

**WRIGHTSTOWN PLANNING COMMISSION
MEETING OF OCTOBER 26, 2006**

The Wrightstown Township Planning Commission met on Thursday, October 26, 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; Joseph Conroy, John Fowler, James A. Peruto, Norman Sommer 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 October 12, 2006, Mr. Peruto seconded and the motion passed 4-0-3, with Messrs. Conroy, Fowler and Sommer abstaining.*

JMZO 2006-04 – Livestock and Poultry: Mr. Davis said that this amendment has been proposed because there is concern about grazing animals being kept on small parcels, causing erosion, and other issues involving smaller lots.

Ms. Goldstein noted that any existing small farms would be grandfathered.

Mrs. Robin Hoy of Worthington Mill Road was in attendance to discuss concerns about the lot size requirements for certain livestock. She pointed out that agricultural colleges and cooperative extensions refer to livestock in units, with one unit equaling either 1000 pounds of animal or one horse or cow, or five sheep, or five goats. She also suggested that references to “three acres of land” should be changed to “pasture”, noting that a pasture would be a fenced area for grazing animals.

Also in attendance was resident Jane DelBianco of Cherry Lane, who expressed similar concerns about the lot size requirements for smaller livestock animals. Mrs. DelBianco brought a small goat, weighing 15 pounds. She pointed out that this goat is considered the same as a cow or horse in the proposed ordinance. She was concerned that the proposed Ordinance would be too restrictive; that it is important in the preservation of Wrightstown as a rural community to encourage small farms.

Mrs. Hoy briefly discussed restrictions on poultry. She suggested that adequately enclosed poultry could be kept in larger quantities than are proposed in the Ordinance.

Mr. Davis asked Mrs. Hoy to provide the Commission with written copies of her suggested changes. Mrs. Hoy agreed to review the draft ordinance and make written comments, and to provide a cover letter explaining the reasons for her concerns.

Discussion was tabled until Mrs. Hoy has provided the Commission with written comment on the draft ordinance

Dumack Minor Subdivision: Mr. Heath Dumack was in attendance to discuss the subdivision of a 5.2-acre parcel on the west side of Route 413, in the CR-2 residential zoning district. The subdivision would create two lots: one lot at the front of the property containing the existing engineering firm and a rental apartment; and one new building lot would be a flag lot at the rear, on which the applicant proposes to build one single family home. Private water and sewer systems will serve both lots.

Mr. Fowler reviewed the proposed septic plans. Mr. Dumack said that the existing system would continue to serve lot one. A suitable sand mound location has been identified for the building lot

Ms. Goldstein said that the two uses on the front lot would require Zoning Hearing Board relief, as there would be two uses on lot one, and the Ordinance requires four acres for the two uses. The lot is proposed to contain an area of only approximately two acres.

Mr. Dumack disagreed with this, saying that his attorney has assured him that it is a matter for the Township Solicitor, not the Zoning Hearing Board.

The Commission reviewed the letters from Pickering Corts & Summerson and Boucher & James. There are outstanding questions regarding the ultimate right-of-way and legal right of way. The location of rights-of-way could affect lot calculations.

Mr. Dumack presented a series of photographs of the property, which showed the driveway location, the proposed floodplain crossing, the meadow area where the single-family house is proposed and the floodplain area. The house will be Mr. Dumack's home, and will have a 5,000 square foot footprint. The floodplain crossing will require filling with about 6 feet of material for a roadway and culverts for an intermittent stream.

The Commission reviewed the waivers being requested, noting that the applicant will comply with the other items in the review letters.

The Commission agreed to waivers from Section 503.H and 522.A, requiring sidewalks, Section 519.H(7)(d), limiting the driveway length on flag lots, Section 521.A, requiring curbs, Section 606.A, requiring streetlights and from Section 527, requiring buffering between the proposed single-family home and the existing office use. Ms. Goldstein noted that she would like documentation that there exists a sufficient buffer. The Commission suggests that the Board of Supervisors accept a fee in lieu of improvements.

Mr. Dumack indicated that a HEC-RAS flood study is needed and some relief from the Zoning Hearing Board will be necessary to encroach into the floodplain for the driveway crossing. If relief is granted to cross the floodplain, then a waiver from Section 517.D (5) will be requested to grade within the floodplain soils.

Mr. Dumack said that he has attempted to work with Bob Dwyer, who is developing the Anchor Nursery property, in order to create an entrance to the rear lot through the Anchor Run development, but he has been unsuccessful.

Mr. Canales discussed the ultimate right-of-way, and legal right-of-way for this property. The applicant is proposing to dedicate only 25 feet of legal right-of-way, instead of the required 60-foot right-of-way. There is some confusion as to what the current right-of-way is. Although determination of the right-of-way would not have an engineering impact, it could affect the site calculations. It was pointed out that the existing historic building would be within the 60-foot right-of-way.

The review was tabled until the correct right-of-way and information about the existing trees in the proposed buffer has been established.

Old Business: Toll/Varga Subdivision: Mr. Fowler suggested that the Commission stop by his home on Wrightstown Road to better understand the raised elevation on the new Toll Brothers development. He said that the elevations did not appear to be as dramatic on paper as they look from his property.

Mr. Halderman moved to adjourn at 9:30PM. Mr. Fowler seconded and the motion passed 7-0.

Respectfully Submitted:

**Mary Donaldson
Recording Secretary**