

**MINUTES OF PLUMSTEAD TOWNSHIP
PLANNING COMMISSION
REGULAR SCHEDULED MEETING
FEBRUARY 15, 2024**

1. Call to Order: The February 15, 2024, regular scheduled meeting of the Plumstead Township Planning Commission was held at Plumstead Township Municipal Building, 5186 Stump Road, Pipersville, PA. Vice-Chairman, Jerry Farra, called the meeting to order at 7:00 p.m.

APPOINTED COMMISSIONERS:

*Gary Talbot	Chair
Jerry Farra	Vice Chair
Brendan Callahan	Secretary
Chance Worthington	Member

APPOINTED OFFICIALS:

William Oetinger, Esq.	Township Solicitor
Timothy Fulmer, PE	Township Engineer
Steve Hicks	Twp. Land Use & Planning Admin.

* Not Present

2. Pledge of Allegiance: Mr. Farra led the Commission and Audience in the Pledge of Allegiance.

3. Land Development: In attendance for Adams Minor Subdivision: Arthur & Jane Adams (Property Owners)

3.1. Adams Minor Subdivision – 4099 Curly Hill Rd. – Preliminary/Final Plans: Mr. Farra called attention to the comments and notes in the Wynn Review Letter, dated January 30, 2024. Mr. Fulmer explained that Mr. Adams will be seeking a waiver for item 4 regarding Lot Line Orientation, which was not included in the original waiver request document. Mr. Adams stated that there will be deed restrictions placed on the property to prevent further subdivision. Mr. Fulmer stated that as a result of the deed restrictions, this is a reasonable request. Regarding item 5, Mr. Adams stated that he is still working with PennDOT to obtain a Highway Occupancy Permit. Regarding item 6, Mr. Adams stated that he delivered the required approved documents from the Bucks County Health Department to the Township, prior to the start of the meeting. Mr. Fulmer explained that the Township will now send the documents to the DEP for review. Mr. Adams is seeking an exemption from the Sewage Facilities Planning Module requirements. Concerning item 7, Mr. Adams stated that this is considered a Will Comply. Mr. Fulmer explained that until there is a design for construction on Lot 2, it doesn't make sense to have the applicant do a full Stormwater Plan. Mr. Fulmer additionally stated that Mr. Adams will seek a Stormwater Management exemption. Mr. Fulmer stated that his concern is that the driveway for Lot 2 will primarily be gravel and that has the risk of washing out during a storm. Mr. Fulmer suggested that Mr. Adams and his engineer design ways to divert water into the yard as it flows down the driveway. Mr. Adams stated that items 8-16 are all deemed Will Comply.

Mr. Fulmer called attention to the waiver request list, referenced as items 3A-3H in the Wynn Review Letter. Regarding 3A, Mr. Fulmer stated that the plans are legible, even at a smaller scale than required, as such he had no objection. Mr. Adams stated that he will withdraw 3B, and will plant the required trees. Regarding item 3C, Mr. Fulmer stated that the Township Fire Marshal and Township Arborist both reviewed this waiver request and had no objection to this. With respect to item 3D, Mr. Fulmer stated that Curly Hill Road is classified as a Major Collector, and as such, Mr. Adams will need to seek a Township waiver. Mr. Fulmer further stated that as long as PennDOT grants the HOP, he does not object. Mr. Fulmer stated that with respect to item 3E, requiring street improvements, Curly Hill Road is a state road, in good condition, with no sidewalks or curbs. He had no objections to this waiver request, but stated that the Township and Mr. Adams should agree on a capital contribution fee in-lieu-of improvements. Mr. Callahan suggested that the exact amount be left up to the Board of Supervisors discretion. Regarding item 3F, Mr. Fulmer stated that the Township has agreed to similar waiver requests in the past, and suggested this requirement be noted on the plans and with a declaration document provided by the Township Solicitor's office. Concerning item 3G, Mr. Fulmer stated that trees located in close proximity to the proposed driveway are proposed to remain in an effort to retain as many trees as possible. Mr. Fulmer stated that the Township Arborist would like to see the detail of the root protection zone but has no objection to the waiver request. With respect to item 3H, Mr. Fulmer

stated that wells do not have to be drilled prior to the plans being recorded, as such, this waiver is not necessary. Mr. Adams stated that he will withdraw that request. Mr. Fulmer reminded everyone that an additional waiver is being requested, relating to item 4, lot line orientation.

