

**HILLTOWN TOWNSHIP PLANNING COMMISSION**  
**REGULARLY SCHEDULED MEETING**  
**December 19, 2005**  
**7:30PM**

The regularly scheduled meeting of the Hilltown Township Planning Commission meeting was called to order by Chairperson D. Brooke Rush at 7:30PM and opened with the Pledge of Allegiance. Also present were Planning Commission members Ken Beer, Bill Bradley, Denise Hermany, Chuck Kulesza, and Jack McIlhinney; along with C. Robert Wynn, Township Engineer.

A. APPROVAL OF MINUTES – Action on the minutes of the November 21, 2005 Meeting – Mrs. Hermany noted the following correction to page 7, last paragraph, last sentence, which should be deleted and replaced with the following: **“Mrs. Hermany feels that the permanent cul-de-sac could have been removed by incorporating the two lots along the cul-de-sac into the adjacent lots along Upper Stump Road. Consequently, the reverse frontage lots along Upper Stump Road could have been eliminated.”** Mrs. Hermany also noted the following correction to page 10, second last paragraph, which should state **“Mrs. Hermany commented that the problem could have been solved by eliminating two lots, which would have eliminated the cul-de-sac street, and there would have been two less lots in the development, but there would have been a better plan. No through street should be allowed.”**

Chairperson Rush noted the following correction to page 5, last paragraph, which should state **“It is Chairperson Rush’s belief that the fee would be in lieu of the sidewalks that would have been required along Diamond Street, so that at the time Lot #26 is ever developed in the future, the sidewalks would **not** be installed along that frontage.”**

Motion was made by Mrs. Hermany, seconded by Mr. Beer, and carried unanimously to approve the minutes of the November 21, 2005 Planning Commission meeting, as corrected.

B. PUBLIC COMMENT ON AGENDA ITEMS ONLY: None.

C. CONFIRMED APPOINTMENTS:

1. Penn Foundation Minor Subdivision –Mr. Rodd White, the applicant’s engineer, was in attendance to present the plan for a two lot subdivision of a 11.5 acre site (gross) located within both West Rockhill and Hilltown Townships. Mr. Wynn’s most recent engineering review dated December 1, 2005 was discussed. Parcel A is a proposed 1.9-acre (net) lot, which will contain an existing dwelling and miscellaneous outbuildings. Parcel A is located entirely within West Rockhill Township. Parcel B is a 9.20 (net) lot intended for future development of a single family dwelling, group home, and townhouses pursuant to a preliminary major subdivision plan submitted separately to both Townships. This parcel is located within both West Rockhill and Hilltown Townships.

The portion of the site located in Hilltown is within the CR-1 Zoning District. The separately submitted preliminary plan for development of Parcel B includes construction of a cul-de-sac street and 15 townhouse dwelling units within West Rockhill Township, and a single family dwelling and group home (Use B8) within the portion of the site within Hilltown Township. The preliminary major subdivision plan is a separate application for development. The minor subdivision plan was previously reviewed by Mr. Wynn within correspondence dated October 25, 2005 and the Bucks County Planning Commission within correspondence dated October 20, 2005.

Chairperson Rush noted that the Township is not in receipt of the required 11" X 17" preliminary plan, which is what the Planning Commission requires for review.

The applicant has requested the following waivers:

- From Sections 140-28, 29, 35, 36, and 37, street improvements along the frontage of the site, which includes drainage improvements, cartway overlay, cartway widening, curb, sidewalk, and street trees.

The waiver request asks that the required improvements be deferred until development of Parcel B, at which time the developer of Parcel B will install improvements along the entire frontage of both parcels. Mr. Wynn recommended approval of the deferment of improvements until development of Parcel B, which includes the construction of a new cul-de-sac street within West Rockhill Township.

Motion was made by Mr. McIlhinney, and seconded by Mrs. Hermany to recommend waiver from Sections 140-28, 29, 35, 36, and 37 for street improvements along the frontage of the site, which includes drainage improvements, cartway overlay, cartway widening, curb, sidewalk, and street trees be deferred on both Parcels A and B, until such time as Parcel B is further developed. Discussion took place. Motion passed unanimously.

- From Section 140-27.B(4) to allow the irregular lot line separating proposed Parcels A and B. The lot line has been proposed respecting existing improvements on parcel A, while including the undeveloped portion of the tract within Parcel B for future development.

