

Lower Heidelberg Township
Planning Commission Minutes
Monthly Meeting
April 14, 2014

The Lower Heidelberg Planning Commission's regularly scheduled meeting was held at the Lower Heidelberg Township Building on the above date.

Present were: Chairman Michael Levan and Members William Moser and Ronald Limpus. Also attending were Solicitor Michael Crotty and Engineers Ryan Rhode (GVC), Glenn Neuhs (SSM), and Pamela Stevens (SDE). Absent was Vice Chairman Neal Nevitt. Member David Seip arrived during the meeting.

The Chairman called the meeting to order at 7:07 p.m. The minutes for the March 10, 2014 regular meeting were reviewed. **On Motion** by Mr. Limpus, second by Mr. Moser, to approve the minutes of March 10, 2014. Motion passed with Mr. Limpus and Mr. Moser voting aye, and Mr. Levan abstaining as he was not at the March meeting.

Timberlake Lot 68 Annexation Plan

Mr. Crotty noted that there were no plans for review at this time, just an MPC extension request to be considered later on the agenda.

Harvey and Mary Brown Subdivision – Revised Preliminary Plan

John Hoffert presented for Mr. and Mrs. Brown. The SSM review letter of March 21, 2014 was discussed. Mr. Hoffert explained that the applicants applied for a Special Exception and Variance for the property, and were granted all reliefs. All stipulations and agreements from the Zoning Hearing Board decision have been added to the plan. Mr. Neuhs noted that his comments from the review letter have been addressed. Mr. Rhode said that his only concern was the need for signage to indicate the access to the property as a private driveway. Mr. Hoffert said that once the property is conveyed, they will put up a sign to note is as private property. Suggested language for the sign will be on the final plan. Mr. Levan asked if it makes any difference if the sign indicates private property or a private road. Mr. Rhode said they will come up with language that will be agreeable to all. (Mr. Seip arrived to the meeting at this time.)

Ms. Stevens asked if the required fees normally associated with the Financial Security will be deferred until building permit stage. Mr. Crotty said it is acceptable to defer the fees, with the conditions being outlined in the Decision of Approval. Ms. Stevens asked if that includes the recreation fee; Mr. Crotty said the rec fee is tied to the lot, so that should be submitted now. Mr. Hoffert clarified that the fees for the municipal improvement agreement and tapping fees will be deferred until building permit stage, and the recreation fee will be paid now, and this will be noted on the plan. Mr. Crotty noted that the delineation of the two-acre portion of the property can be done on the final plan. Mr. Hoffert said he will mark the theoretical two-acre portion with a line. Mr. Levan asked for any other comments. There were none.

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On Motion by Mr. Levan, second by Mr. Moser, that the Planning Commission recommends that the Board of Supervisors approve the Preliminary Plan application for the Harvey and Mary Brown Subdivision, subject to any outstanding conditions of the SSM review letter of March 21, 2014. Motion passed unanimously.

McGlinn – Revision to Record Plan (Final)

Eugene Long, Bogia Engineering, presented for the applicant. A variance has been obtained to revise the lot line between Parcels 5 and 6; a new driveway outside the boundaries of the subdivision has been shown to Parcel 6 and the annexation to Parcel 4 removed. The SSM review letter of March 21, 2014 was discussed. Mr. Neuhs commented that there are several outstanding items from the review letter pertaining to compliance with the subdivision and land development ordinance. In addition, the conditions of the Zoning Hearing Board approval should be added to the plan. The plan must contain a conspicuous Agricultural Use Notification, and a note for no further subdivision of Parcels 1, 2, 3 and 4. It should be further noted on the plan that the portions of Parcel 6 which are currently agricultural will continue to be farmed or otherwise maintained as open space as long as the property is agriculturally zoned.

Mr. Rhode noted that there are a number of items that need to be addressed; they are listed in the GVC comments section of the review letter. In particular, there are at least two access drives to State routes from this property. Highway Occupancy Permits will be required for both drives. Mr. Rhode questioned that since this is a revision to a plan of record, will the applicant need to present new waivers for curbs and sidewalks. Mr. Crotty said that the previous waivers extend to this plan. Ms. Stevens questioned which well and which on-lot system serves which lot; if they are not on the same lot, there will need to be an easement. Each property should have a water and sewer system within their lot boundaries. Mr. Long said he will clear this up on the next plan submission.

