

East Rockhill Township

Planning Commission Work Session Meeting

August 6, 2020

MEETING MINUTES

PC Attendees: Anne Fenley (Chairperson), Dave Nyman, Joseph Chellew, Richard Kelly, Blake Eisenhart, James Weikel, George Broadhead, Marianne Morano (Township Manager), Steve Baluh, P.E. (Township Engineer)

BCPC Staff: Mike Roedig, Luke Rosanova

Public: Several members of the public present.

Minutes:

Chairperson Fenley called the meeting to order at approximately 7:00pm. She turned the meeting over to the Bucks County Planning Commission.

Mr. Rosanova presented the East Rockhill Comprehensive Plan 2020 Update draft. In his presentation, Mr. Rosanova explained what a comprehensive plan is and the planning process. He reviewed the plan's guiding principles and highlighted some of the resident survey results. Mr. Rosanova stated the findings of the plan and the successes of the previous comprehensive plan. He then explained the future land use plan and explained how the plan's list of plan actions was developed. He concluded by explaining the next steps the township will need to take to adopt the comprehensive plan.

Mr. Roedig and Mr. Rosanova proceeded to read the public comment submitted prior to the meeting for the record. The first public comment was written by Robert Brink, president of the Pennridge Airport. His comment clarified a mistake in the draft, on page 83, regarding the airport's use of state and federal grants. He also inquired about proposed riparian buffer ordinance modifications and the marijuana growing/selling ordinances that are being considered as plan recommendations.

The next public comment was written by Obie Derr, Park Manager of Nockamixon State Park. Mr. Derr submitted edits to page 55, 56, and 99 of the draft. The suggested edits include adding hunting to the list of permitted activities in the park, removing the "County-Owned/Leased Land" section on page 55 as the agreement was terminated in 2018, and clarifying what structures the park's wastewater treatment plant services. The park's wastewater treatment plant services the Upper Bucks County Technical School, St. Matthews Lutheran Church, and the Lakehouse Inn.

Mr. Roedig stated that the Planning Commission received some editorial comments from the Bucks County Planning Commission. Mr. Rosanova said that the Planning Commission had reviewed the edits via email and none of the editorial comments were substantial changes to the plan.

Mr. Eisenhart explained the comments he submitted. His first comment was in relation to the historical facts surrounding the founding of the township. He suggested that information regarding the date on the township seal be included in the narrative on page 4.

His second comment asked if the plan does enough to take surrounding municipal comprehensive plans in to consideration and work together with surrounding communities to protect the natural resources found in Bucks County.

Mr. Eisenhart continued and discussed Weisel Village. He believes that Weisel Village did not exist within the borders of East Rockhill Township and should not be included in the plan. He stated that the information presented in the plan was not indicative of Weisel being located in East Rockhill and challenged the arguments made in favor of including Weisel in the plan.

Mr. Eisenhart's next comment was regarding the road classifications of Richlandtown Pike and Rock Road West. In his experience, Rock Road West carries traffic as if it were a minor collector road and Richlandtown Pike carries traffic as if it were a major collector road. He would like to see the classifications of these two roads revised in the plan.

Mr. Eisenhart continued and stated that he thinks the Bucks County Community College campus should be included as part of the C-E Cultural-Educational zoning district. The college campus is currently in the C-O Commercial Office zoning district.

Mr. Eisenhart's last comment was concerning the protection of the rural integrity of the township. He questioned if the plan incorporated the best practices and proposed recommendations to preserve the rural nature of the township while accounting for adjacent, growing boroughs, similar to other townships in the county with adjacent boroughs, such as Doylestown and Newtown. Mr. Eisenhart continued and commented on the plan's commitment to being involved in the Pennridge Area Coordinating Committee. He stated that while it is good to be involved in the Pennridge area, the township should also be open and engaged with the needs of neighboring communities in the Quakertown area.

