

Warwick Township
PLANNING COMMISSION
August 11, 2008

Members Present: Lorraine Sciuto-Ballasy, Chairman
Joe Costello
Frank Jarrett
Ganesh Pai
Bill Johnson

Members Absent: Paul Rush, Vice Chairman
Ron Tornari

Others Present: Dave Connell, Township Engineer
Peter Nelson, Township Solicitor
Katrina Harding, Planning Director
Linda Grant, Recording Secretary

I. Call To Order:

Chairman Sciuto-Ballasy called the August 11, 2008 Planning Commission meeting to order at 7:37 p.m.

II. Minutes:

June 9, 2008 Planning Commission Meeting Minutes

Motion by Joe Costello to approve the June 9, 2008 planning commission minutes, as submitted. Frank Jarrett seconded the motion.

Ms. Sciuto-Ballasy invited comment or discussion. There being none, the vote was called.

The motion passed unanimously by members present.

(J. Costello, F. Jarrett, G. Pai – in favor; L. Sciuto-Ballasy, B. Johnson – abstained; P. Rush, R. Tornari - absent)

III. Carroll Minor Subdivision Preliminary/Final Plan (LD 08-04)

Dean Renniger, Gilmore and Associates, is here to discuss the proposed two lot subdivision.

CKS' letter, dated July 16, 2008:

- #1 – zoning hearing board decision is written on the plan
- #2 – applicant notes square footage on plan is incorrect and should be 2,124 square feet.
- #3- applicant clarified that the house on lot 1 has its own well
- # 4 – applicant has copies of email from the Water and Sewer Authority, and offered a copy to the planning commission.
- #5a - applicant is requesting waivers for street improvements regarding curbs and sidewalk.
- #5b – because applicant has received a variance, this item is not applicable.
- #5c – applicant request waiver from street trees, noting there large trees and stated applicant would put a note on plan to replace any trees damaged during course of construction.
- #6a – h – will comply – applicant noted infiltration bed would be shifted slightly

Dave Connell, Township Engineer, notes the Planning Commission should comment applicant's request of waivers from curb, sidewalk and road widening.

Bill Johnson believes sidewalks would look out character in this area. Ms. Sciuto-Ballasy agrees and suggests a fee in lieu of may be appropriate. Ms. Sciuto-Ballasy also stated that she prefers an official letter from the Water and Sewer Authority, rather than emails.

Staff letter, dated August 6, 2008:

- #1 – applicant notes waiver request
- #2 – will comply

Bucks County Planning Commission letter, dated July 15, 2008

- #1 - applicant notes waiver request
- #2 – notes there will be some construction close to the trees and there is fencing in place that is probably adequate for protection.

Applicant stated they have a letter from the Conservation District, dated July 31, 2008 and their comment has been addressed.

Ms. Sciuto-Ballasy invited comments or questions. There were none.

Motion by Bill Johnson to recommend that the Board of Supervisors grant Carroll Minor Subdivision request for a waiver from curbs and sidewalks with applicant to provide a fee in lieu of.

Motion seconded by Ganesh Pai and passed unanimously by members present.
(B. Johnson, G. Pai, L. Sciuto-Ballasy, F. Jarrett, J. Costello – in favor; P. Rush, R. Tornari – absent; 0 – opposed; 0 – abstained)

Motion by Joe Costello to recommend that the Board of Supervisors approve preliminary/final approval for Carroll Minor Subdivision, subject to:

CKS review letter, dated July 16, 2008;
Staff letter, dated August 6, 2008;
Bucks County Planning Commission letter, dated July 15, 2008'
and receipt of a formal letter from Warwick Water & Sewer Authority.

Chairman Sciuto-Ballasy invited public comment. There being none, the vote was called.

The motion was seconded by Bill Johnson and passed unanimously.
(J. Costello, B. Johnson, G. Pai, L. Sciuto-Ballasy, F. Jarrett – in favor; P. Rush, R. Tornari – absent; 0 – opposed; 0 – abstained)

IV. Studley Minor Subdivision Preliminary/Final Plan (LD 07-09)

Nick Rose, engineer for applicant, spoke regarding this plan to create 2 parcels on this 4 acre parcel.

CKS letter, dated August 4, 2008:

Item #1 - discussion took place regarding applicant's proposal to use on site sewage systems. Peter Nelson, Township Solicitor, explained that, per ACT 537, applicant would have to go through the process of a planning module if they want to hook up to the pumping station.