Since the boundary between Parcels A and B is located entirely within West Rockhill Township, Mr. Wynn recommended that the waiver be approved, subject to concurrence of West Rockhill Township with their applicable lot configuration Ordinance requirements.

Mr. McIlhinney asked why Hilltown Township is even reviewing the plan since the subdivision itself is located entirely in West Rockhill. Mr. Wynn explained that a portion of the property is located in Hilltown Township, and in this case, the ultimate right-of-way and roadway dedication is all part of Hilltown Township. Mr. McIlhinney wondered why the Township would consider waiving road improvements at this time. Mr. Wynn replied that road improvements are required by the SALDO along that portion of the site located within Hilltown Township. He explained that the applicant is not asking for a waiver of roadway improvements for the second subdivision plan, which has not yet been reviewed by the Township. It seems odd to Mr. McIlhinney that the Township would waive something prior to submission of the major subdivision plan. Mr. White noted that the only reason for the difference in the timing of the plan submissions was to expedite the minor subdivision process in order to sell Parcel A. Mr. Kulesza asked if the applicant has received a recommendation for approval from West Rockhill's Planning Commission, and Mr. White replied that they have. A very lengthy discussion took place.

If the Planning Commission does not feel it is necessary to recommend granting the waiver of the irregular lot line that is located entirely in West Rockhill Township, Mr. Wynn suggested that they approach it as such. Mr. Kulesza asked if granting this waiver would result in a more intensive development in the Hilltown portion of the site. Mr. Wynn noted that it does not affect the density calculation in any way. Mr. McIlhinney does not believe Hilltown should have to take action on the irregular lot line waiver due to the boundary line in question not being located within Hilltown's jurisdiction. The remaining Planning Commission members agreed.

Motion was made by Mr. McIlhinney, seconded by Mrs. Hermany, and carried unanimously to state that the request for waiver of irregular lot line for the Penn Foundation Minor subdivision is not required because the boundary line in question falls completely within West Rockhill Township's jurisdiction.

Motion was made by Mr. Beer, and seconded by Mr. McIlhinney, to recommend conditional preliminary/final plan approval to the Penn Foundation Minor Subdivision, pending completion of all outstanding items as noted in Mr. Wynn's engineering review dated December 1, 2005. Prior to a vote, discussion took place.

Public Comment:

1. Mrs. Marilyn Teed of Mill Road questioned the small sliver of land that is located between the smaller parcel and the Township boundary line. Mr. White replied that the roadway is proposed in that area.

Motion passed unanimously.

2. Gwen Kratz Minor Subdivision – Ms. Cheryleen Strothers, the applicant's engineer, was in attendance to present the plan. This 1.92 acre (net) site located within the CR-1 Zoning District on East Summit Street is proposed to be subdivided into two single-family dwellings, Use B-1 lots. No improvements exist on the site, which consists of overgrown field/brush and mature woods (along the rear). Both lots will contain areas of 0.96 acres (net) and are proposed to be serviced by public water and sewer facilities provided by Telford Borough Authority.

With respect to Item #7 of the December 5, 2006 review regarding the sanitary sewer service, Ms. Strothers noted that both this site and the neighboring Harry Kratz Subdivision are proposed to connect to existing Telford Borough Authority facilities located within Rosewood Drive via extension of individual force mains through the Harry Kratz property. Telford Borough Authority has asked the applicant to make revisions to address their concern with providing the neighboring Brunner property with public sewer. Presently, there is no public sewer in the Hilltown Township portion of Summit Street. As such, TBA asked the applicant to provide an easement to access to the Brunner property with the existing sewer line. The applicant had originally proposed laterals off the force main into the lots, however instead of the laterals going under the existing driveways, TBA would prefer to have a manhole extended with an 8 inch line that would allow the use of standard laterals onto that line, and would also allow the connection of the Brunner property and these two lots through a grinder pump. Because this action reflects a change to the Harry Kratz Subdivision, Ms. Strothers wondered if that plan should be revised to show the easement prior to plan recordation. Ms. Strothers explained that TBA sent the Harry Kratz Subdivision Planning Module Exemption to DEP without Hilltown's signature. Once TBA received correspondence from DEP advising of their error, they forwarded it to Ms. Strothers to obtain Township signatures. Mr. Wynn noted that the Township has not yet signed the Planning Module Exemption. The Planning Commission felt that the Harry Kratz Subdivision plan should be revised prior to recordation. Mr. Kulesza asked if the owner of the Brunner property requested connection to public sewer. Ms. Strothers replied that due to the size of the Brunner property, TBA wanted access to be able to provide sewer to that lot without necessarily extending the main along Summit Street. She is not aware if TBA has evidence that there is a failing or malfunctioning system on the Brunner property at this time. Lengthy discussion took place.