Mr. Roedig informed Mr. Eisenhart that there should have been a section included in the Natural Resources chapter of the draft that would have addressed this concern. Mr. Roedig submitted narrative to the Planning Commission detailing information from a survey conducted by the Morris Arboretum of the University of Pennsylvania titled *Bucks County, Pennsylvania, Natural Areas Inventory Update*. The submitted narrative discusses significant natural areas and threats to wildlife in the Nockamixon – Haycock Conservation Landscapes, which includes portions of northern East Rockhill Township.

Mr. Rosanova asked for comment from the NICE (Nockamixon Inlet Community Endeavor) group, who submitted joint comments developed by 14 members of the public. Jeff Knueppel, 2810 Creek Road, introduced the group and thanked the Planning Commission for their time. Physical copies of the group's comments were handed out to the Planning Commission.

Mr. Knueppel stated that the comments were put together by residents of East Rockhill and Bedminster who live in close proximity along Three Mile Run Road and Old Bethlehem Road. He said that the comments that would be discussed by the NICE group include open space, short-term rentals, transportation and circulation, Weisel, lakeshore protection, and zoning.

Mary Martin, 2335 Three Mile Run Road, asked for the language in the comprehensive plan regarding short-term rentals to be more definitive. Ms. Martin said she appreciated that a short-term rental ordinance is a consideration of the plan but urged the township to definitively state they would enact a short-term rental ordinance. Ms. Martin stated the negative impacts of short-term rentals on the community and urged the township to make regulating short-term rentals a top priority.

Diane DeSpirito, 2327 Three Mile Run Road, stated that she has noticed increased traffic and speeding on Three Mile Run Road. She stated that pedestrian use of Three Mile Run Road has become dangerous. She stated support for the reclassification of Three Mile Run Road east of Route 313 as a local access road so the township could control the speed limit and help ensure pedestrian safety.

Alice Moore-Powell, 2747 Three Mile Run Road, thanked the Planning Commission for its commitment to protecting open space. She stated that the township has the opportunity to protect the Nockamixon State Park and the surrounding natural resources by introducing a lake shoreline buffer. Ms. Moore-Powell continued and stated that the community looks forward to working with the township on strengthening the zoning ordinance, nuisance abatement ordinances and laws, and to develop joint community-government responsibility for the implementation and rapid resolution of issues.

Ned Powell, 2747 Three Mile Run Road, thanked the Planning Commission for the opportunity to provide input. Mr. Powell expressed concern for the inclusion of Weisel Village in the plan. He stated that the inclusion of Weisel can provide an inroad to further development of the area and disrupt the tranquil character of the area. Mr. Powell stated that Weisel Village, as a physical entity, no longer exists and the filling of Lake Nockamixon eliminated the area and any related structures have been altered beyond any historical significance. He recommended that the reference to Weisel be deleted from the comprehensive plan.

Mr. Rosanova asked if there is any additional public comment. Several members of the public provided verbal comment.

Robert Naper, 2360 East Rock Road, stated that his first comment is to fix a mistake on page 59. He stated that Clymer Mill Estates is located on East Rock Road and the plan lists Clymer Mill Estates as being found on West Rock Road. He then pointed out that on page 59, Table 30, an area is located on "West Road Road" and he said it is probably a typo and should read as "West Rock Road".

Mr. Naper's next comment is regarding the Rural Holding Area located east of Route 313. Mr. Naper stated that the Rural Holding Area is designed to accommodate future growth, be an area without an abundance of natural resources, and possibly see the extension of public water and sewer to that area. He stated that he lives in the area and thinks it should not be part of the Rural Holding Area. He stated that it is well removed from the Development Area and he does not foresee the extension of public water and sewer coming to the area. He said that the portion of the Rural Holding Area adjacent to Lake Nockamixon contains natural resources that should be protected. Additionally, there is prime farmland within the Rural Holding Area that should be protected. Mr. Naper concluded that this area should not be classified as a Rural Holding Area in the plan.