Mr. Fulmer called attention to and gave brief descriptions of the Bucks County Planning Commission, the Township Arborist, and the Township Fire Marshal. Mr. Fulmer suggested that a note be added to the plans to reflect Note 2 on the Fire Marshal Review Letter for the trees along the proposed driveway to be trimmed to maintain a 13ft. clearance. Mr. Adams agreed with that suggestion. Mr. Fulmer pointed out item 3 of the BCPC review letter which requires compliance with Act 319, and item 5 of the BCPC review letter which explains that there are historic structures on the property.

MOTION: Upon motion by Mr. Farra and seconded by Mr. Worthington, the Commission unanimously recommended the approval of Waivers 3A-3H, with the exception of 3B, which is now withdrawn and deemed Will Comply, and adding Waiver 3I for the Lot Line Orientation.

MOTION: Upon motion by Mr. Callahan and seconded by Mr. Worthington, the Commission unanimously recommended Preliminary/Final Plan approval, subject to compliance with the Wynn Associates review letter dated January 30, 2024, the Township Arborist review letter dated January 26, 2024, the Township Fire Marshal review letter dated January 22, 2024, the Bucks County Planning Commission review letter dated February 2, 2024, noting that a note shall be added to the plans to reflect the 13ft. clearance, and making note of items 3 & 5 in the BCPC review letter.

4. Land Development Plans to be Accepted-In:

4.1. JJ Investments Land Development – 4095 Ferry Rd. – Preliminary Plan: Mr. Farra stated that this will start the 90-day timeclock, and this application will be on the agenda for the March 21, 2024, Plumstead Township Planning Commission meeting.

MOTION: Upon motion by Mr. Farra and seconded by Mr. Callahan, the Commission unanimously accepted-in the JJ Investments Land Development application.

5. Township Ordinance Modification Discussion: Mr. Oetinger gave a brief description of the proposed ordinance modification, stating that a new use is being proposed for wineries to operate in the Township. Mr. Oetinger explained that currently, wineries can operate in the Township under an agricultural use. However, that agricultural use no longer fits the changes in the winery industry. Mr. Fulmer stated that while this type of business is already regulated by the Township through the agriculture regulations, this is a growing and evolving industry, so, it would be in the Township's best interest to be proactive in regulating the use instead of reactive. The Commission members discussed signage, noise, parking, and lighting requirements to be associated with the proposed ordinance. Mr. Callahan and Mr. Farra discussed the regulations regarding impervious surface for this type of use. Mr. Callahan and Mr. Fulmer expressed their concerns regarding regulating food service for this use, whether it be from an on-site kitchen or from food trucks. The regulation of outdoor seating was also expressed as a concern for the Commission members. Mr. Fulmer stated that the proposed ordinance would only be permitted in the RO (Rural Residential) Zoning District. Mr. Farra expressed concern over the possibility of events such as weddings or concerts happening on a winery property as a result of this ordinance. Mr. Hicks explained that any type of event would be regulated under a B14 Temporary Community Event use, which is already an established use in the Township. As such, Mr. Hicks explained that a winery that would like to hold such an event would have to file the appropriate zoning applications and adhere to the restrictions of the Temporary Community Event use.

6. Approval of Minutes: Minutes for January Re-Org/Work Session Meeting.

6.1. Meeting of January 25, 2024:

MOTION: Upon motion by Mr. Callahan and seconded by Mr. Worthington, the Commission unanimously approved the Planning Commission minutes of the January 25, 2024 meeting.

7. Public Comment: There was no public comment at this time.

Mr. Hicks reminded everyone that Public Workshop #2 for the Township's Comprehensive Plan will be Thursday, February 22, 2024, at 7:00pm at Hanusey Park.

8. Adjournment: Upon motion by Mr. Farra and seconded by Mr. Callahan, the meeting was adjourned at 8:23 p.m.

Respectfully Submitted,

Date Approved: 03/21/2024



Steven Hicks, Assistant Township Manager