The applicant requested the following waivers:

- From Section 140-16.B(1) – Plan Scale. Pursuant to this section of the SALDO, a minor subdivision plan must be drawn at scale of 1" = 50' or 1" = 100'.

- Sections 140-28.P, 140-29.D, 140-35.A, and 140-36.A, which require cartway widening, curb, sidewalk, and drainage improvements along the frontage of the site. Not noted in the Cowan Associates, Inc. correspondence, but a requirement of 140-28.P is the leveling of the entire cartway along the frontage of the site with wearing course material and structural paving fabric.

The December 5, 2005 engineering review notes that inspection of existing improvements on E. Summit Street near the site indicates that cartway widening and curb exist on the northwest side of E. Summit Street (opposite this site) within Hilltown Township, along the frontage of the Meadow Glen Development and Telford Homes Subdivision. Improvements extend from the Meadow Glen Development on the north side of E. Summit Street to the boundary with Telford Borough at Washington Avenue. Curb and sidewalk also exist within Telford Borough on the southeast side of E. Summit Street from County Line Road within Telford Borough to the Telford/Hilltown boundary with cartway widening and curb extending to the southeast side of the adjacent Brunner property, terminating approximately 150 ft. from this site.

Since the site is located within the development district of the Township (CR-1) and improvements including cartway widening, curb, and sidewalk exist along E. Summit Street, Mr. Wynn recommended the applicant's request for waiver be denied and that frontage improvements be required along the proposed lots. The extent of cartway widening and curb along the frontage of the site should be consistent with existing cartway widening and curb located on the southeast side of E. Summit Street. The Planning Commission agreed that this waiver request should be denied.

The Gwen Kratz Subdivision Plan was tabled pending submission of additional information.

3. Hillside Estates Subdivision (aka: Murphey) (Final) – The applicant was not present.
4. Guttman Tract Subdivision (aka: Hilltown Walk) (Sketch) – Mr. Bill Benner, the applicant's legal counsel, along with Mr. Scott Guidos and Mr. Scott Mills, the applicant's engineers, were in attendance to present the plan. The most recent engineering review dated December 12, 2005 was discussed.

Six parcels totaling 86.08 acres are proposed to be subdivided into 45 single-family detached dwelling lots, including three lots containing existing dwellings. The site was recently re-zoned to CR-2. The proposed layout utilizes provisions of Use B3 – Cluster Use Option 2, which requires a minimum lot area of 20,000 sq. ft. and a minimum open space ratio of 65%. Proposed building lots contain frontage on a proposed internal

roadway network, with access to Green Street. In addition to existing manmade features, the site contains areas of woodlands, steep slopes, floodplain, regulated waters, and a pond/pond shoreline. Lots are to be served by public water and sewer facilities provided by the Hilltown Authority.

On September 26, 2005, the Board of Supervisors adopted Ord. #2005-3, which rezoned the subject parcels into the CR-II Zoning District. Rezoning of the site was approved with the understanding of the applicant's intent to develop the property utilizing the single family detached Cluster Option 2 (Use B3), which is permitted by-right in the CR-2 Zoning District, for a cluster subdivision containing no more than 45 lots (including three with existing single family detached dwellings). The sketch plan submitted with the petition for rezoning depicted a cluster subdivision layout, which located a majority of development activity within an open area bounded by Green Street, and resource protection areas to the north and east of the central portion of the site. The currently proposed lot layout will still involve development of this area, with added development proposed within the rear of the site, which involves additional disturbance to natural resources, and crossing of regulated waters. Although 45 lots are proposed on the current plan, size and location of lots (and roadways) necessitate additional woodland disturbance, which exceeds the allowable maximum disturbance specified in Section 160-28.D of the Zoning Ordinance. Note #7 indicates that the applicant will request a variance of this section, which requires protection of 80% of the forest area. As the plan does not contain sufficient information to verify the amount of disturbance proposed to existing woodland areas, it is unclear to what degree relief is necessary to permit development as shown on the plan.