Jim Nietupski, 600 Dublin Pike, stated that the plan is a good summary of the township but some of the fundamentals could be adjusted. He agreed with some of the plan actions, but not with the plan actions that try to achieve the desired state of East Rockhill through additional restriction on property owners. Mr. Nietupski said that there is nothing in the plan actions that has to do with economic development, which could be a problem with an aging population on a fixed income. He suggested changing the C-O zoning recommendation- which recommends converting the C-O Commercial-Office district along Route 313 to RP Resource Protection – to not recommend a change in zoning but rather expand the C-O district in the area to create more ratables for the township. He also said that strictly limiting the number of locations of access points to Route 313 is not enough.

Mr. Nietupski stated that he was a little bit disturbed by the historic preservation push, especially the historic preservation district. He said that the limitations on alterations, demolitions, and waiting periods are too restrictive. He continued and said that the recommendations on page 75 are too invasive.

Ryan Gottshall, 2201 North Rockhill Road, stated that the comprehensive plan is missing important action steps regarding the Rockhill Quarry. He stated the negative impacts an active quarry can have on the residents. He stated that the Extraction zoning district should be studied and re-evaluated to protect the public health and safety of residents. He asked that the size of the Extraction district and joint municipal zoning be considered, discussed, and implemented into the comprehensive plan.

Mr. Gottshall questioned the strength of the words used in the plan and would like to have the “how” incorporated into the list of plan actions. He stated that East Rockhill is a rural community and residents do not move to East Rockhill for jobs. He expressed concern over outdated data and inquired about adding 2020 Census data to the plan. He also questioned what the industrial uses are that are mentioned on page 12.

Mr. Gottshall questioned how areas 1, 2, and 3, listed on page iv of the Executive Summary, translate to locations in East Rockhill. He also questioned what the Act 537 Plan is and asked that slang not be used in the plan. He requested that some of the maps show the surrounding municipalities. He asked that the list of scenic views listed in the plan be expanded.

Josh Snyder, 245 East Rockhill Road, thanked the Planning Commission for their work on the comprehensive plan. He reiterated what Mr. Gottshall said regarding the quarry. He questioned why there was nothing in the comprehensive plan that addressed the quarry. He requested that if legally possible the quarry should be addressed, as many of the issues cited in the resident survey have to do with impacts from quarry operations. Mr. Snyder asked the Planning Commission what legal mechanisms are available to the township to include in the comprehensive plan to address the quarry. Mr. Nyman responded and said that is not a question for the Planning Commission. Mr. Snyder amended his question and asked what mechanisms can the comprehensive plan utilize to prevent a repeat of what happened with the quarry in the past few years.

Mr. Roedig asked for any additional public comment. Ms. Moore-Powell asked about Obie Derr’s comments regarding the state park’s wastewater treatment plant. She asked if the park’s plant treats the vocational school, St. Matthews, and the Lakehouse Inn by contract and is the sewage treatment agreement set in stone. She also asked if we knew how much the state is handling for those entities. Mr. Roedig told Ms. Moore-Powell that the sewage treatment is regulated by the DEP and that we do not know if that treatment is contracted or what the agreement for treatment is.

Mr. Chellew recommended making a last call for public comment. Mr. Roedig made a last call for public comment. Mr. Gottshall submitted written comments for the record. Mr. Naper asked if it would be helpful to submit his comments digitally in addition to the comments he submitted verbally. Mr. Rosanova told him the meeting was being recorded and all public comment submitted orally this evening would be included for the record.

Mr. Roedig turned the meeting back over to the Planning Commission to address any comment or make any recommendations. The Planning Commission decided to address each comment submitted for the record. Mr. Rosanova reviewed the editorial comments submitted by the Bucks County Planning

Commission. Mr. Chellew said that he recalled the Planning Commission approving these changes when they were distributed via email after the last meeting in March. He asked if the Planning Commission needs to make a motion on any changes discussed. Mr. Roedig stated that the Planning Commission does not need to make a motion to accept any minor or factual changes to the plan and a general consensus among the Planning Commission is sufficient.

