

**WRIGHTSTOWN TOWNSHIP PLANNING COMMISSION
MINUTES OF MEETING OF OCTOBER 12, 2006**

The Wrightstown Township Planning Commission met on Thursday, October 12, 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; Dr. Ann Mark, William Perry, James A. Peruto and Lary Whalen, Members. Also in attendance were: Township Engineer Mario Canales of Pickering Corts and Summerson, Inc.; Township Planner Judith Stern Goldstein of Boucher and James, Inc.; and Township Supervisor Jane B. Magne.

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 September 14, 2006. Dr. Mark seconded and the motion passed 3-0-3, with Messrs. Perry, Whalen and Peruto abstaining.*

Jenta Minor Subdivision – Preliminary Plan: Mr. Peruto recused himself from discussion and voting on this application, as it adjoins his property and he has appeared in opposition to the plan at the Planning Commission prior to becoming a Member.

Attorney Robert Dunlop, Engineer Scott J. Guidos and owner Eric Asadoorian were in attendance to review a revised preliminary plan for Jenta Corporation Minor Subdivision.

Mr. Dunlop explained that the plan has been revised to remove the former retail building from the property, rather than to convert it to a garage. Some of the neighbors to the property have objected to this building. They have also expressed concern about loss of privacy because of the location of the houses on the lots.

The Phase I study requested by Mr. Fowler has been completed, with a completed report delivered to the Township. This report agrees with the findings of DelVal Soils, which states that the property is clean. There is some asbestos in the old buildings, and this will be removed in the prescribed safe manner. The EPA has found the property has been satisfactorily cleaned, after a spill of oil when a tank had been removed as part of demolition of the older buildings on the property.

Mr. Dunlop pointed out that the properties will still have long driveways. The house on lot #4 cannot be relocated if the plan is to comply with tree disturbance limitations. The applicant has agreed to plan an evergreen buffer to fill in any gaps in the screening along the neighbors' property lines.

The Commission reviewed the requested waivers. They are requesting to pay a fee in lieu of improvements to Cherry Lane.

The applicant will comply with the Pickering Corts and Summerson letter of September 27, 2006. Ms. Goldstein requested that impervious surface calculations be provided for each lot, rather than for the entire site.

Mr. Guidos briefly reviewed plans for construction access for the site.

In discussing the constraints of the properties, Mr. Dunlop said that the trees are not dense, and there is sufficient room for the owners of each property to place swing sets and wading pools, without disturbing any additional trees. A separate natural resources plan will be prepared for each lot, and provided to each individual homeowner.

Resident Carole Storm of Cherry Lane said that she lived adjacent to the property. She objects to the placement of the home on lot four in such a way that it does not align with her home. She will lose her privacy when this house is built farther back than her home. She would not object if the property owner were to seek variances to allow the building to be moved forward.

Mr. Asadoorian said that the plan is also constrained by the septic system placements. He said that he is trying to work with neighbors to provide buffering.

Resident Michele Meckling of Cherry Lane said that she agrees with Ms. Storm's concerns about privacy if the house is built to the rear of the lot, as proposed. She would not object to a variance application if the house could be moved to align with neighbors.

Mr. Dunlop said that the applicant has presented a plan that proposes 4 houses on 16 acres, well within his rights.

In response to Mr. Davis' question, Mr. Dunlop said that the last review letter from the fire marshal was dated May 23, 2006. His concerns all dealt with the old retail building, which is now to be removed. There had been no concern expressed about fire access through the driveways. He would request a review of the new plan.

Resident Deborah Briggs of Cherry Lane expressed concerns about safety, and asked whether the Township would change the speed limit because of the additional driveways.

Mr. Halderman explained that Cherry Lane is a state road. PennDOT would require permits for road access, but he did not think it would affect speed limits.

Mr. Halderman moved to recommend that the Board of Supervisors approve this preliminary plan, with the following conditions:

- *That the plan comply with the review letters of Boucher and James dated October 5, 2006 and of Pickering Corts and Summerson dated September 27, 2006*
- *That impervious surface ratio be allocated on a per lot basis;*
- *That the fire marshal review the revisions to the plan, and that the plan comply with this review;*
- *That the Township Engineer is satisfied with the Phase I report.*

The Commission recommends that the following waivers be granted:

- *From Section 404.B(1)(o), to use an aerial photograph;*
- *From Section 503.H., requiring improvements to cherry Lane.*

*The Commission recommends that the Board accept a fee in lieu of improvements.
Mr. Whalen seconded and the motion passed 5-0-1, with Mr. Peruto abstaining.*

Pagano Revised Minor Subdivision: Attorney Don Marshall was in attendance to review a revised plan for minor subdivision of a 12.22-acre parcel into two lots. Lot two, 8.07 acres, will consist of an existing single-family home with detached garage and shed. The applicant is proposing to construct a single-family home with on-site septic and well on lot one, which will be 4.04 acres. Access to lot two will be gained from the existing driveway; lot one will access the existing driveway through a proposed driveway

The Commission reviewed the requests for waivers. A waiver is requested for the length of the driveway, which already exists, as well as waivers for curbs, sidewalks, streetlights and improvements to Swamp Road.