Mr. Benner advised that the action being sought by the developer this evening is the Planning Commission's recommendation to the Zoning Hearing Board to grant the requested zoning variances that this plan requires to be implemented. If the Zoning Hearing Board grants those variances, the applicant would submit a formal, preliminary plan that incorporates some of the comments raised by Mr. Wynn and the Planning Commission. Chairperson Rush does not believe that the Planning Commission has traditionally made recommendations with respect to Zoning Hearing Board appeals. Mr. Benner recognizes that his request for the Planning Commission's support is out of the ordinary, however in this instance, because of the history of the project, the applicant hopes that the Township will agree that the plan before them is better than a Cluster development or a subdivision of 20,000 sq. ft. lots. When the issue comes before the Zoning Hearing Board and must show "hardship," Mr. Benner can only think of one, which is that the proposal is a design that the Planning Commission and Board of Supervisors prefer to having this property developed under the Cluster Option as it exists today. For that reason, Mr. Benner believes it would be appropriate for the Planning Commission to vary from their normal procedure, if they are comfortable with doing so,

by endorsing the applicant's variance requests before the Zoning Hearing Board. Discussion took place.

The Planning Commission questioned the plan for the open space. In this instance, Mr. Benner stated that the Ordinance requires 55.95 acres of open space, though the site plan proposes only 45.10 acres of open space. He noted that the proposed 45.10 acres of open space does not count the open space that is to be deed restricted. The ratio of the open space, using the 35.10 acres calculates to approximately 40%, but the Ordinance requires 65%. If the applicant were to include the lands that are deed restricted open space, the amount of open space on a ratio basis increases to approximately 50%, which is still short of the 65%. Mr. Benner does not believe that it really matters whether the applicant counts the areas as deed restricted open space or not, those areas that are going to be deed restricted are proposed to be a part of a conservation easement. Whether or not that is included in the open space calculation, in Mr. Benner's opinion, makes very little difference if the Zoning Hearing Board were to grant a variance authorizing open space calculated as only that open space that is public or quasi-public in nature. Mr. Benner advised that the applicant intends to submit this exact plan to the Zoning Hearing Board, and this plan includes at least 16.27 acres as public open space to be dedicated. The other areas of open space, which are intended to be owned by the Homeowner's Association encompasses approximately 20 acres. Almost 7.5 acres is designated to individual lots as conservation easements, with another 4.5 acres on Lot #19. Chairperson Rush was confused as to why the applicant separates those areas of open space. Mr. Mills, the applicant's engineer, replied that the Ordinance allows for lots that are five acres to be considered "conservancy lots" and the deed restricted open space on that five acres can be counted toward the total amount of open space. Mr. McIlhinney expressed concern with deed restricted open space on Lot #19, stating that a portion of that amount should be tied in with the playfields and the naturalized stormwater facilities, which he feels should be available for public use. Mr. Doug Sanders of D'Angelo Construction commented that the plan was changed after the last meeting, noting that the entire playfield was slid down as close to the dwellings as possible to address Mr. McIlhinney's concern. Mr. McIlhinney agreed that the line was moved down, however it appears that the developer still continues to designate the open space to the right of the dwellings as deed restricted. He commented that the Planning Commission repeatedly asked the developer to maximize the public open space, however that has not occurred. Mr. Sanders advised that the applicant has spent almost two years trying to accommodate the Township. The developer continues to list the open space in different columns, however from Mr. McIlhinney's perspective, it is still open space. Mr. Sanders reminded the Commission that the Township would not want to be responsible for maintaining the streambed and some of the other areas, with respect to where the recreation land is located. Mr. McIlhinney understands that, however he stated that the one particular strip of land is where the playfields are located and where residents would naturally congregate. He believes that the public should have access to the streambed. The

Planning Commission was in agreement that the piece of land to the right of Lot #19 should be designated as public open space, while the rest of Lot #19 would stay at 3 acres, while still remaining in the conservation easement. Lengthy discussion took place.

Chairperson Rush received correspondence from the Park and Recreation Board recommending that the applicant provide two multi-use playing fields. Mr. McIlhinney hopes that the Park and Recreation Board was advised that another playfield could not be constructed near the streambed due to the steep slopes.

The applicant has requested the following waivers:

- From Section 140-27.B(1), which requires a minimum block length of 500 ft. and a maximum block length of 1,600 ft.

