

Plumstead Township Planning Commission
October 16, 2008
Meeting Minutes

The meeting of the Plumstead Township Planning Commission was held at 7:30 pm on October 16, 2008 at the Pt. Pleasant Firehouse, 6500 Pt. Pleasant Pike, Pt. Pleasant, PA.

Present:	Dave Mortimer	Chair
	Andy Thomas	Secretary
	Steve Rush	Member
	Donald Viex	Member
	Tim Fulmer	Township Engineer
	Patrick Armstrong	Township Solicitor
	Louis Fineberg	Land Planning Director
	Teri Murphy	Assistant to Louis Fineberg

Absent: Gary Talbot Vice-Chair

The meeting was called to order at 7:30 p.m. by Andy Thomas and opened with the Pledge of Allegiance.

Approval of Minutes

Thomas motioned to approve the August 21, 2008 meeting minutes with the revisions set forth in Tim Fulmer's August 22, 2008 correspondence.

Viex seconded the motion and the motion was approved with three (3) votes. Talbot abstained.

Thomas motioned to approve the September 18, 2008 meeting minutes.

Rush seconded the motion and the motion was approved with three (3) votes. Viex abstained.

Confirmed Appointments

Doylestown Animal Clinic
Edward Wild, Esq.

Planning Commission Solicitor, Patrick Armstrong, announced that his law firm has a conflict of interest in this project and did not take part in the discussion.

The applicant offered a number of reasons why a land development waiver should be granted:

1. Project meets side yard requirements.
2. Planned addition will be built over existing impervious surface.
3. Applicant has secured a zoning variance.

Committee raised questions regarding the proposed plan's provision for:

1. Depressed curbs
2. Covered entry way
3. Sheds and a storage box
4. Also, questions regarding the corner of the building, e.g. concerns about a pedestrian blind spot. Would like to see steel bollards at the corner of building, 2' on either side.

Applicant responded:

1. Curbing is 11' more than required.
2. Planned addition provides for a continuation of doorway in rear of property.
3. Sheds and storage box will be removed.
4. No concerns with regard to providing bollards.

Thomas raised questions regarding traffic, i.e. tractor trailers.

The applicant said that traffic at the site is conventional, and that the proposed addition does not necessitate eliminating parking. The proposed plan meets parking requirements.

Fulmer added that the property is on a fully developed site, and that many issues have been resolved.

Applicant claimed that the proposed addition does not justify the burden of land development requirements. He added that the Clinic has been doing business for 30 years in Doylestown, and that the planned addition is to accommodate existing clientele. He continued that the property is part of a condominium association, and that the association has endorsed the addition. A copy of the minutes from the association meeting is available.

Motion: Mortimer made a motion to recommend the waiver of land development upon compliance with all recommendations and comments set forth in the C. Robert Wynn, June 10, 2008 review letter and conditional on the applicant installing bollards to protect the back corner of the building if the Board of Supervisors deems it necessary. Rush seconded the motion.

Unanimous vote in favor of recommending the land development waiver. Motion passed.

*Albus/Wagner
Rod Chirumbolo, Boucher & James, Inc.*

The applicant gave a detailed overview of the property and proposed plan.

1. The proposed plan is a 2-lot minor subdivision.
2. It is a single-family property, approximately 370' off of Bergstrom Rd., which includes a patio and barn.
3. 2nd lot is 6.3 acres serviced by a private well (not tested), with no on-lot sewage. There are requirements needed to be satisfied before the purchasing of an EDU in accordance with the Agreement with Bucks County Water and Sewer Authority. Thomas stated that he would like to see the well's testing information. Applicant agreed to provide the testing results.

Some discussion regarding the riparian buffer with Fulmer explaining that the plan provides for the driveway to cross the buffer horizontally but, ideally, the driveway should cross perpendicular. Continued discussion regarding the tree line and shrubs along the driveway. Viex raised questions regarding the neighbor's opinion on the proposed easement and on the position

of the driveway. The neighbor appealed the Zoning Hearing Board decision granting the Applicant a variance. Applicant responded that the neighbor and applicant have come to an agreement regarding the size and types of trees along the property line. Viex stated that the Township would need a copy of the agreement. Viex continued with questions regarding the withdrawal of the neighbor's appeal, and with questions regarding what the ordinance says in regard to the placement of the trees, and how the drive will be paved. Fulmer stated that the ordinance calls for trees to be placed 5' from adjacent property lines. Applicant said they will meet with requirements.

