

**WRIGHTSTOWN TOWNSHIP PLANNING COMMISSION
MINUTES OF MEETING OF JANUARY 10, 2008
DRAFT**

The Wrightstown Planning Commission met on January 10, 2008. In attendance and voting were John Halderman, Joseph Conroy, John Fowler, Ann Mark, James A. Peruto, William Perry and Lary Whalen, members. Also in attendance were Rick Tralies, Township Planner, Mario Canales, Township Engineer and Supervisor Jane Magne.

Call to Order: Mr. Halderman called the meeting to order at 8:00PM.

Organization: *Mr. Halderman nominated Frank Davis to serve as Chairman. Mr. Fowler seconded and the motion passed 7-0. Mr. Whalen nominated Mr. Halderman to serve as Vice-Chairman. Mr. Fowler seconded and the motion passed 7-0.*

Approval of Minutes: *Dr. Mark moved to accept the Minutes of November 8, 2007. Dr. Conroy seconded and the motion passed 7-0.*

538 Swamp Road, L.P. (Cino) Minor Subdivision – Preliminary/Final Plan: John H. Baionno of Gilmore & Associates, Engineer on the project, was in attendance to review plans to subdivide a 10 acre parcel in the CM Conservation Management Zoning District into three lots with an existing single family dwelling on lot #1, and proposed single family dwellings on lots #2 and #3, with on-site septic systems and on-site wells. A shared driveway will access Swamp Road. The existing entrance will be widened to 24 feet. Lots 1 and 2 will have deed restricted open space.

The Commission reviewed the letter of Pickering Corts and Summerson dated November 20, 2007, and discussed the waivers requested. Mr. Baionno noted that in seeking waivers from requirement to construct curbs, sidewalks and street improvements, the applicant has considered PennDOT plans for widening Swamp Road. He presented an exhibit which shows the 11 foot lanes PennDOT has proposed can be built without impact on these plans. Sight lines at the driveway entrance will be improved by the PennDOT lane widening.

Mr. Fowler reviewed proposed deed restrictions. He asked whether there would be woodland preservation.

Mr. Canales explained that the Township solicitor would draft the deed restrictions. The deed restricted area will be part of the private lot, and privately owned, not Township owned open space. It will have restrictions prohibiting any structures or construction, and woodland protections would be part of that restriction. No fences would be installed to separate the deed restricted areas, but markers would be placed there.

Mr. Baionno reviewed a request for a waiver from stormwater management requirements for the one year storm. The Ordinance requires a 25% reduction in peak flows, which is achieved in the 2- to 100-year storm events, but not in the one-year storm. He reviewed the stormwater plans, noting that the calculations do not take into account the rain garden.

He said that the plans propose a 1% reduction in the one year storm, but that with the removal of the existing barn and gravel drive, this will represent a 22% reduction over current conditions.

Mr. Canales said that this has not been carefully reviewed, but he agrees with Mr. Baionno's statements. He also noted that the plans do meet Ordinance requirements for the five higher storm events.

In response to Commission comments, Mr. Baionno said that he hesitates to use porous paving materials on private homes because homeowners frequently seal driveways to keep them appearing clean. Sealing would negate the effects of porous paving.

Mr. Baionno reviewed the proposed rain garden, which would use small shrubs and trees to help soak water. There are no insect problems because there is no standing water.

The Commission reviewed the Boucher and James letter of November 16, 2007. Mr. Baionno indicated that the applicant will comply with the letter, except that he would recommend that the rain garden be maintained by the homeowners association. He would also like the owner of lot #2 to make the decision whether to use turf or a naturalized basin.

Mr. Baionno said that the applicant will comply with the review letters of Pennoni Associates and of the Bucks County Planning Commission.

Mr. Halderman moved to recommend that the Board of Supervisors approve the Preliminary/Final Plan for land development for a minor subdivision at 538 Swamp Road subject to the following conditions:

- *That the plans comply with the review letters of Pickering Corts & Summerson dated November 20, 2007, of Pennoni Associates dated April 25, 2007 and of BCPC dated March 22, 2007;*
- *That the plans comply with the review letter of Boucher and James dated November 16, 2007, except for item F, where the Commission recommends that the rain garden be maintained by the common control of the association formed by the owners of the three homes in the subdivision, and item G, where the commission recommends that the homeowner be permitted to choose either turf or natural grass;*
- *That the developer pay a fee in lieu of recreational land;*
- *That any deed restrictions on open space include restrictions on any structures on the deed restricted area, that no earth moving be permitted and that woodlands be preserved.*

The Commission recommends that waivers be granted from SALDO Sections 404.B(1)(o), to allow an aerial photograph with required features noted, from SALDO Sections 503.H, 521.A, 531.A(2) and 522.A, which require street improvements, curbs and sidewalks. A waiver from the 1 year storm reduction requirement is also recommended.