Mr. Wynn's review notes that relief is apparently requested to permit the segment of Roads A/B, between intersections with Roads C and E, to exceed 1,600 ft. (approximately 2,800 ft. proposed); and short segments of Roads A, B, C, and E, to be less than 500 ft. If the proposed lot layout is desired by the Township, waiver of block length should be granted, as it does not appear feasible to comply with block length requirements without significantly altering the proposed site layout.

Mrs. Hermany noted that the Planning Commission wanted to plan for open space adjoining the Silverdale Borough Park, and wanted to incorporate dwellings around the pond area, as well as larger lots, which they were aware would take up part of the open space. Personally, she approves of the overall plan as presented, and is not terribly concerned about the issue of block length.

- From Sections 140-27.B(2) and 140.27.B(9), relative to reverse frontage lots and block depth.

Waivers are apparently necessitated by the layout of Roads C, D, and E, which result in Lots #26, #35, #36, and #45 being proposed as double frontage lots. 30 ft. wide landscape buffers are proposed along the rear of double frontage lots, which should be planted with sufficient landscape material to provide a visual buffer between the rear of the dwelling and adjoining roadways. If the landscape buffer area is excluded from the net area of each lot containing same, it appears that net area of lots will still exceed 20,000 sq. ft., which is the minimum required lot size for Use B3 in the CR-2 Zoning District. Driveway access for double frontage lots should also be restricted to access Road D only, as shown on the sketch plan.

- From Section 140-27.B(11), which requires minimum/maximum lot depth to width ratio. Although not specified, it appears relief is required for Lot

#6 (depth/width ratio less than 1), Lot #15 (depth/width ratio greater than 3), and Lot #19 (depth/width ratio is less than 1). It is noted that each lot requiring relief is proposed to contain a conservation easement, or deed restricted open space (Lot #19).

- From Section 140-30.D, which requires a temporary cul-de-sac turnaround designed in accordance with Appendix J of the Subdivision Ordinance. Waiver is requested relative to design of the cul-de-sac turnaround in the vicinity of Lot #20, which may permit future roadway extension into TMP #15-28-32.

Mr. Wynn's review notes that roadway design in this location is awkward and may not facilitate orderly vehicular traffic flow, or snowplowing activity. He feels that consideration should be given to revising this roadway alignment in favor of an increased horizontal curve radius, which may necessitate the relocation of Lot #20. Depending on the resulting size of the stormwater management facility proposed near the intersection of Green Street and Road B, it may be possible to relocate Lot #20 adjacent to Lot #18 along Road B. Further right-of-way may still be provided to the adjoining property line to allow future roadway extension into adjoining properties, if desired by the Township. Discussion took place.

- From Section 140-31.B, which requires a minimum centerline radius for horizontal curves of 150 ft., is requested to permit the orientation of Road D (loop road) surrounding Open Space Parcel C. Radius of horizontal curves utilized in the alignment of Road D appears to be approximately 100 ft., which may facilitate vehicular turning movements while serving as a traffic calming measure.

Mr. Wynn believes that consideration should be given to increasing the curb radii at intersections with Roads C/D and D/E, to improve vehicular turning movements that will occur in the midst of the curves in Road D.

Discussion took place concerning the proposed roadway improvements along Green Street within the frontage of the site, including cartway widening, curb and sidewalk. In-lieu-of sidewalk, a pedestrian path is proposed between the intersections of Road A and Road B, which crosses through the landscaped area of Open Space Parcel D.

Mr. Wynn's December 12, 2005 engineering review also identifies that the applicant must request a variance from Section 160-51.C of the Zoning Ordinance, which prohibits the creation of flag lots in the CR-2 Zoning District, and also requires a minimum area of 10 acres for a flag lot. Relief is required to permit the creation of Lot #10 as a flag lot,

having a net area of 3.91 acres. (A portion of Lot #10 will be encompassed by a conservation easement having an area of 2.62 acres).

Overall, Mr. McIlhinney, Mrs. Hermany, and Mr. Beer were in favor of the proposed sketch plan. Mr. Beer further noted that he was not opposed to the Zoning Hearing Board granting a variance for the flag lot. Chairman Rush felt the plan was very creative and noted that it addresses a great many issues that the Planning Commission had previously been concerned about. He commended the applicant for their proposal and also gave his endorsement to the proposed sketch plan.

