

East Rockhill Township
PLANNING COMMISSION MINUTES

August 13, 2020

The Regular Meeting of the East Rockhill Township Planning Commission was held at 7:00pm on August 13, 2020 at the Police Headquarter meeting room at the Penridge Regional Police Headquarters, 200 Ridge Road, Sellersville, PA 18960.

Based on the Governor's COVID-19 Disaster Declaration, the Planning Commission meeting was held with special meeting protocol. Six feet social distancing and mask protocol, public attendance limited to six members of the public with pre-registration required. Attendance requests were permitted on a first come, first served basis. Anyone wishing to provide public comment could do so to the Manager prior to the meeting and would be read into the record.

Present: Anne Fenley, Chairperson
Joe Chellew, Vice-Chairperson
David Nyman, Secretary
Jim Weikel, Member
Richard Kelly, Member
Blake Eisenhart, Member
Steve Baluh, P.E., Township Engineer
Marianne Morano, Township Manager

The meeting was called to order at 7:02pm by Mrs. Fenley.

Mrs. Morano noted Green Ridge Estates West was withdrawn from the agenda by the applicant.

Approval of June 11, 2020 Minutes: On motion by Mr. Weikel, seconded by Mr. Chellew, to approve the meeting minutes from the June 11, 2020 Planning Commission regular meeting. With no additional discussion, all present voted in favor.

New Business:

Draft Sign and Residential Livestock Ordinances:

Bucks County Planning Commission was engaged by the Supervisors to prepare a sign ordinance amendment and a residential livestock ordinance. Michael Roedig and Christian Regosch from Bucks County Planning Commission were present.

I.10. Homestead Chickens proposal was reviewed. It was noted on 1 acre 5 chickens are permitted and a maximum of 10 is allowed on 2 or more acres and that 10 chickens is known to be good for a hobbyist and the health of the chickens; the structure housing the chickens if not occupied for a period of 1 year will be amended to 2 years; slaughter will be allowed in a private area not private residence; selling of eggs is prohibited and the use may be too restrictive in the AP Agricultural Preservation, RP Resource Protection and RR Rural Residential zoning districts.

- Robert Napor, 2360 East Rock Road, encouraged the Planning Commission to look at neighboring municipalities and noted the agricultural use allows 100 poultry per acre over 3 acres and believes the proposed rooster provision should be removed and the noise ordinance will regulate any sound issues.

It was noted neighboring municipalities do not have the residential livestock use as detailed as what is proposed; after receiving planning commission feedback the current agricultural livestock regulations will need to be clarified appropriately, and the ordinance was being prepared to address complaints received for residential parcels with livestock.

The Commission's consensus was to add a subsection to allow additional chickens in the AP, RP, RR Zoning District by conditional use and a subsection to allow roosters in the AP, RP, RR Zoning Districts by conditional use.

I.11. Homestead Animals proposal was reviewed. It was noted the draft ordinance regulated noncommercial livestock and fowl other than chickens which would be regulated under I.10 accessory use. Fowl would be clarified by changing regulations regarding to regulations exclude the common chicken; a minimum of 3 acres is required for a homestead animal with limits on the maximum number permitted according to size as identified in the Pennsylvania Act 38 Nutrient Management Technical Manual Supplement 5 Standard Animal Weights; slaughter of fowl will be allowed in a private area not the private residence; slaughter will be clarified to be strictly prohibited other than incidental to compliance.

- Robert Napor, 2360 East Rock Road, requested amending the maximum number in the AP, RP, RR Zoning Districts for larger lot sizes and gave his 6.46 acre property as an example with an existing barn that has 10 large stalls and noted his wife does animal rescue and would like to have the agricultural use encouraged not restricted and requested general farming language in existing ordinance be clarified.

The Commission's consensus was to modify the AP, RP, RR Zoning District regulations.

27-2000 Sign Regulations. Message center sign permissibility and off-premise sign permissibility maps were distributed to the Commission. The amended sign regulations were reviewed. The Commission's consensus was to confirm off-premise sign height to mirror neighboring Townships and to provide visual examples.

Revised drafts of each Ordinance will be reviewed at a future meeting.

