

**WRIGHTSTOWN TOWNSHIP PLANNING COMMISSION  
MINUTES OF MEETING OF SEPTEMBER 23, 2004**

The Wrightstown Township Planning Commission met on Thursday, September 23, 2004, in the Community Room of the Village Library, Penns Park Road, Wrightstown, PA. In attendance and voting were: Frank Davis, Chairman; John Fowler, Robert Lloyd, and Ann Mark, members. Also in attendance were Mario Canales of Pickering Corts and Sommerson, Township Engineer and Judith Stern Goldstein of Boucher and James, Township Planner.

**Call to Order**

Mr. Davis called the meeting to order at 8:25 PM.

**Approval of Minutes of September 9, 2004**

Mr. Fowler asked that the minutes be amended to reflect that on page 3, paragraph 2 should read, "...Mr. Fowler said that he did not support the exclusion of such facilities".

*Mr. Fowler moved to accept the minutes as amended. Mr. Lloyd seconded and the motion passed 4-0.*

**Review of Toll/Hibbs Planning Module**

William E. Palkovics, PhD., and Jamie Sundermier of Del Val Soil Consultants, Inc. and James Takacs, P.E. of Eastern States Engineering were present to review a drip irrigation sewage facilities planning module.

Dr. Palkovics said that the location chosen, in a wooded area, was considered the most desirable location for the system. He noted that numerous studies conducted by the Department of Environmental Protection (DEP) and Penn State have found that this long established method of sewer management is an acceptable means of disposal of effluents. He said that these studies have found that at much higher rates of application than are proposed for this site, there is no adverse effect on the growth and health of trees. He pointed out that DEP will allow rates of 2 inches per acre per day, while this project proposes a rate of .49 inches a week. He said that the studies have been conducted in wooded areas.

Mr. Fowler said that the residents in attendance at this evening's meeting have all told him that the area chosen is already very wet, and they are concerned about water on their properties.

Mr. Davis said that he was also concerned that the construction of the system would damage the root system of the existing trees.

Ms. Goldstein asked if the studies conducted addressed beech trees, which are known to be intolerant of wet conditions. She asked Dr. Palkovics to provide such data to the Commission.

Mr. Canales said that trees such as are located in the wooded area proposed are very intolerant of wet conditions and would be damaged by the introduction of the effluent. He also agreed with Mr. Davis that there is great risk of damage to the root systems during the construction of the system.

Dr. Palkovics said that studies conducted show that this is not the case.

Mr. Fowler and Mr. Davis questioned Dr. Palkovics on the effect of freezing on the system and asked to see some engineering data on this.

Dr. Palkovics said that the pipes do not freeze, as the system is designed for the pipes to drain back. He agreed to provide further information on this.

Mr. Fowler asked if any other areas on the site had been tested and would also be suitable for the location of the system.

Mr. Davis expressed concern that the site chosen is not the only site suitable, but that it might have been chosen because it is an area that cannot otherwise be developed for housing.

Dr. Palkovics said that he was not sure of what other locations would be suitable, but that he did recall that other sites had shown potential for location of the system.

Mr. Fowler said that he felt that the Planning Commission's goal had been the preservation of the woods, and that location of this system could be counter-productive to this goal.

Mr. Canales asked about the capacity of the storage tanks.

Ms. Sundermier said that the facility had the capacity to store 12,000 gallons per day for three days.

Mr. Lloyd said that Township Manager Eileen Bradley had indicated to him the DEP could review these plans in advance to help determine the adverse effect on the trees.

Mr. Canales reminded the Commission that they are required to review the planning module and make recommendations to the Board of Supervisors; however, the Township, the Bucks County Planning Commission and the Department of Health must also review before approval is given.

In response to questions from Ms. Mark and Mr. Davis, Dr. Palkovics said that he thought that there were possibly other suitable locations for the system, however he would defer to Toll Brothers on this. He said that he would ask Toll Brothers to provide the Commission with this information.

Ms. Sundermier stated that the plan now would use orchard grass in place of canary grass, as per Ms. Goldstein's recommendation.

## **Public Comment**

Mr. Larry Meyers of Stoopville Road said that the wooded area that is the proposed site for the drip irrigation system is very muddy. He said that he has seen trees fall there recently. He said that he was very concerned that the system would destroy the trees.

Dr. Palkovics said that recent studies have shown that wooded areas are more desirable for this type of system. He attempted to assure Mr. Meyers that the effect would be minimal.

Mr. Gramble Bohlmer of Stoopville Road agreed with Mr. Meyers that these woods are very wet and muddy, and he had also seen trees fall there. He said that he was concerned that 17 acres surrounding the old house on the tract were excluded from development and not considered as a location for this system. He asked if the entire property had been tested for possible location of the system. He said he was concerned about noise from the pumping station that is planned. He also said that he resented that the Township had agreed to allow a sewer system to extend to the Howe property if it were developed as a school site, however the Township would not consider a sewer system to be extended to the residential properties in the same area.

