

**WRIGHTSTOWN TOWNSHIP PLANNING COMMISSION
MINUTES OF MEETING OF APRIL 27, 2006**

The Wrightstown Township Planning Commission met on Thursday, April 27, 2006 in the Community Room of the Village Library, Penns Park Road, Wrightstown, PA. In attendance and voting were: Frank Davis, Chairman; John Halderman, Vice-Chairman; John Fowler, Ann Mark, William Perry and Lary Whalen, Members. Also in attendance were: Township Engineer Mario Canales of Pickering, Corts and Summerson, Inc. and Township Planner Judith Stern Goldstein of Boucher and James, Inc.

Call to Order: Mr. Davis called the meeting to order at 8:00 p.m.

Approval of Minutes: *Mr. Halderman moved to accept the Minutes of February 23, 2006 Dr. Mark seconded and the motion passed 5-0-1, with Mr. Perry abstaining.*

Fisher-Snider Minor Subdivision Preliminary/Final Plan: Applicants Frederick Fisher and Kathleen Snider and their engineer, Thomas Crews, were present to review their plans to subdivide an 11-acre lot on Penn Oak Trail into two lots. Mr. Fisher said that he will comply with all of the items on all of the review letters, questioned item #4 on the Pickering, Corts and Summerson, Inc. letter, requesting a conservation easement. He said that he has been very sensitive to the environmental issues on the property. He is in the process of installing a forced drip irrigation sanitary sewer system in order to protect the trees on lot one, and expects that the prospective buyer of lot two will also install such a system. Much of the property is protected wetlands, woodlands, steep slopes and riparian buffers. He has already agreed to a condition of no further subdivision. His concern is that the added restriction of a conservation easement will discourage prospective buyers, increase the time for completion of the subdivision approval process, and add to the expense.

The Commission Members discussed the reasons for asking for conservation easements. Mr. Halderman said that the Members are concerned about future owners, who might want to clear the trees, or seek relief to further subdivide. Mr. Fowler noted that the easement would further protect the headwaters of Jericho Creek which traverse the property. The conservation easement would protect the land.

Ms. Goldstein said that many buyers find the conservation easement attractive, when it is known that the adjoining property is protected from further development. She suggested that Mr. Fisher speak to the Township Solicitor about the conservation easement. It would be possible to include portions of the property, rather than the entire property. It should not increase the time or cost of the process.

Mr. Fisher said that he would consider a conservation easement.

The Commission reviewed the request for waivers. Ms. Snider noted that the first waiver, from improvements to Penn Oak Trail seemed unnecessary, since the street has been milled and overlaid this month.

Mr. Canales said that the request for a waiver from SALDO Section #516 is really only a deferment until such time as building permits are applied for on lot #2. Ms. Goldstein commented that the division of these lots is dictated by preservation of natural resources. The intent here is not to attempt to "squeeze" as many houses as possible onto the land. The Members agreed with Ms. Goldstein that the proposed subdivision best protects the natural resources.

Mr. Canales pointed out that the current plan will create a disturbance of woodlands of ½ acre on lot #2. This will leave one full acre that is permitted to be disturbed in the future. He urged the applicant to allocate a portion of this to each lot, to avoid one owner using the full amount at some future time, leaving

no disturbance permitted for the other lot owner. This division of allowable disturbance of woodlands should be noted on the plan.

Mr. Halderman moved to recommend that the Board of Supervisors approve this subdivision subject to the following conditions:

- *The plan comply with the review letters of Pickering, Corts and Summerson, Inc. dated April 4, 2006; Boucher and James, Inc. dated April 20, 2006; and the Bucks County Planning Commission dated April 17, 2006;*
- *That a conservation easement be negotiated.*

The Commission recommends that the following waivers be granted:

- *From SALDO Section 503.H, which requires improvements to existing streets;*
- *From SALDO Section 516, which requires stormwater management controls. This is deferred until a building permit for lot #2 is applied for;*
- *From SALDO Section 519.E, which requires the depth of the lot to be not less than one or more than two and one half times the width.*

Mr. Fowler seconded and the motion passed 6-0.

JMZO 2006-12 – Babysitting: Ms. Goldstein explained that this amendment would remove “babysitting” from the Ordinance. The State regulates in-home daycare of four or more children. The current Ordinance, as written, limits the number of children not related to the caregiver whom the caregiver can temporarily care for at the home of the caregiver or at the residence of the children to three children. As written, it would prohibit larger families from having a babysitter, or from two families, going out for an evening, from sharing a babysitter.

Dr. Mark questioned whether this would now permit regular daycare of three unrelated children in a caregiver’s home. She said that some neighbors might have objections to children being dropped off and picked up every day. She asked whether the ordinance should somehow use the word “sporadic” or “occasional” to differentiate it from regular daycare.

Mr. Davis said that daycare is regulated by the state. With only three children involved it is difficult to monitor or enforce. If it were a regular daycare of only three children, and there were complaints, there would be a paper trail to indicate a business.

Mr. Whalen moved to recommend that the Board of Supervisors approve this amendment. Dr. Mark seconded and the motion passed 6-0.

JMZO – 2006-12 – B-19 Use Creation: Ms. Goldstein said that this proposed amendment had been requested by Toll Brothers to accommodate development of the Fidler/Roberts Tract in Newtown Township. The Use would be similar to B-17, elderly housing, without the age restrictions. Toll Brothers would like to develop the property as townhomes. The property is currently in the R-1 Zoning District, which permits B-17, elderly housing. The proposed new use is to be a transition from Borough to Township. The density would be similar to what is

permitted in a PRD development. There would be alleys behind the homes, some “village greens” and a surrounding buffer of open space.

Mr. Fowler asked whether this new use would be limited to this property only. Ms. Goldstein said that the requirements of adjoining both a Borough and a public park were included in the draft so that this parcel is the only qualifying parcel.

Mr. Davis expressed concern about the width of the internal streets. He said that sometimes alleys behind the townhomes are used for parking. With both narrow streets and alleys with parked cars, emergency vehicles and delivery trucks have a hard time.

The Commission reviewed the letter of the Bucks County Planning Commission dated April 5, 2006, noting the many negative comments, including a decrease in the open space requirement, an increased impervious surface ratio, and the reduced perimeter boundary setback. Ms. Goldstein pointed out that the letter only compared the new use to a PRD use, the least favorable comparison. The proposed new use compares more favorably with use B-17, elderly housing.

Mr. Davis said that this housing would place an additional burden on the school district that age qualified housing would not.

Ms. Goldstein said that Toll Brothers has indicated that it does not want to be limited in marketing only to age 55 and over.

Mr. Fowler moved to recommend that the Board of Supervisors not approve an amendment adding use B-19, Transitional Residential Use to the JMZO R-1 Zoning District, based on the many flaws pointed out in the Bucks County Planning Commission review letter dated April 5, 2006. Mr. Halderman seconded and the motion passed 6-0.

Mr. Halderman moved to adjourn at 9:10 PM. Mr. Fowler seconded and the motion passed 6-0.

Respectfully Submitted:

**Mary Donaldson
Recording Secretary**