

WRIGHTSTOWN TOWNSHIP PLANNING COMMISSION
MINUTES OF MEETING OF JULY 24, 2008
DRAFT – Posted 08/04/08

The Wrightstown Township Planning Commission met on July 24, 2008 at the Wrightstown Township Building, 2203 Second Street Pike, Wrightstown. In attendance and voting were: Frank Davis, Chairman; Joseph Conroy, John Fowler, William Perry, and Lary Whalen, members. Also in attendance were, Kevin Kochanski, Township Planner and Mario Canales, Township Engineer.

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

Approval of Minutes: *Dr. Conroy moved to accept the minutes of July 10, 2008. Mr. Whalen seconded and the motion passed 4-0-1, with Mr. Fowler abstaining.*

Bentley Minor Subdivision – Preliminary/Final Plan: Attorney Charles Marte, Jeff Brown of Princeton Junction Engineers and Philip Evans were in attendance to review this plan to subdivide a 9.99 acre lot into two lots at 992 Worthington Mill Road. Lot one contains an existing dwelling, a garage/barn and an additional building. Lot two, a flag lot, will be a single family residence. The additional existing building on lot one will be relocated and attached to the existing garage. The second lot will have a 5 bedroom house. Both lots will have on-site septic systems. There will be a shared driveway with a pull-off area to allow two vehicles to pass.

In response to Mr. Davis's comment, Mr. Marte said that the applicant will comply with requirements for sprinklers if necessary for the garage.

The Commission reviewed stormwater management plans. Mr. Marte said that the system uses underground detention basins and rain barrels.

Mr. Marte reviewed the Boucher and James letter dated July 7, 2008. He said that the applicant will comply with item 1A regarding tree protection. He noted that this is a heavily wooded lot with more than 500 trees.

Mr. Kochanski confirmed that the applicant is permitted to remove a certain number of trees, at this site up to 63 trees could be removed. These should be clearly marked both on-site and on the plans. The plans show only trees in the disturbance area; there are many more trees throughout both lots.

Regarding item 3A, the dedication of recreational open space, Mr. Marte said that the applicant is requesting to pay a fee in lieu. Mr. Marte agreed that the applicant will comply with the Boucher and James letter.

The Commission reviewed the requests for waivers, as outlined in the Pickering Corts and Summerson letter of July 1, 2008. The Commission agreed to support the requests, with the exception of a waiver from Section 527, which requires buffer yards and screening between conflicting land uses and/or adjacent minor collector streets. An old plan drafted by Gilmore & Associates showed some plantings along Worthington Mill Road. Mr. Fowler suggested incorporating that feature into the current plan.

Mr. Fowler moved to recommend that the Board of Supervisors grant preliminary/final plan approval to the Bentley minor subdivision subject to the following conditions:

- *The plan comply with the review letter of Boucher and James dated July 7, 2008. The Commission recommends that, as stated in the letter, the Supervisors approve a permit for tree removal, provided that trees to be removed be marked in the field as well as on the plan, and that protective fencing be used on trees to remain.*
- *The plan comply with the review letter of Pickering Corts and Summerson dated July 1, 2008.*

The Commission recommends that the following waivers be granted:

- *From Section 404.B(1)(o), to permit use of an aerial photograph*
- *From Section 503.H, requiring improvement to streets*
- *From Section 516.F.(3)(h), regarding elevation of pipe beneath cartways*
- *From Section 519.E, regarding the depth/width ratio of residential lots*
- *From Section 519.H(7)(d), regarding length of access strips*
- *From Section 521, requiring curbs*
- *From Section 522, requiring sidewalks.*

The Commission recommends that the Board consider a fee in lieu of dedication of open space, a fee in lieu of curbs, sidewalks and street improvements. The Commission does not recommend a waiver from Section 527, as requested, but instead recommends that the plans of Gilmore and Associates for buffering be incorporated into the plan. Mr. Perry Seconded and the motion passed 5-0.

Neeld Sewage Facilities Planning Module: Paul Dietz of Urwiler & Walter and Kyle Neeld were in attendance to review the revised plans to install a Small Flow Treatment Facility stream discharge package system at lot 11 - Wrenwood, which will discharge into a roadside swale via an inlet pipe onto Lark Lane. This swale eventually discharges into an unnamed tributary to the Mill Creek. The applicant is requesting that after review the Planning Commission will complete and sign component 4A.

Mr. Dietz explained that the applicant proposes to construct a single family dwelling at 169 Pheasant Lane. A Health Department letter indicates that the soils are not adequate for an on-lot septic system. The project has already been granted Zoning Hearing Board relief.

In response to Mr. Fowler's comment, the use of controlled fill would require a four year wait for testing and would also require a back-up holding tank.