Mr. Nyman suggested changing plan action item number 12 to be more specific. He suggested replacing "site system maintenance" with "on-lot sewage system". He also suggested removing "Three Mile Run Road (east of Rt.313)" under "Local Access" on page 79, as this is a recommendation and does not reflect what is existing in the township. On page 83, under "Airport Facilities", Mr. Nyman recommended removing "and federal" in order to address the concerns of Mr. Brink, president of the Pennridge Airport. The Planning Commission agreed with all suggested changes.

Mr. Chellew stated that he made observation after listening to the public comment. He said that he wanted to make sure the public was aware that the Planning Commission is an advisory board and they only have the power to make recommendations to the Board of Supervisors. He said he appreciates all of the comments from the public and he wants to manage expectations by reminding the public that the plan actions are recommendations to the Board of Supervisors. The goal of the meeting is to fine tune a vision statement that the Board of Supervisors will either accept or not accept.

Mr. Eisenhart responded and said that Mr. Chellew was correct, the Planning Commission can only make recommendations, however the purpose of the public meeting and public comment is to sharpen the plan and incorporate the ideas of the Planning Commission and the community to the greatest extent possible.

A member of the public asked what the next steps are. Mr. Chellew stated that the Planning Commission needs to finalize the draft and make a recommendation to the Board of Supervisors. The Board of Supervisors will then vote to accept, not accept, or change the plan. Mr. Kelly stated that the Board of Supervisors will be given the record of the meeting and all public comment, so all comment voiced at the meeting is important, regardless of whether or not the comment has direct impact on the plan.

Mr. Rosanova read the comments submitted by Obie Derr. Mr. Roedig suggested a grammatical change and said that the Bucks County Planning Commission would confirm the edits suggested by Mr. Derr. The Planning Commission agreed with all suggested changes.

Mr. Rosanova reviewed Mr. Eisenhart's comments. The Planning Commission agreed to Mr. Eisenhart's first suggested change regarding the historical narrative of the township. Regarding Mr. Eisenhart's comment on the protection of natural resources, Mr. Roedig stated that the proposed narrative from the Bucks County Planning Commission containing information from the Natural Areas Inventory Update would help address Mr. Eisenhart's concern. The Planning Commission agreed to incorporate the proposed draft material.

The Planning Commission discussed Mr. Eisenhart's comment regarding Weisel Village. Mr. Eisenhart cited sources that showed Weisel Village outside of East Rockhill Township. Mr. Chellew stated that the evidence presented up to this point shows the remains of the village being within the township borders. Mr. Chellew asked to see the sources cited by Mr. Eisenhart. Mr. Weikel stated that he recalls the Weisel Village post office as the building now occupied by the Lakehouse Inn. Mr. Eisenhart asked what constitutes a village within East Rockhill. Mr. Nyman read the definition of a village from page 70 of the

draft. Mr. Nyman stated that he does not think the remains of Weisel constitute a village based on the definition in the draft.

Mr. Kelly asked the Bucks County Planning Commission to restate the evidence found and presented that lead to the narrative in the draft. Mr. Chellew stated that information is being presented from various parties and a consensus has not been found. He suggested tabling the issue for another meeting and doing additional research in the meantime. Mr. Chellew asked Mr. Roedig and Mr. Rosanova what their thoughts are regarding Weisel. Mr. Roedig stated that the evidence the Bucks County Planning Commission has found is no more definitive than what is being discussed tonight. Mr. Roedig suggested the Bucks County Planning Commission do some additional research and look into the topic further. Mr. Eisenhart requested the Planning Commission discuss the definition of historic village. The Planning Commission decided to table the discussion of Weisel for another meeting.