Talbot added that there was no buffer requirement noted on the plan. Fulmer stated that a note will be on the record plan.

There was a general discussion regarding EDUs, with Fulmer giving a detailed overview of the subject, and explaining how the Township handles EDU issues. Fulmer then asked the applicant if there are additional EDUs on the property. Applicant believes there is another EDU which was purchased from Heritage Building Group.

Applicant agreed to comply with all items set forth in the C. Robert Wynn review letter, dated September 22, 2008.

Motion: Mortimer made a motion to recommend the Board of Supervisors approve the applicant's minor subdivision plan subject to the applicant complying with all the comments and requirements set forth in the September 22, 2008 Township Engineer review letter and the recent Zoning Hearing Board Decision. The recommendation was also conditional on the applicant resolving the pending Zoning Hearing Board Appeal with the neighboring property owner and providing the Township with a copy of the settlement agreement and filed withdrawal of the appeal, and providing the appropriate note on the plan referencing same, in a manner acceptable to the Township. The recommendation was also conditional on the applicant complying with any and all requirements related to the sanitary sewer service at the property, in accordance with the Township's Agreement with the Bucks County Water and Sewer Authority and in a manner acceptable to the Board of Supervisors. Viex seconded the motion.

Unanimous vote in favor of motion. Motion passed.

Motion: Mortimer also made a motion to recommend the Board of Supervisors approve the following requested waivers:

1. SALDO Section 22-603.2.N;
2. SALDO Section 22-906, subject to the applicant agreeing to and executing a blanket easement in a form acceptable to the Township;
3. SALDO Sections 22-918, 22-907.1.M and 22-907.3.G, subject to the applicant providing the appropriate capital contribution;
4. SALDO Section 22-1101, subject to the applicant providing the requisite fee in-lieu-of;
5. SALDO Section 905.2.I;
6. SALDO Section 905.2.K, provided that the applicant complies with Section 22-916.1.H;

7. Section 26-129.C, provided that all performance principals of the Stormwater Management Ordinance are achieved; and,
8. SALDO Section 22-904.4.

Viex added that the waivers were subject to the Solicitor's approval of 4B, and also subject to full and unconditional compliance with C.Robert Wynn review letter, dated September 22, 2008. Viex seconded the motion.

Unanimous vote in favor of motion. Motion passed.

***Forbes
Bohler Engineering***

Applicant presented an overview of the property and proposed lot line change.

1. Property is a flag lot with 2 fee simple lots on 9 acres
2. Property is the site of an historic school house
3. No new development planned

Summary of responses to items listed in the C. Robert Wynn Associates review letter, dated October 2, 2008: Responses detailed in Bohler Engineering letter, dated October 14, 2008 (attached).

1. Will comply
2. Will submit
- 3-5. Will comply
6. Waiver
- 7-8. Will comply
9. Waiver, no impact
10. Waiver – right-of-way; waiver to dedicate; alternative easement – will work with Supervisors on width difference.
11. Will comply
12. Waiver – no new development
13. Re: Sewer – existing wells and septic

Thomas requested well water sampling to determine if water quality complies with Township well ordinance. Applicant stated that the well was tested two years ago.

General discussion regarding water testing followed. Thomas added that EarthData can create a database to track trends and identify arsenic levels. Applicant will provide test data.

14. Defer to Supervisors
15. Will comply

No action was taken on this plan. The Applicant will revise the plan and come back to the Planning Commission for further discussion.

Planning

Discussion regarding the revised Comprehensive Plan:

1. Fineberg stated that the BCPC was awarded the bid, and is ready to move ahead.
2. Fineberg said that a timeline will be provided.
3. Viex asked about grant money. Fineberg responded that we are in the process of securing the grant money for this year.
4. Fulmer added that he will work with the BCPC designate to prepare the Plan.

Old Business

Thomas motioned to table the approval of the June 19, 2008 meeting minutes. Motion was seconded by Rush . Approved.

New Business

None.

Public Comment

None

Adjournment

Motion to adjourn made at 9:15 by Mortimer. Thomas seconded the motion. Approved.