Mr. Lloyd asked Mr. Takacs to discuss the noise from the pumping station.

Mr. Takacs said that this portion of the project was being designed by Gilmore Associates, and plans had not been completed, as this is only a concept phase of the project.

Mr. Bohlmer again asked if it would be possible to move the system to the 17 acres surrounding the old house.

Mr. Lloyd asked if all perk tests were included in the plan that had been provided to the Township.

Ms. Sundermier said that all test locations are included on that plan.

Ms. Debbie Meyers of Stoopville Road asked if the Penn State studies that Dr. Palkovics had referred to were conducted in soils similar to those on the Hibbs tract. She said that she knew that the soil in this area does not perk. She stated that the wooded area being considered is very muddy. She said that there had been a draught two years ago, and she was concerned that the perk tests were conducted during that time and would not give information that is accurate to current conditions. She also expressed concern about the loss of mature trees in the area. She recounted an incident a few years ago when trees were removed from this tract, causing a change in the water table. She expressed great concern that the run-off from the wooded area would contaminate her well, and other wells in the area. She recounted the effects of water contamination she had experienced as a child, and said that she was fearful that this could happen to the wells near the proposed system.

Mr. Barry Brown of Stoopville Road said that he is not trying to stop development of the Hibbs tract, but is very concerned that the woods had been chosen for the location of this system. He

asked that the Planning Commission experts carefully review the data being presented to be sure there would not be any adverse affects on the neighboring properties and their wells.

Dr. Palkovics again stated that recent studies all indicate that wooded areas are more desirable locations for these types of drip systems. He said that other options had been explored, and that this was the most desirable.

Ms. Ruth Brown of Stoopville Road said that she suspects that the test results presented are very inaccurate, and requested that independent tests be taken at the site to compare results. She said that conditions are very different now than they had been during the draught period a few years ago, and she suspects that the tests were conducted during the draught. She said that she disagrees with the impervious surface ratio that the Township had stipulated to. She also said that she does not feel that the Township should have protected the old house on the tract and 17 acres surrounding it at the expense of the property's nearby neighbors. She said that she thinks it is unfair that this area of Wrightstown cannot connect to the public sewers. She said that she is very concerned for the health, property values and quality of life of the immediate neighbors to this development because of the potential risk to the woods.

Mr. Davis said that when deep hole perk tests are conducted, draught conditions are factored into the calculations. He said that these tests are witnessed by the Pennsylvania Department of Environmental Protection.

Ms. Edythe Shapiro of Rte 413 asked whether the community or Toll Brothers would maintain the system and monitor it.

Mr. Davis said that the stipulation provides that Toll Brothers will maintain the system for five years beyond the last house settlement, after which the residents of the development will be assessed by the Township, who will assume ownership and responsibility for its maintenance.

Mrs. Shapiro said that she thought that this development and its nearby neighbors might benefit more if the Township were to hook up to the sewer system from Newtown. She said that she and all of her neighbors are very concerned about health issues should this system seep into the wells. She also commented that she was not sure that the best interests of the neighbors were considered at the time that the Township entered into these stipulations with Toll Brothers.

Mr. Davis explained that property owners are entitled to use their property as long as they conform to the zoning ordinances. Toll Brothers has a right to submit a "by right" plan that the Township must approve. By this stipulation, the Township has attempted to compromise with Toll Brothers to protect the immediate neighbors and the Township. He explained that the State has made provision for these compromises and negotiations by including variance and special exception provisions in the ordinance.

In response to questions from Ms. Meyers and Ms. Brown, Mr. Davis said that he is requesting that Toll Brothers provide information on other possible locations for the system.

Mr. Ed Shapiro of Rte 413 said that he has lived opposite this tract for many years and he is concerned that a drip system will not work. He said that sump pumps are needed in every home because the soil does not perk. He expressed concern that run-off from the development will flow to his property. He also said that he is in agreement with those neighbors who have said that the sewer should be extended to this area. He expressed disdain for the agreement that would have allowed the extension of the sewers to the Howe property for the school district only.

Mr. Takacs said that it had been the understanding of Toll Brothers that component 4A would be signed at this evening's meeting.

The Planning Commission agreed that they were reluctant to sign without the advice of their solicitor and with some questions about other possible locations for the system and about tree survival unanswered. Mr. Davis said that he would consult with the solicitor to confirm whether component 4A could be signed outside of a Planning Commission public meeting, and whether comments could be forwarded to the Board of Supervisors after component 4A has been signed. The Planning Commission agreed to ask the DEP to review the planning module in advance of signing. Mr. Palkovics agreed to provide the additional information requested.

*Mr. Fowler moved to adjourn at 10:30 PM. Mr. Lloyd seconded and the motion passed 4-0.*

**Respectfully Submitted**

**Mary Donaldson  
Recording Secretary**