Resident Stephen Cairone of Pheasant Lane said that he is concerned because the effluent will enter the dry swale only 53 feet from his well. He is concerned about contamination. Mr. Deitz said that the DEP requires identification of all wells within 200 feet of the system. The DEP also requires a maintenance agreement. He explained the sand filter used in the system. The pump has an alarm. An escrow is posted to insure maintenance. The system can accommodate up to 500 gallons per day, although the average use will be closer to two hundred gallons a day. The home will have water saving appliances.

Mr. Fowler suggested that the applicant consider a rain garden at the discharge point. Mr. Dietz said that this could be considered but noted that it is a small lot.

Resident Carol Friar of Durham Road said that she is concerned about the hydro-geologic study, which was to have been included. She is concerned about the dry bed that the effluent is to be discharged into and about the location only 65 feet from her well. Mr. Fowler suggested that wells in the area be periodically tested to confirm the water safety. Mr. Dietz said that the system discharges clean effluent. The applicant posts escrow in the event of damage, and must provide a maintenance agreement. Most of

the discharged effluent evaporates and does not flow into the stream. In the event of a power failure no water goes in or out.

Resident Martin Bray of Durham Road expressed some concern about the discharge into the swale running through his property, where his animals drink. He is also concerned about his own well water being contaminated. He also expressed some concern about the homeowner's possible failure to continue to maintain the system. Mr. Dietz said that the effluent is of drinking water quality.

In response to Dr. Conroy's questions, Mr. Dietz said that, if maintained properly the system should last forever. There is no grease trap; the system can handle grease if not overloaded. The homeowner is given instructions for use and maintenance. If the motor fails it can continue to function for 2 to 3 days. Although there is no holding tank, the system can store several hundred gallons.

In response to Mr. Davis's question, Mr. Dietz said that he has done several repairs of failed septic systems, which do not require Planning Commission review. Mr. Canales confirmed that this system has been used elsewhere in the Township to replace failed septic systems. He also noted that he has the hydro-geologic study, and will provide copies.

In response to Mr. Bray's question, Mr. Davis said that the lot size for Wrenwood is ½ acre.

In response to Mr. Cairone's question, Mr. Dietz said that instructions are provided to homeowners as to disposal of chemicals. No pesticides or paint should be disposed into the system, but household cleaners such as bleach or ammonia are permitted. Mr. Dietz reviewed the system, explaining the use of chlorine tablets, distributed through a hopper.

Resident Mike Bernaski of Pheasant Lane said that he is an environmental science teacher. He said that this system is better than many others available and the effluent is better than most surface water.

Mr. Fowler urged the applicant to consider a constructed wetland at the site of discharge. This could be part of the stormwater management system and would help to ameliorate some of the neighbors' concerns.

Mr. Canales reviewed component 4A with the Commission. He explained to residents in attendance that they should address additional concerns to the Board of Supervisors and he noted that the DEP would make the final determination. If the Board were to deny, the applicant has the right to go directly to the DEP.

Mr. Fowler moved to authorize the Planning Commission Chairman to complete Component 4A of the Planning Module, with the additional comment that the applicant should investigate the feasibility of constructing a wetland to contain effluent on the property. Dr. Conroy seconded and the motion passed 5-0.

JMZO 2006-02 – Accessory Contractor: Mr. Davis said that this amendment has been reviewed by the Commission in the past. This draft has minor changes to the language regarding prefabricated and assembled structures.

Mr. Whalen moved to recommend that the Board of Supervisors adopt JMZO 2006-02. Mr. Fowler seconded and the motion passed 5-0.

JMZO 2008-02 Wetland Transition Areas: Mr. Kochanski said that this draft amendment incorporates the changes suggested by Judith Stern Goldstein.

Dr. Conroy said that he has some concerns about further restrictions on the use of properties beyond the already restricted wetlands. The amendment creates a transition area of up to 100 feet, which could have significant impact on some properties. He said that there is not reliable documentation of all of the wetlands in the Township, so we are not sure of the full impact on residents.

Mr. Davis said that it was his understanding that the goal was to prevent such things as construction of parking lots within a few feet of wetlands.

Mr. Whalen moved to recommend that the Board of Supervisors adopt JMZO 2008-02, draft dated July 23, 2008. Mr. Fowler seconded and the motion passed 4-0-1, with Mr. Perry abstaining.

JMZO 2008-06 – Permit for Disturbance of Natural Resources: *Dr. Conroy moved to recommend that the Board of Supervisors adopt JMZO 20078-06. Mr. Whalen seconded and the motion passed 5-0.*

Mr. Whalen moved to adjourn at 10:30 PM. Mr. Perry seconded and the motion passed 5-0.

Respectfully submitted:

**Mary Donaldson
Recording Secretary**