Item #2 – will comply

Item #3 - Mr. Rose stated that additional widening of roads is not appropriate and applicant would consider sidewalks.

Item #4 – will comply, Including piping along Bristol Road

Item #5 – will comply
Item #6 – will comply
Item #7a –7l – will comply

Staff letter, dated August 6, 2008:

#1 – applicant curbing is in place
#2 – will comply
#3 – will comply
#4 – will comply

During discussion, Dan Spering, 1459 Stony Road, notes he has failing system in a five year old house and is aware of others in this area with failing systems. Mr. Spering is opposed to additional septic systems and states that Water and Sewer or the Township are not willing to change anything. Mr. Spering also asked about the wetlands issues with this plan.

Applicant states that Mr. Spering is correct and also notes that the state says applicant cannot tie into water and sewer, even though the applicant is willing to tie into the sewer system. Applicant offered to work with the Township, even if it means going to Harrisburg, but notes this issue should not hold up the plan.

Dave Connell, Township Engineer, clarified that this matter should be brought to the attention of the Board of Supervisors. Also, Mr. Connell clarified this is not the Township, it is the Department of Health who has control over this matter. Mr. Connell adds that it makes no sense for applicant to spend money today to put in a sand mound and then for us to come back two years from now and tell applicant to come up with connection fees. It makes sense now to vigorously pursue this matter and see if the Township can do something about this. Mr. Connell also clarified that the ACT 537 document is a Township document that is administered by the Water and Sewer Authority.

Mr. Rose notes a small drainage ditch that connects to a culvert at Bristol Road and believes it does not classify as wetlands.

Mr. Spering also asked about the wooded lot. Peter Nelson, Township Solicitor, stated there is a Township ordinance stating how much removal is allowed.

Motion by Bill Johnson to recommend that the Board of Supervisors grant Studley Minor Subdivision preliminary/final approval, subject to:

-CKS letter, dated August 4, 2008;
-Staff letter, dated August 6, 2008;

additionally, the Planning Commission recommends that the Board of Supervisors does not grant a waiver from sidewalks and notes there should be an easement through lot #1 connecting the pumping station to the existing homes on Stony Road, to be shown on plan. Additionally, the Planning Commission also would like the Board of Supervisors to know the Planning Commission's preference for public water and sewer access to this area.

Frank Jarrett seconded the motion.

Ms. Sciuto-Ballasy invited further comments or questions. There being none, the vote was called.

The motion passed unanimously.

(B. Johnson, F. Jarrett, G. Pai, L. Sciuto-Ballasy, J. Costello – in favor; P. Rush, R. Tornari – absent; 0 – opposed; 0 – abstained)

V. Fry Minor Subdivision Preliminary/Final Plan (LD 08-03)

Mark Cappuccio, (Eastburn, Gray), attorney for applicant, regarding the property at 1947 Turkey Trot Road. Mr. Capuccio gave brief background of the plan.

CKS review letter, dated July 16:

- #1 has been resolved
- #2 will comply
- #3a through 3c – will comply
- #3d - Mr. Capuccio noted no new construction proposed. Applicant is requesting a waiver from sidewalks and widening.
- #4 – will comply
- #5 – will comply
- #6 – will comply
- #7 – applicant will request a partial waiver, to use pins instead of concrete monuments
- #8a – applicant will request a waiver from existing features
- #8b through d – will comply
- #8e – applicant will request waiver from plantings, noting area is heavily wooded
- #8f – applicant believes not appropriate

Peter Nelson, Township Solicitor, asked if applicant will file an amended easement. Applicant said yes, they will add in 2/3 of an acre.

Staff review letter, dated August 6, 2008:

- #1 – will comply
- #2 – will comply
- #3 – will comply
- #4 – will comply
- #5 – will comply
- #6 - Mr. Capuccio notes applicant does not want to consolidate parcels.
- #7 – will comply

Bill Johnson believes there is no need for sidewalk in order to keep in character with the area.

Joe Costello would like to see a link for the trail system.

Katrina Harding suggested an easement to the Township to allow the Township ability to put in sidewalk in the future.

Ms. Sciuto-Ballasy invited further comment.

Mrs. Fry said the area is not flat or level and is not a place for kids to be walking. Joe Costello agrees that is not a good area to walk, but the people do walk there. Peter Nelson, Township Solicitor, notes applicant will give ultimate right-of-way, which will allow space for a trail or sidewalk in the future, so we do not need an additional easement. Ms. Sciuto-Ballasy said the issue would be monetary and would we ask for a path to be installed. Mr. Johnson feels that since there is no other residence being built on the property, it is unwarranted to ask for it.