Mr. Baluh addressed Mr. Eisenhart's next comment regarding the reclassification of Richlandtown Pike and Rock Road West. Mr. Baluh advised against reclassifying Rock Road West as a minor collector road so the township can have some control over the speed limit and have some limitations over traffic. Mr. Eisenhart retracted his comment regarding the reclassification of Rock Road West. Mr. Baluh stated that on page 79 a recommendation could be made to reclassify Richlandtown Pike from a minor collector road to a major collector road. Mr. Nyman and Chairperson Fenley disagreed with the idea of reclassifying Richlandtown Pike. Mr. Baluh stated that the reclassification would have marginal changes to the level of traffic. The Planning Commission decided to not include recommendations to reclassify Rock Road West or Richlandtown Pike.

Mr. Baluh discussed Mr. Eisenhart's next comment regarding the potential rezoning of the Bucks County Community College campus. He stated that the campus is located in the C-O Commercial-Office district and the college is a permitted use in that district. Mr. Eisenhart asked if there is a difference between the C-E Cultural-Educational zoning district and the C-O Commercial-Office district. Mr. Baluh responded and said that the college is a permitted use and both districts and there would be ramifications if the zoning district was changed. The Planning Commission decided to not consider including a recommendation to change the college campus zoning.

Mr. Eisenhart's last comment asked if the comprehensive plan incorporated all the best practices and proposed recommendations to protect rural townships. The Planning Commission agreed that the plan does include the best practices and proposed recommendations.

The Planning Commission discussed the Rural Holding Area along Route 313 and whether it should be remain a holding area for future development. Mr. Baluh asked if the acreage within this Rural Holding Area is necessary to meet the township's required development capacity. Mr. Rosanova stated that two calculations were considered in the development capacity analysis. The first looked only at rural residential and vacant parcels within the Development Area and the second looked at all rural residential and vacant parcels throughout the township. Mr. Rosanova stated that the township exceeded the required development capacity with both calculations. Mr. Baluh asked if the Rural Holding Area in question could be eliminated without ramifications. Mr. Rosanova stated that he believes so but would like to look at the numbers again to be sure before the Planning Commission makes a decision. Mr. Roedig stated that if this Rural Holding Area would be eliminated it would be a substantial change to the plan and there would have to be another 45-day review period. The Planning Commission stated that another 45-day review period is not a problem. The Planning Commission decided to table the discussion of the Rural

Holding Area until the next meeting and in the meantime Mr. Rosanova will look at the development capacity analysis with and without the Rural Holding Area in question.

Mr. Roedig asked the Planning Commission if they wanted to discuss the NICE group's comments. Mr. Knueppel stated that their two main issues boiled down to short-term rentals and Weisel. He stated that the NICE group would like to see more urgency regarding short-term rentals. Mr. Chellew stated that the issue of Weisel needs more work and will be discussed at another meeting. The Planning Commission decided to revise the wording of the short-term rental plan action item to replace "consider amending" with "amend".

The Planning Commission discussed the edits suggested by Mr. Naper on page 59 and Table 30. The Planning Commission agreed to implement the suggested edits.

The Planning Commission discussed Mr. Gottshall's comments regarding the Extraction zoning district. Mr. Nyman stated that the property owner of the quarry has a right to continue quarrying even if the zoning were to change.

Mr. Roedig reviewed Mr. Nietupski's comments regarding economic development, ratables, historic preservation, and a broader look at Route 313. Mr. Nyman noted that there were two residents who spoke about economic development – one in favor of it and one against it. Mr. Chellew asked Mr. Nietupski to submit written comments so the Planning Commission could review and discuss them at the next meeting. Mr. Chellew summarized that the tabled items include Weisel, the Rural Holding Area along Route 313, and Mr. Nietupski's comments. Mr. Weikel asked Mr. Roedig if another 45-day review period would now begin. Mr. Roedig stated that no decisions were made regarding any major policy issues. A second 45-day review period will have to occur if it is decided at the next meeting to change any major policy issues.

The meeting was adjourned at approximately 10:24 p.m.