Mr. Bradley was pleased with some of the items on the sketch plan, however he was not in favor of some of the larger lots to the rear of the site, which cut into the existing woodlands, and therefore, does not meet the criteria of a cluster development for conservation purposes. Mr. Kulesza is aware that the applicant put a great deal of work into this proposed sketch plan, however he agreed with Mr. Bradley that the sketch plan does not really address the Planning Commission's wishes to conserve the natural features of the site by removing woodlands, and reducing the amount of required open space. When the Planning Commission was considering the applicant's request for zoning district change, Mr. Kulesza did not anticipate that this zoning change would occur with additional significant requests for variances from the Zoning Hearing Board.

Motion was made by Mr. McIlhinney to recommend that the Board of Supervisors support the applicant's request for variances from the Hilltown Zoning Hearing Board for the Guttman Tract (aka – Hilltown Walk Subdivision) sketch plan as presented this evening, since the plan was proposed to address previous requests by the Planning Commission. Motion was seconded by Mrs. Hermany. Before an official vote was taken, discussion took place.

Mrs. Hermany referred to the Planning Commission minutes from their meeting of July 18, 2005, as follows "If there is a consensus about one of the sketch plans, the Planning Commission could provide guidance to the Supervisors as to how they would like this property to be later subdivided, should the re-zoning application receive favorable consideration." Mr. Kulesza believes that statement from the July 18<sup>th</sup> PC minutes refers to the re-zoning of the property, not to the variances that are being requested by the applicant. Mrs. Hermany believes that the applicant has achieved what the Planning Commission had asked requested. Mr. Benner commented that when the Supervisors rezoned this property to CR-2, they made it clear that the applicant should proceed back to the Planning Commission to work out the details with the lot layout. Mr. Benner recalls that the Planning Commission had requested that the sketch plan show a mix of lot sizes, which has been achieved and is consistent with the wishes of both the Board of Supervisors and the Planning Commission. Mr. Beer commented that the applicant has addressed the concerns and requests of the Planning Commission, and noted that it would

be impossible to go back to what was originally proposed with a cluster development along Green Street. Mr. Bradley agrees that the applicant has worked with the Township in the development of this site, however his main concern was the 45 lots that the developer insisted were permitted by right.

Mr. Bradley and Mr. Kulesza were opposed to Mr. McIlhinney's original motion. Motion passed – 4:2.

Public Comment:

1. Mrs. Marilyn Teed of Mill Road wondered if there would be problem with the impervious surface on Lot #19 due to the amount of existing buildings on the lot. Discussion took place.

5. Bennett Tract Subdivision (Sketch) – Mr. Ed Murphey, the applicant's legal counsel, and Mr. Greg Woods, the applicant's engineer, were in attendance to present the plan. Mr. Wynn's engineering review dated November 2, 2005 was discussed.

The Township received two sketch plans and an information packet for development of the Marguerite Bennett parcel located which takes its primary access from Fairhill School Road. The site consists of approximately 86.5 acres (net) and includes two dwelling units, multiple outbuildings and other private improvements. The site is located within the RR Zoning District and is proposed to be subdivided into 30 lots with Lot #27 retaining the existing dwelling and improvements. The other existing dwelling located on Lot #13 is proposed to be removed. Lots #1 through #29 are to be served by public water supply and proposed centralized sewage treatment plant, while Lot #30 is a proposed 3.4 acre parcel fronting on Keystone Drive. It appears that this lot is proposed as Use B1 without public water, and has the requisite required minimum of 3 acres.

Lot #15 is a proposed 18.8-acre flag lot, which does not contain the required minimum lot width at the proposed street. Based upon scaled information on the plan, the width of the "lane" is 30 ft. Pursuant to Section 160-51.C of the Zoning Ordinance, the minimum width shall not be less than 50 ft. at the street line, and shall not narrow to a lesser dimension. The review notes that this large lot is also relatively narrow in comparison to its width. In the event Lot #15 is considered acceptable, Mr. Wynn recommended that a deed restriction/conservation easement should be imposed on the lot to prevent further subdivision and to protect the significant area of natural features in the southeast portion of the proposed lot.