Dr. Mark seconded and the motion passed 7-0

Cellco-Verizon Wireless Conditional Use Plan: Attorney Edward Wild, representing Verizon, along with Kenneth Farrall of CMC Engineers, and Andrew Peterson and James Rodgers of Verizon were in attendance to review the conditional use application for co-location of an additional antenna on the existing tower on a 60.7 acre site fronting Second Street Pike in the CR-1 Country Residential/Low Density Zoning District. Mr. Wild noted that this is a fenced compound and Verizon will be a new user of a tower currently used by T-Mobile and Sprint. Verizon will also be installing an 11.5 by 20 foot prefab equipment building. Verizon is attempting to supplement service to the area. The tower will not be extended further, and can currently accommodate five users.

The Commission reviewed the Boucher and James letter dated December 10, 2007. Mr. Farrall indicated that Verizon is using different technology which uses equipment cabinets. There will be no water or sewer to the building. It will be climate controlled. In response to Mr. Fowler's questions, he said that a 75 watt light bulb, a porch light, will be over the door of the building for the safety of workers. The air conditioner will be about the same size, and produce the same noise as a residential window unit.

Mr. Fowler said that the tower is located very near the Township's organic farm. Residents gather here to enjoy nature, and would be very sensitive to unnecessary noise and light. Use of pesticides or herbicides could impact the adjacent farm land.

Mr. Rodgers said that Verizon would need the light to be controlled by motion sensors for security reasons. He said that the applicant would not keep the lights on when not needed. The air conditioner and emergency generator meet the very strict noise standards of the state of New Jersey. Verizon will agree to a condition to not use herbicides on the property.

Mr Fowler requested that the light be controlled by a switch (not by a motion sensor) and only be turned on when a technician was present and needed light to access the facility. The concern about light stems from the fact that star gazing is sometimes conducted at the farm, a Township owned open space property, and light pollution could interfere with such an activity. Mr Fowler stated that security should not be a concern at the facility due to its location and the rural nature of the area. After some discussion Verizon agreed to look into a light controlled by a switch to be activated only when needed for access by a Technician after dark, and not a motion sensor.

Mr. Farrall presented a structural analysis report, noting that there would be a 27% reserve capacity with the future addition of two other carriers. In response to Mr. Canales' questions, he said that although a full analysis was not done, he believed that a low profile or T-arm at a 100-foot elevation could be added.

The Commission discussed whether a retaining wall would be required. This detail would be worked out with Mr. Canales. The applicant agreed to apply for a grading permit.

Mr. Rodgers said that there is to be an emergency generator at the location, to provide service in the event of a power failure. The generator is tested once a week for about 10 minutes. He agreed that it would be tested on a weekday during business hours.

The Commission discussed delivery of fuel for the generator. The existing driveway may accommodate the fuel truck. This is the only carrier with a generator or with a fuel delivery. It is unclear whether the existing driveway is adequate to accommodate the necessary turning motions for a fuel truck. This issue should be addressed further.

Mr. Wild noted that the review letters refer to an FCC building permit. He said that the FCC does not issue building permits.

Mr. Fowler moved to recommend that the Board of Supervisors grant conditional use approval to Cello-Verizon Wireless for co-location of an additional antenna on an existing tower, subject to the following conditions:

- *That the plans comply with the review letters of Pickering Courts and Summerson dated December 14, 2007 and of Boucher and James dated December 10, 2007;*

- *That any outside lights will operate only as needed;*
- *No herbicides will be used on the property;*
- *Reasonable efforts will be made to keep noise to a minimum;*
- *Periodic tests of the generator will be conducted on weekdays during business hours;*
- *The applicant will apply for a grading permit;*
- *No new access easement will be granted.*

It is noted that the FCC does not issue building permits. Dr. Mark seconded and the motion passed 7-0.

JMZO 1007-06 – TC-3 Creation and E-23 Use: This discussion was tabled pending further input from Newtown Township.

Other Business: Ms. Magne said that in the past Planning Commissioners visited the sites of land development applications. She asked whether the Commission would consider re-instituting this practice.

The Commission agreed that it would be beneficial to visit sites together before a review. Permission from property owners would be needed, but the Commission agreed to try to set aside a time for the members to visit sites.

Mr. Fowler moved to adjourn at 9:15 PM. Dr. Conroy seconded and the motion passed 7-0.

Respectfully Submitted:

Mary Donaldson
Recording Secretary