Bill Johnson made motion to recommend that the Board of Supervisors grant preliminary/final approval for the Fry Minor Subdivision Preliminary/Final plan, subject to:

- CKS review letter, dated July 16, 2008
- the Planning Commission recommends the Board of Supervisors grant a waiver from road widening, curbs and sidewalks while noting, per item 3A of CKS' July 16, 2008, letter, that the ultimate right-of-way be dedicated in which a pathway/trail could be placed in the future.

- the Planning Commission recommends that the Board of Supervisors grant waivers in item 8a, 8b and 8e of the CKS letter of July 16, 2008;
- Staff letter, dated August 6, 2008, noting that items 5 and 6 are not applicable.

The motion was seconded by Ganesh Pai, and passed unanimously by members present. (B. Johnson, G. Pai, F. Jarrett, L. Sciuto-Ballasy, J. Costello – in favor; P. Rush, R. Tornari – absent; 0 – opposed; 0 – abstained)

VI. Country Club III Sketch Plan (LD 08-05)

Rob Gundlach, attorney and Sharon Fidele, Main Street Group were present for applicant. Mr. Gundlach gave a brief background of this property.

CKS letter, dated August 5, 2008:

- item #1 - will have water and sewer letter regarding exemptions from the ACT537 plan.
- item #2 – applicant suggests to keep rural integrity of School Road, and widen to a total of 24 feet to the bridge, while keeping the bridge and install a walking bridge on the opposite side of School Road, next to roadway bridge to Mill Road.

Joe Costello notes there should be connection to open space 2 or just up to Mill Road, and likewise on parcel 3. Mr. Gundlach said open space could be conveyed to the Township, kept for the association or conveyed to the County. Bill Johnson suggests leaving open space 2 as agricultural and allowing someone to farm there, rather than the Township taking this for maintenance.

- item #3&4 – applicant notes calculations are more conservative than what was provided to the Township.
- item #5 – number of bedrooms is proposed as 3 – 4 bedroom homes
- item #6, 7 8 – good information to have
- item #9 – will comply
- item #10 – shown on plan
- item #11 – applicant may request waiver and/or variance
- item #12 – will be cleaned up
- item #13 – applicant notes, will comply if needed
- item #14 – will comply

Staff letter, dated August 6, 2008:

- item #1 – will comply
- item #2 – will comply
- item #3 – applicant states not feasible for this number of houses
- item #4 – will comply
- item #5 – will defer to Township
- item #6 – applicant will work on this
- item #7 – applicant prefers public roads built to Township specs
- item #8 – will comply
- item #9 – spoken of previously
- item #10 – spoken of previously
- item #11 – will comply
- item #12 – will comply

Ms. Sciuto-Ballasy asked Katrina Harding if there is any information as far the Public Works Department concerns regarding difficulty of plowing the cul-de-sac. Ms. Harding said yes., but does not know public works' opinion of dedication.

Mr. Gundlach notes the only issue is with road improvements and bridge improvements.

Frank Jarrett questioned if Water and Sewer has to amend ACT537. Mr. Gundlach suggests that we should further investigate if there is a mistake on the plan. Mr. Gundlach understands this could be added to the plan via a module to amend the ACT537. Dave Connell, Township Engineer, clarified that it appears to be more difficult to amend the plan for one or two lots.

Ms. Sciuto-Ballasy invited further comments or questions.

Jeff D'Amico, Country Club Knoll, asked if this will be part of the association. Mr. Gundlach notes it is not proposed at this point, but noted it would require voting by Country Club Knoll I and II. Mr. D'Amico believes that just because there were not curbs and sidewalks the first time, it doesn't mean they shouldn't do it this time.

Joe Costello has concerns with the additional 41 units to be using School Road. Ms. Sciuto-Ballasy has no problems with the plan. Mr. Johnson notes ACT537 needs to be worked out and roads/bridge need to be worked out. Mr. Johnson also said he would be happy if applicant saved original household and believes the barn should not be knocked down and all out buildings should remain.

Mr. Gundlach is requesting to be on the next Board of Supervisors agenda.

VII. Adjournment

The August 11, 2008 Planning Commission meeting adjourned at 9:53 p.m.