Mr. Wynn's review notes the following:

- Sketch Plan SK-1 identified as Figure 2 in the information packet proposes an internal roadway system serving 29 lots with an intersection on Fairhill School Road and Fairhill Road. Location of the intersection on Fairhill School Road is at the existing Bennett driveway location. The proposed access road to Fairhill Road is contained within a 50+/- wide strip of land approximately 825 ft. in length. Due to the location of the 50 ft. wide access strip, the resulting intersection with Fairhill Road and Cherry Road creates an awkward and undesirable offset of approximately 65+/- feet. The 50+/- feet width of the access strip at its intersection with Fairhill Road limits the extent of improvements that could be made at the intersection. Based upon visual inspection, sight distance to the left appears to be in non-compliance with requirements of Township Ordinances due to vegetation outside of the right-of-way on neighboring private property. Mr. Wynn would not recommend the construction of this additional 825+/- feet of public street with the undesirable intersection.

- Alternative Sketch Plan SK-1 identified as Figure 4 in the information packet proposes 29 lots on an internal roadway system with a single access point to Fairhill School Road at the location of the current Bennett driveway. The internal roadway on the alternative plan is identical to Sketch Plan SK-1 (Figure 2) with the exception that the secondary access extension to Fairhill Road is removed, and a permanent cul-de-sac street is proposed in the northwest quadrant of the site. The permanent cul-de-sac street, if permitted, complies with the maximum length restriction of 500 ft. in accordance with Section 140-30.C of the SALDO, and provides access to six dwelling units (less than the maximum of 12 dwelling units permitted by the same SALDO requirement).

If additional emergency access is determined necessary by the Township, the 50 ft. wide access strip to Fairhill Road could be utilized for construction of an emergency access to the internal street system. However, issues relative to the design, ownership, and maintenance of the emergency access must be resolved so that the emergency access is maintained free of snow/ice and vegetation, which could prohibit its use by emergency vehicles.

Lengthy discussion took place concerning the 50 ft. wide access strip to Fairhill Road. Chairperson Rush noted that it is the Planning Commission's preference to have two permanent points of access to any development, and asked if the applicant had considered a second access onto Keystone Drive. Mr. Woods replied that there is a thick wooded corridor in that area, and he does not believe that there is sufficient space for a full width right-of-way. With a parcel of this size, Chairperson Rush believes that it is very important to have more than one point of access. Mr. Kulesza referred to a landlocked property, TMP #15-27-3-1, that may have some sort of right-of-way that goes out to Keystone Drive. He wondered if that lot would be an option for an additional access.

Mr. Woods feels it could be a possibility, however that scenario would impact perhaps four existing dwellings. Discussion took place.

The plan proposes a sewage treatment plant to be constructed in the southern corner of the site along Fairhill School Road to provide service to Lots #1 through #29. Another alternative that was discussed at the pre-submission staff meeting is the extension of the internal community collection system to existing public sewer facilities through the Hilltown Authority. By extending the sanitary sewer line in this area, the failing on-site sewage systems identified in the Act 537 Plan (approximately seven dwellings along Cherry Road and several along Keystone Drive) could be connected to the public sewer system. Discussion took place.

Chairperson Rush advised the applicant that there is an existing zoning violation against this property with respect to excessive trash and farm machinery. Mr. Murphey replied that the applicant is aware of the issue and the clean up is currently well underway.

Public Comment:

1. Mrs. Marilyn Teed of Mill Road questioned the width of the internal roadways. Mr. Woods replied that the cartway would be 26 ft. wide. Discussion took place.

The Plan was tabled pending submission of additional information.

D. PLANNING – None.

E. OLD BUSINESS: None.

F. NEW BUSINESS: None.

G. PLANS TO ACCEPT FOR REVIEW ONLY: None.

H. PUBLIC COMMENT: None.

I. PLANNING COMMISSION COMMENTS:

1. As this is Mr. McIlhinney's last meeting as a Planning Commission member, Chairperson Rush stated that he has enjoyed getting to know him and looks forward to a continuing working relationship with Mr. McIlhinney in his role as Township Supervisor. Discussion took place as to when the Board of Supervisors might be appointing another individual to the vacant seat left by Mr. McIlhinney on the Planning Commission. The Planning Commission will reorganize at their first meeting in 2006.

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Planning Commission  
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J. PRESS CONFERENCE: A conference was held to answer questions of those reporters present.

K. ADJOURNMENT: Upon motion by Mr. Beer, seconded by Mrs. Hermany, and carried unanimously, the December 19, 2005 Planning Commission meeting was adjourned at 10:05PM.

Respectfully submitted,

Lynda Seimes  
Township Secretary

(\*These minutes were transcribed from tape recordings taken by Mr. Jack McIlhinney, Planning Commission member. Please note – these minutes are not considered official until approved by the Planning Commission at a public meeting).