

**WRIGHTSTOWN TOWNSHIP PLANNING COMMISSION
MINUTES OF MEETING OF MAY 25, 2006**

The Wrightstown Township Planning Commission met on Thursday, May 25, 2006 in the Community Room of the Village Library, 727 Penns Park Road, Wrightstown, PA. In attendance and voting were: Frank Davis, Chair; John Halderman, Vice-chair; John Fowler, Ann Mark, William Perry (late) 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.

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

Approval of Minutes: Dr Mark noted that page 2, paragraph 2 of the Minutes of May 11, 2006 should read "sign would be red with canopy lighting". *Mr. Halderman moved to accept the Minutes of May 11, 2006, as amended. Dr. Mark seconded and the motion passed 4-0-1, with Mr. Fowler abstaining.*

Jenta Minor Subdivision Preliminary/Final Plan: Attorney Robert W. Gundlach, Jr., Scott J. Guidos, engineer on the project and Eric Asadoorian, owner, were in attendance to review the plans for a minor subdivision of 16.35 acres on Cherry Lane near the intersection with Park Avenue. The site contains five existing buildings, including a former retail building (the former Santerian's Department Store), a single-family house with in-ground pool, an apartment building and garages. Only the former retail building is to remain. Some detailed septic work has been done, and the plan was drawn to accommodate the septic systems for the four proposed lots, which, the applicant stated, are to be divided among the Asadoorian siblings. The applicant will comply with the review letters, except for a few details that were to be discussed at this meeting.

Resident James Peruto said that he is a neighbor to this property and has asked for party status. He has not received any notifications of this meeting, or copies of the review letters.

Mr. Davis explained that the Planning Commission is only an advisory commission, and that this is not a formal hearing. He said that all review letters are part of the public record; copies can be reviewed at the Township Office.

In reviewing the Boucher and James letter of May 4, 2006, Mr. Gundlach said that item 1.C refers to an existing building, which is to be renovated as a garage, to be connected to a house. No architectural plans have yet been completed. Items 6.A and B refer to park and open space, and the applicant would request a fee in lieu. The comments in item 7 refer to the unusual shape of the lots, which are necessary to accommodate septic systems. The applicant would agree to a conservation easement for resource protection. The applicant might at some point want to add a footbridge or swing set in the protected area. In response to Mr. Davis's concern about inspection and monitoring of activities on the properties, Mr. Gundlach said that the applicant would agree to periodic inspection. In response to Mr. Halderman's question, Mr. Gundlach said that the applicant would agree to a condition that there be no further subdivision.

The Commission discussed the lot shapes, and location of septic systems. Mr. Gundlach said that all options have been exhausted, and the septic systems shown on the plan are the only

alternatives. Mr. Gundlach said that the applicant would be willing to extend the conservation easements to specify protected areas throughout the property.

The Commission reviewed the request for waivers, and agreed to recommend that waivers be granted from Subdivision and Land Development Ordinance Section 404.B, requiring features within 500 feet to be shown on the plan; Section 503.H, 504, 505, 521 and 522, requiring street improvements, sidewalks, curbs and pedestrian paths, recommending that a fee in lieu be accepted; and from Section 519.E, which requires a lot depth/width ratio of one to two and one half.

Mr. Gundlach noted that the Bucks County Planning Commission letter comments on the proposed driveway width, but because of the shape of the lots, the applicant would like to use a 12-foot wide driveway with a pull-off area. Mr. Davis expressed some concern about access for emergency vehicles.

The Commission discussed an oil contamination incident (spill) on the property. Mr. Asadoorian said that the spill occurred during the demolition of one of the buildings on the property and it has been cleaned up. The clean-up was supervised by DelVal Soils of Doylestown, PA for the applicant. A report has been submitted by DelVal for the applicant to the PADEP. Members expressed concern about this spill, and its possible affect on ground water. Mr. Fowler suggested requiring testing of water samples from the existing and pumped well for diesel and number 2 fuel, and an ASTM Phase 1 environmental assessment for the entire property.

Mr. Peruto spoke on behalf of the following neighbors in attendance:

- Carole Storm, Cherry Lane;
- Bill Storm, Cherry Lane;
- Lynn Johnson, Cherry Lane;
- Chris Walter, Cherry Lane;
- Michele Peruto, Cherry Lane;
- David DelBianco, Cherry Lane.