Mr. Levan said it appears that there are a number of items from the review letter that still need clarified; Mr. Long said they will address all outstanding comments on the next plan submission. Mr. Levan asked for any further comments. There were none.

Glen Gery Minor Subdivision – Revised Preliminary/Final Plan

Eugene Long, Bogia Engineering, presented for the applicant. The SSM review letter of April 7, 2014 was discussed. Mr. Neuhs noted the items that have not yet been addressed. Wooded areas and protected steep slopes need to be identified and labeled. Mr. Neuhs said the applicant's position is that they don't know where the applicant will be building, making it difficult to delineate the protected area.

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Mr. Levan said this is a case where the lot may not be built on for some time; but some indication should be given as to where the house may be built. He asked Mr. Neuhs if it is possible to look at the lay of the land and pick the area for the home location that does not have steep slopes or wetlands. Mr. Neuhs said it could be indicated on the plan. If the future purchaser wants to build somewhere else on the lot, they would have to revise the plan and seek approval for the revised plan; the Zoning Officer would have to review the plan for the protected features. Mr. Long explained the area of the plan that is the steep slope protected zone. There are probably only two places where there is site distance to place the driveway. Mr. Long said it would be difficult to guess if the future owner would agree with those places. Mr. Levan said they are looking for the best indication for the location. He questioned if the future owner wants to change the location, would he have to get new plan approval. Mr. Crotty said that he would probably not need plan approval; he would need to get building permit approval. He said that the Planning Commission should be mindful not to approve an unbuildable lot. The new owner should not have to get a variance in order to build on the lot. The plan note can say "proposed home location; subsequent home location to be determined by lot owner or developer".

Mr. Long will locate all steep slopes by metes and bounds, and do the same thing with the wooded area. The total steep slope area and percentage that are allowed to be disturbed will be determined at the building permit application stage. Mr. Moser noted that if nothing is done now, and the ordinance gets stricter on steep slopes, the lot could become unmarketable. Mr. Neuhs commented that the applicant must make sure it is possible to build the lot per the current Zoning Ordinance. Mr. Crotty noted the applicant must attempt to locate the driveway and the possible dwelling location on the plan.

Mr. Neuhs clarified that any further subdivision of the lot will require a Special Exception, and a note to that effect must be placed on the plan. Mr. Rhode noted that all of his comments in the review letter have been addressed. Ms. Stevens noted that the Township SEO was out to the property; the only outstanding item is a note to be added to the plan, the parent tract is to be certified as a public sewer extension. The Planning Module Exemption is still outstanding, but that is a relatively simple procedure, and should take about 10 days to receive from DEP once it is submitted.

Mr. Crotty noted the review period will be up at the end of the month. Mr. Long said the applicant is requesting a conditional preliminary/final approval. Mr. Moser said he would like to see a plan drawing with notes on the steep slopes. Mr. Levan agreed, and said the proposed home location is also needed to help guarantee it as a marketable lot. Mr. Crotty asked if the applicant would be favorable to grant a time extension, as the plan review period expires on April 30th. Mr. Long agreed to provide the extension request.

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Time Extensions

On Motion by Mr. Levan, second by Mr. Limpus, that the Planning Commission recommends that the Board of Supervisors approve the extension request for the Timberlake Lot 68 Subdivision, extending the review period to July 21, 2014. Motion carried unanimously.

Other Business


Mr. Levan noted that the next Planning Commission Workshop meeting is scheduled for Wednesday, April 30th at 7:00 p.m. at the Township Building. Mr. Crotty noted that the Commission should be aware of pipeline zoning issues; he will forward some model ordinances for review. The Planning Commission informally discussed the proposed natural gas to gasoline plant in South Heidelberg Township.

Mr. Levan asked for any other public comments; there were none.

Adjournment

On Motion by Mr. Limpus, second by Mr. Levan, to adjourn at 8:20 p.m. Motion passed unanimously.

Respectfully submitted,



Theresa Conners, Recording Secretary

Approved on: May 12, 2014