

SOLEBURY TOWNSHIP PLANNING COMMISSION

May 14, 2018

Minutes

Attendance: Dan Fest, Chris Caputo, Keith Deussing, Peter Brussock, Jordan Yeager (Township Solicitor), Curt Genner (Township Engineer), Pankaj Jobanputra, Township Planner, Helen Tai (Supervisor Liaison) and Jean Weiss (Planning Commission Administrator).

Absent: Dan Moser, TJ Francisco

I. Call to Order

At 7:00 p.m., the Solebury Township Planning Commission meeting was called to order.

II. Approval of Minutes – April 9, 2018

Upon a Motion made by Keith Deussing, seconded by Dan Fest, the Solebury Township Planning Commission approved the April 9, 2018 meeting minutes.

III. Land Development Application (Pantera Realty, LLC Route 202 Spur (SR 202) TMP #41-028-067-003 (a.k.a. Riverview Land Development)

The applicant is proposing the construction of a banquet facility, retention of an existing residential structure for use as a “bridal suite” or reception house, and conversion of the existing barn structure for use as a restaurant.

Marc Kaplin, Attorney and Eric Clase, Gilmore & Associates were present on behalf of the application.

Jordan Yeager stated that after discussion with the applicant's attorney, the applicant has agreed to a \$50,000 contribution.

Chris Caputo stated that a response has been received from the Fire Marshall at the request of the Planning Commission to comment on the turning radius for emergency vehicles throughout the site. The Fire Marshal responded that while it was a tight fit the plan is acceptable.

Marc Kaplin referencing the revised “red-lined plan” stated that comments from the Planning Commission and Township Engineer regarding parking spaces some spaces have been enlarged and additional spots for limos have been provided.

Dan Fest asked if had been cut down to (6) six waivers.

Eric Clase stated that the waivers on the plan are the waivers that had been reviewed and commented on in the C. Robert Wynn review letter dated 4/4/18.

Curt Genner stated that there are no additional waivers being requested.

Chris Caputo asked Jordan Yeager if the Planning Commission was in a position to make a recommendation on the application, have all issues been resolved.

Jordan Yeager stated that the Planning Commission can entertain a recommendation on the plan including the waivers.

Keith Deussing stated that he felt there was no basis for recommending the change in parking space size; by doing this we are setting precedence for future applications.

Jordan Yeager stated that the Subdivision and Land Development Ordinance (SALDO) leaves areas for exceptions. The applicant does have the ability to comply, which would require more impervious coverage and less green space. If other applications come through the process that cannot comply with the SALDO the Township may want to look into future revisions of the ordinance.

Chris Caputo stated that during banquet events there will not be a lot of moving traffic at the facility most vehicles will be parked during the 4 hour events. The tradeoff is impervious verse pervious.

Upon a Motion made by Dan Fest, seconded by Chris Caputo, the Solebury Township Planning Commission (3-1) recommended approval of modification/waiver items 5A, 5B, 5D, 5E, and 5F, as indicated in April 4, 2018 memorandum from C. Robert Wynn Associates, Inc. The motion from the Planning Commission also recommended conditional approval of Riverview Land Development plan (dated September 2, 2016, latest revision date March 23, 2018) along with red-lined plan addressing parking space revisions (dated 5/7/18). The conditions of approval are: compliance with C. Robert Wynn Associates review letter (dated 4/4/18); compliance with Simone Collins review letter (dated 4/4/18); and receipt of \$50,000 cash contribution. Applicant further agrees to cooperate with the Township post-development concerning any necessary parking reconfiguration to address any problems related to parking space size. Keith Deussing opposed.

IV. Sales of Consumer Fireworks – Proposed Amendment to the Zoning Ordinance

The proposed ordinance amendment regarding providing for permanent sales of consumer fireworks in the TNC Zoning District, temporary sales of consumer fireworks in the TNC District, and for associated regulations governing these uses.

Jordan Yeager stated that Act 43 of 2017 changed state law on both display fireworks and sales of consumer fireworks, the provisions track new law for requirements and standards.

Chris Caputo asked what is considered consumer fireworks.

Jordan Yeager stated that the technical definition in the statute is small fireworks that do not need a pyro technician's license to sell.

Dan Fest asked if there were any restrictions from high-tension wires.

Jordan Yeager stated that there is not in state law.

Keith Deussing asked if all distances were set by state law.

Jordan Yeager stated that they were except for setbacks.

Upon a Motion made by Chris Caputo, seconded by Dan Fest the Solebury Township Planning Commission recommended the proposed zoning amendment for Permanent Sales of Consumer Fireworks in the TNC Zoning District, Temporary Sales of Consumer Fireworks in the TNC District, and for associated regulations governing these uses.

Chris Caputo asked if there was a way to put a statute of limitations on Zoning Hearing Board decision approvals. It is the consensus that the Planning Commission felt that their hands were tied with the previous "office park" approvals for the Pantera Realty property.

Jordan Yeager stated that Zoning Hearing Board approval extensions are not subject to Board of Supervisors input. The "office park" that was originally approved was a significant impact on the site verse what is being proposed now.

Keith Deussing asked what would happen if the applicant came back and stated that they were going to build something different.

Jordan Yeager stated that they would have to start all over with approvals.

V. Adjournment

Upon a Motion by Chris Caputo, seconded by Keith Deussing, the meeting was adjourned at 7:50 p.m.

Respectfully submitted,

Jean Weiss

Planning Commission Administrator, Solebury Township