Mr. Peruto said that the neighbors had been very concerned about the possible re-use of the commercial building for retail, and were relieved that the plans call for its renovation for a residential accessory building. He said that one of the houses on the plan will be placed next to, but behind his and the Storm house. They are concerned about privacy and about headlight glare. He asked if it would be possible to align the house with the Storm and Peruto houses.

Mr. Gundlach explained that the lot lines and building envelopes were limited by protected woodlands, steep slopes and septic systems. The applicant would be amenable to providing some evergreen screening along the lot line to provide some additional privacy.

Mr. Peruto asked about the plans for the retail building, which he noted is very close to the road. He expressed concern about the demolition of the other buildings, which might also have oil tanks, and he asked about electrical transformers. He said that he was concerned about

contamination of well water and he also thought that the suggested privacy plantings would create a wall.

Mr. Asadoorian did not think there were electrical transformers on the property, but he agreed to look. The old retail building will be used as a garage, and will be attached to one of the houses.

Mr. Fowler said that the ASTM Phase 1 environmental assessment will identify, review and detail all environmental issues.

Mr. DelBianco expressed concern about the appearance of the old retail building.

In response to complaints about the old building, Mrs. Millicent Asadoorian said that her family has owned the building and the property since 1942, and she would like to keep it. She said that it will be renovated and its appearance will be improved, but it is her right to keep it.

Mr. Gundlach said that the applicant has agreed to present architectural renderings for the renovation of the building.

Mr. Davis said that as the wells are tested for the hydrogeologic study, neighbors will be asked for permission to have their wells monitored (this is for water levels only not water quality which would be the responsibility of the individual homeowners). He advised the neighbors in attendance to cooperate with this effort.

The Commission discussed their reservations about recommending approval. Mr. Canales pointed out that this is a minor subdivision, and it would be approved as a final plan.

Mr. Gundlach agreed to accept this review as a Preliminary Plan Application and return to the Planning Commission for Final Plan Approval with test results and architectural renderings for the renovation.

Mr. Halderman moved to recommend that the Board of Supervisors approve the Jenta Corporation plan for minor subdivision as a preliminary plan subject to the following conditions:

- *A hydrogeologic study be conducted, with the addition of laboratory analytical testing of water samples from the existing and pumped wells for the PADEP requirements for diesel fuel, and no. 2 fuel oil. These additional requirements are in addition to the analytical testing required from the pumped well by the Wrightstown Township Water Ordinance;*
- *Conservation easements be granted for the rear of the properties and for each individual lot;*
- *Report of Del Val Soils on close-out of DEP clean-up of the reported spill be provided to the Township, with all applicable data and disposal manifests included;*
- *An architectural rendering of existing garage, consistent with proposed house be presented to the Planning Commission prior to final plan approval;*

- *An ASTM Phase 1, in accordance with ASTM Standard Practice E 1527-00, be conducted for the property, and the Phase 1 report be provided to the Township in sufficient time to be reviewed by our professionals;*
- *An evergreen buffer be provided between lot #4 and Storm property;*
- *The plans comply with the Boucher and James letter of May 4, 2006, the Pickering Corts and Summerson letter of May 4, 2006, the Fire Marshal letter of May 23, 2006 and the Bucks County Planning Commission letter of January 31, 2006, except for comment 1, as the driveway will be 12 feet in width;*
- *The applicant is to return to the Planning Commission for final plan approval.*

The following waivers are recommended:

- *From SALDO Section 404.B(1)(o), requiring significant features within 500 feet of site be included in the plan;*
- *From SALDO Section 503,H, 504, 505, 521 and 522, requiring street improvements, curbs, sidewalks and pedestrian paths. A fee in lieu of such improvements is recommended;*
- *From SALDO Section 519.E, requiring a width to depth ratio of one to two and one half.*

Dr. Mark seconded and the motion passed unanimously.

JMZO 2006-15: Ms. Goldstein explained that Newtown Township is requesting the addition of B-17, elderly housing, as a permitted use in the OR Office Research Zoning District. She gave a brief summary of on-going litigation over a particular parcel in Newtown. She said that a developer of age-restricted housing has expressed interest in the parcel. There is no OR zoning in Wrightstown.

Mr. Davis expressed some concern about permitting denser housing, as there is some housing permitted in the OR District. He also said that he has some concerns about whether age-qualified housing will remain such in the future, when younger people inherit properties.

Mr. Halderman moved to recommend that the Board of Supervisors approve JMZO Amendment 2006-15, B-17 use in the OR Zoning District. Mr. Whalen seconded and the motion passed unanimously.

Respectfully Submitted:

Mary Donaldson
Recording Secretary