Mr. Davis expressed some concern about future contentious situations arising from shared driveways.

Mr. Marshall said that cross-easements will be prepared to address maintenance, snow removal and other concerns. In response to Mr. Halderman's question, he said that the applicant has agreed to no further subdivision of the property. The width of the driveway is 18 feet to the first lot and then continues to the existing house as a single width.

Mr. Marshall said that the applicant will comply with all of the review letters.

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

- *That the plans comply with review letters of Pickering Courts and Summerson dated October 3, 2006 and of Boucher and James dated October 11, 2006.*

The Commission recommends that the following waivers be granted and that a fee in lieu of compliance be accepted:

- *Section 404.A(1), plan scale;*
- *Section 404B(1)(o), allowing substitution of an aerial photograph;*
- *Section 503.H, requiring improvements to existing streets;*
- *519.H(7)(c), requiring the flag lot access strip to maintain the same width throughout;*
- *519H(7)(d), length of driveway;*
- *521, requiring curbs;*
- *522, requiring sidewalks;*
- *606, requiring streetlights.*

Dr. Mark seconded and the motion passed 6-0.

Courtyards Land Development Preliminary Plan: Attorney Don Marshall was in attendance to discuss a revised preliminary plan for 8.61 acres on Second Street Pike at Penns Park Road. The site currently contains a 12,000-square foot automobile storage warehouse and is directly

adjacent to the existing ARCCA building. The applicant is now proposing to construct an 8,500-square foot addition to the existing warehouse and two office buildings. Access to the buildings and new parking lots will be provided from Second Street Pike, Penns Park Road and from the existing ARCCA parking lots.

Mr. Marshall introduced Chris Messick, who will be developing the office buildings. He showed some sketches of the proposed buildings. He said that they will be similar in appearance to the two new buildings in Newtown on Newtown Yardley Road.

Mr. Marshall explained that the two new office buildings will be on the land currently used by Sterling Limo, who will move to their expanded garage facility. Once completed, all of the larger limos and buses will be stored indoors. In response to Mr. Davis' comment, Mr. Marshall said that it would not be feasible to remove some of the driveways to the property because of the number of tenants.

The Commission briefly discussed the plans, noting that the property is currently at 50% impervious surface. With the changes and improvements that number will be reduced to about 46%.

Mr. Marshall said that certain variances will be needed, including a variance to allow parking in the front yard, in order to set the buildings back, and to decrease some of the impervious surface. They would also seek variances to allow parking within 10 feet of the side yard, and for a reduced driveway aisle. The limo aisle will be one-way and 20 feet wide. Parking stalls are proposed to be 18 feet by 9 feet.

Mr. Davis suggested providing some walkways or sidewalks so that workers could access the Summer Kitchen. He also questioned whether the dumpster area proposed would be adequate.

Mr. Marshall said that the owners have indicated that the dumpsters would be adequate, as cleaning crews currently use cars to haul the trash. His clients would comply with the request for a walkway. In response to Dr. Mark's question, he said that they are proposing an upscale office park, and would provide upscale landscaping to shield the front yard parking. He said that the sloping of the property would make rear parking very difficult.

Mr. Halderman questioned the proposed lighting for the property.

Mr. Marshall said that the buildings would be primarily used in the daytime; his client would comply with whatever the Supervisors would like. He also agreed to supply some drawings of the pre-engineered garage building.

Ms. Goldstein said that she has scheduled a meeting with Heath Dumack, engineer on the project to discuss a number of unresolved issues.

Discussion was tabled pending further review by the Township Planner.

JMZO 2006 –06 – Accessory Winery Uses: Ms. Goldstein explained that the most recent revisions to the amendment deal with accessory uses for vineyards. The changes affect Newtown’s wineries.

The members briefly discussed requirements for growing grapes, as opposed to purchase of juices, and about the wine entertainment and education components of wineries.

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

JMZO 2006-13 – B-19 Use Creation: Ms. Goldstein said that Toll Brothers has requested this transitional zoning use for the Roberts Nursery parcel in Newtown. The density permitted in this use is similar to the density of PRD developments, which are permitted on the property. The plan will be similar to age-qualified housing, without the age restrictions. The proposed definition will only apply to this property, and to none in Wrightstown.

Mr. Davis expressed concern about the density and about the proposed development plans. He said that the streets are too narrow, and he anticipates problems with the proposed alleyway accesses to garages.

Mr. Halderman moved to recommend that the Board of Supervisors approve this amendment to the Ordinance. Dr. Mark seconded and the motion passed 4-2, with Messrs. Peruto and Davis voting nay.

Mr. Halderman moved to adjourn at 10:00PM. Dr. Mark seconded and the motion passed 6-0.

Respectfully submitted:

**Mary Donaldson
Recording Secretary**