Conditional Use Application 925 Three Mile Run Road:

The following comments and/or recommendations are made relative to the subject conditional use application and associated site plan, sheet 1 of 1, dated June 25, 2020, prepared by Irick, Eberhardt & Mientus, Inc. The applicant proposes to construct a residential-like structure (approx. 5600 SF footprint) and associated parking area for use as a Group Home (Use B5) for children with medical conditions on the subject property. The property has an area of 2.0 acres and is zoned Suburban (S). The existing dwelling and outbuildings on the site are proposed to be razed. The property is served by East Rockhill Township sanitary sewer and Perkasie Regional Authority public water. Caroline Edwards, Esq., Sudesh Singh on behalf of JMD the owner and Robert Irich, P.E. were present for the applicant

1. The applicant should clarify proposed operation of the facility and county, state, and/or federal licensing required. In particular information related to level of skilled care required

by residents and medical treatment administered, is required to determine if Group Home is the proper zoning use designation for the facility. **The applicant noted they operate under Pennsylvania Department of Human Services Title 55, PA Code, Chapter 3800 §20.31 and have several facilities with three in the Quakertown area; the average age is infant to 5 years, typically for a 6-19 month stay with a pulmonary disease; shifts are 12-hours with two professionals; medical director is on staff for a regular work week but there will be no staff residing at the location on a permanent basis; two patients per bedroom; activities are according to prescribed treatment; most patients are fed by a tube and are on a ventilator; a limited number go to Pennridge School District and are picked up and dropped off by bus, parents typically visiting evenings and weekends.**

2. Architectural plans were included with the application. The floor plan depicts four bedrooms with various common areas on the first floor and a large (approx. 540 sf) office area on the second floor. Applicant should submit information regarding anticipated number of residents and staff for the proposed facility. Group Home regulations limit the number of persons to 10 unless a minimum of 100 SF of sleeping quarters floor space is provided per person. (ZO Section 27-304.85.a) **Two occupants per room.**
3. Use B5 regulations require one space for each employee on largest shift plus one space for an accessory vehicle. The site plan proposes 20 parking spaces plus an attached garage, The applicant should clarify the expected activity at the site which would necessitate the large number of parking spaces proposed (ZO Section 27-304.85.d) **Applicant was willing to move most of the parking to the back, 8 minimum would be necessary. Parking in the front would be typical of a residence. It was noted a driveway to back could accommodate overflow parking when necessary.**
4. Buffer yards are required to be established along adjoining properties pursuant to the requirements of Section 27-1905 of the Zoning Ordinance. Plans should specify the appropriate buffer width based on adjoining uses. Detailed existing vegetation locations and proposed clearing for improvements should be identified to determine the extent of supplemental buffer planting required. (ZO Section 27-304.85.c) **Will comply with buffer requirements and supplement plantings, as necessary.**
5. Water usage/Sewage flows should be calculated based on the proposed capacity of the facility. Purchase of additional EDUs from East Rockhill Township and Perkasie Regional Authority may be required. **Will comply. Other facility water bills could be utilized to indicate usage.**
6. Area for a proposed stormwater management basin is indicated on the plan. Complete stormwater management design should be prepared and submitted for review to verify compliance with Township Stormwater Management Ordinance. (Code Chapter 26, Part 3) **Will comply.**

7. Detailed construction/site plans should be required to be submitted to verify compliance with Township natural resource protection, site lighting, other zoning dimensional requirements, and erosion and sedimentation control measures. (ZO Section 27-2203) **Will comply.**

8. In accordance with Conditional Use regulations of Section 27-2208 of the Zoning Ordinance, the Township must determine that the proposed use is in accordance with the Township Comprehensive Plan, in the best interest of the municipality, suitable for the property in question, and suitable in terms of highway traffic/access and zoning requirements. Additionally, specific requirements for Use B5 includes documentation of number of occupants, ownership and licensing, and location of other group homes within a one-mile radius. (ZO Section 27-2208.c(2)) **Applicant attempts to provide a family setting as much as possible. It was noted it appeared to be rehabilitation and not skilled care.**

On motion by Mr. Chellew, seconded by Mr. Weikel, to recommend the conditional use application conditioned on primarily being configured to be like a residence and contingent on the Township Solicitor's interpretation of a B5 Use and zoning compliance. With no additional discussion, all present voted in favor.

Old Business

There was none.

Public Comment:

There was none.

Adjournment: **On motion** by Mr. Weikel, and seconded by Mr. Eisenhart, the meeting adjourned at 10:36pm.

Respectfully Submitted,

David R. Nyman
Planning Commission Secretary

Recorded:

Marianne Morano
Township Manager