be considered a preliminary plan. *So noted.*

**Item #15.** A comprehensive review of engineering and drafting details has not been completed as plan modifications may be required based on resolution of the above items, specifically impervious surface ratio and stormwater management. Additional comments may be generated upon resolution of same. *So noted.*

Mr. Soliday said that the Church will revise their plan and make adjustments to address the Township Engineer's review comments. They will resubmit a revised preliminary plan.

- b) **Select East Rockhill Township Subdivision.** Mr. Kurt Claus of Schlosser & Claus Consulting Engineers presented a Preliminary Subdivision Plan for the McClennan Tract with frontage on Old Bethlehem Pike and Hill Road. The property is currently the subject of a Conditional Use Application for a major subdivision with an estimated 193 units. The purpose of the Select East Rockhill Township Subdivision is to divide the four existing parcels into five lots.

The application is confusing and after review will need to be revised again. Mr. Claus reviewed a colored-in sketch to help the Planning Commission visualize how the lots are laid out now and how the "final" lot configuration will be after the subdivision is completed.

The following review comments contained in the May 2, 2011 C. Robert Wynn Associates letter were reviewed:

**Item #1.** Proposed "final" lot configuration (as shown in the detail in the upper left corner of sheet 2 of 2) anticipates access to Lots 4 and 5 will be provided via a future public street to be constructed in conjunction with the Select Properties, Inc/McClennen Performance Standard Subdivision currently proceeding through the Conditional Use process. To maintain frontage for Lots 4 and 5 in the interim, Plan Note 8 on sheet 1 of 2 indicates that the "existing 50 feet wide flag lot access strip for TMP #12-8-22-1 [Lot 5] and TMP #12-8-22-2 [Lot 4] will remain in place until public road frontage is approved for Lot 4 and Lot 5". However, notwithstanding Note 8, recording of the submitted plan will permit the conveyance of all parcels which will result in Lots 4 and 5 lots not having the minimum lot width as required pursuant to Section 27-702 and Section 27-1703 of the Zoning Ordinance. The proposed delay in consolidating the lots as shown also creates a 6<sup>th</sup> lot being identified as Parcel 2B, which would "stand-alone" until the lane for Lot 5 is extinguished.

As an alternate, this office recommends that consideration be given to reconfiguring Lots 4 and 5 to establish lane lots along the anticipated future public street right-of-way. Driveway access to Lots 3, 4, and 5 may be maintained along the existing shared driveway by establishing a shared access easement. Lot line adjustment to eliminate the "lanes" of Lots 4 and 5 can be completed in conjunction with the proposed performance standard subdivision, at which time direct street access will be provided for these lots,

and eliminate the potential to create landlocked parcels. Additionally, Lot 3 can be consolidated without the potential to create an additional "6<sup>th</sup>" lot. *Mr. Clauss was in agreement with this recommendation and will revise the plan accordingly.*

**Item #2.** Zoning information included on sheet 1 incorrectly identifies the use as B3, Performance Standard Subdivision. Proposed plan represents B1, single family use. Dimensional requirements should be revised accordingly. (Z.O. Section 27-304.B1) *Mr. Clauss understands the comment and will revise accordingly.*

**Item #3.** Although Lot 1 will contain frontage along Old Bethlehem Pike adequate for zoning requirements, existence of the floodplain/Three Mile Run restricts the ability to access the buildable portion of Lot 1. *Mr. Clauss will address.*

**Item #4.** Lots are irregular in shape in noncompliance with Section 22-504.D of the Subdivision Ordinance. *A Waiver will be requested.*

**Item #5.** Sewage Facilities Planning Modules must be prepared for the proposed development and require approval by East Rockhill Township, Bucks County Department of Health, and PADEP. Non-buildable waiver request may be considered for Lots 1 and 2. However, septic certification should be submitted for the existing systems. If the existing systems are not functioning properly, alternate locations should be identified via soils testing which may require modification of proposed lot lines. In the alternate, waiver of Sewage Facilities Planning Module for use of public sewer may be considered by the Township if sewer EDUs are purchased for each proposed lot, and the applicant enters into an agreement with financial security with East Rockhill Township to extend public sewer to serve the lots if deemed necessary by East Rockhill Township or Bucks County Department of Health at the sole cost of the property owner. All existing sewage facilities must be identified on the plan. (SLDO Sections 22-403 & 520) *Mr. Clauss will address.*

**Item #6.** Location of wells must be identified on the plan. (SLDO Section 22-519) *This is a "will comply item".*

**Item #7.** Required property monumentation along the ultimate rights-of-way of Old Bethlehem Pike and Hill Road should be identified on the plan. All property monumentation should be installed prior to plan recordation and

be certified in writing by the responsible surveyor. (SLDO Section 22-522)  
*Mr. Clauss will be asking for a partial waiver for the non-boundary monuments.*

**Item #8.** Note 4 on sheet 1 of 2 indicates that "No improvements are proposed at this time. Any new development will require another application to East Rockhill Township". Any request for modification of Subdivision Ordinance requirements must be requested in writing and include the Ordinance sections for all desired waivers, basis for the request, and minimum modification necessary. Waiver request for public improvements is subject to contribution of a fee in-lieu-of improvements in accordance with Township policy. (SLDO Section 22-308, 506, 512 & 513)  
*Mr. Clauss will address.*

**Item #9.** Area within the ultimate right-of-way of Old Bethlehem Pike and Hill Road is offered for dedication to the Township and should be accepted as an easement in accordance with Section 22-506 of the Subdivision Ordinance. Legal descriptions for same (one original and two copies), signed and sealed by the responsible surveyor, should be submitted for review and easement document preparation. *This is a "will comply item".*

**Item #10.** Plan identifies a "variable width utility and walking path easement", which traverses Lots 1 and 2 along Three Mile Run. Easement agreement must address all current and future provisions of the easement, including requirements and schedule for construction of the walking path. Easement agreements must be prepared in a manner satisfactory to the Township Solicitor. Legal description for same, signed and sealed by the responsible surveyor, must be submitted for review. *This item still needs to be sorted out and discussed further.*

11. Recreation land in the amount of 1,500 square feet per new dwelling unit or \$1,900.00 fee in-lieu-of dedication of recreation land is required in accordance with Section 22-525.1.C(2) and should be applicable to the one new lot created. *This item will be addressed by the applicant in some fashion.*

12. Location map must be revised to a scale of 1" = 800'. *This is a "will comply item".*

13. Bucks County Planning Commission certification must be included on the record plan. *This is a "will comply item".*

14. Additional comments may be generated upon resolution of the above items including, but not limited to, lot configuration, sewage disposal, and waiver requests, as same will impact proposed subdivision and required details. *This item was acknowledged by Mr. Clauss.*

**VII. Adjournment**

**Chairman Frankenfield** adjourned the meeting at 8:55 PM following a motion by David Nyman and a second by Nancy Booz.

Minutes submitted by: Anne W. Klepfer, Township Manager

Minutes approved on: \_\_\_\_\_