

SOLEBURY TOWNSHIP PLANNING COMMISSION

October 8, 2018

Minutes

Attendance: Dan Fest, Keith Deussing, TJ Francisco, Dan Moser, William Jordan, Peter Brussock Joanna Waldron, (Township Solicitor), Lauren Williams (Curtin & Heefner) Robert McEwan (Supervisor Liaison), Jean Weiss (Planning Commission Administrator)

Absent: Chris Caputo

I. Call to Order

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

II. Approval of Minutes – September 10, 2018

Upon a Motion made by Dan Moser, seconded by Dan Fest, the Solebury Township Planning Commission approved the September 10, 2018 meeting minutes.

III. Agricultural Uses – Proposed Amendment to the Zoning Ordinance

The proposed ordinance amendment regarding agricultural uses allows for passive solar greenhouses.

Joanna Waldron stated that the proposed ordinance is designed to allow agricultural use of temporary structures “passive solar greenhouses” also known as hoop house or high tunnel that are considered not impervious and are exempt from stormwater management. The ordinance originated from the Farm Committee, changes have been incorporated from the comments at the last Planning Commission meeting as well as comments from the County Planning Commission and Township Engineer.

Dan Fest asked what the required setback is.

Joanna Waldron 150 feet, the Township will have the ability to review through the zoning permit process.

Dan Fest stated that with the requirement of a “sketch plan” review, it could be very expensive for the applicant.

Joanna Waldron stated that the terminology could be changed in the ordinance.

Keith Deussing stated that the state definition and Township definition of passive solar greenhouse and hoop house are very different.

Joanna Waldron stated that the Township has the ability to make the ordinance more restrictive than the state requirement, just cannot make it less restrictive.

Keith Deussing questioned whether the Township has to use the same conditions and requirements as far as distances.

Dan Fest asked what the new requirement IV(B)(5), applicable zoning requirements.

Joanna Waldron stated that it is a 150ft set back from all property lines.

Dan Fest questioned if there were any existing properties that this ordinance would affect.

Keith Deussing asked if the goal is to revise the ordinance to exempt from stormwater then why are all these other items being addressed.

Joanna Waldron stated that the current ordinance has been in effect prior to the house bill, so if the stormwater is being addressed than the whole ordinance should be looked at.

Joanna Waldron stated that the lighting has been changed to reflect natural light only.

Keith Deussing expressed concern with large parcels of land with an allowable 25% coverage, that no grading or stormwater would be required. The no acreage restriction for the larger parcels should be looked at.

Peter Brussock referencing the conditions and requirements: why would the passive solar greenhouse have to be moved, why not take down in the summer and put back up.

Peter Brussock stated that the committee could request the Supervisors explore pre-existing properties that this ordinance would affect.

Joanna Waldron stated that the committee may want to recommend to the Board to have the Farm Committee be specific on farm use vs. commercial farm use.

Robert McEwan asked if there are any other improvements involved i.e. grading, driveway etc. would the property owner have to apply for the appropriate permits.

Peter Brussock suggested that the last sentence in III E. definition should be removed.

Upon a Motion made by Peter Brussock, seconded by Dan Fest the Solebury Township Planning Commission recommended the Board explore pre-existing uses, size of structure applications, whether size of property limitations be included, last sentence of the passive solar greenhouse definition should be removed if not required.

Robert McEwan expressed a concern with comments in the Bucks County Planning Commission review letter regarding chemical components and heavy rain runoff.

Peter Brussock stated that it should not be a concern that the structures are not impervious.

IV. Dog Daycare – Proposed Amendment to the Zoning Ordinance

The proposed ordinance amendment would eliminate the dog daycare facilities as a conditional use from the RA and RB (Residential Agricultural) Districts. Dog daycares would only be allowed in the TNC and LI Districts.

Joanna Waldron stated that an original recommendation from Township staff to draft a Dog Daycare Ordinance which would allow dog daycares in the RA, RB and TNC Zoning Districts. After some citizen's concerns the Board has asked that this topic be revisited. The revised draft ordinance will remove dog daycare from the RA and RB Zoning District, and only allow in the TNC and LI districts.

Dan Fest asked the ordinance would be for six (6) or less dogs.

Joanna Waldron stated that it is for five (5) or less dogs.

TJ Francisco asked if the RA and RB districts were conditional or permanent.

Joanna Waldron stated that it was conditional in all districts.

Dan Fest stated that there are some small properties in the RA and RB districts, the committee may want to consider acreage size.

Peter Brussock stated that the committee may want to consider time provisions for dogs outside. Another consideration the committee may want to consider is an annual review with the permit process.

Upon a Motion made by Dan Fest, seconded by Peter Brussock the Solebury Township Planning Commission recommended RA and RB remain by conditional use with a minimum (2) acre lot size, revising the inside housing of dogs 8:00 p.m. to 7:00 a.m., permit process with annual renewal, and clarifying inside definition to mean within a building with (4) walls.

V. **Residential, Healthcare and Educational Uses – Proposed Amendment to the Zoning Ordinance and Subdivision Land Development Ordinance**

The proposed ordinance amendment to eliminate the categories “full care” and “life care” facilities and replace with long-term residential healthcare facility; short term residential healthcare facility, and nonfamily community residential facility.

Joanna Waldron gave a brief overview of the proposed amended ordinance and the need to bring the current ordinance into compliance.

Peter Brussock stated that the setbacks seem large, is there a place that already exists that has become an issue or this this hypothetical.

Lauren Williams stated that is it is mostly hypothetical; the Township is taking ambulance use into consideration.

Keith Deussing stated that maybe the Township could allow them on the Logan Square side of Route 202.

Peter Brussock questioned the need to define fraternity or sorority house when there is no college within 20 miles of Solebury Township.

Robert McEwan expressed a concern with 20 people living together that it could put quite a strain on the septic system, that the number of people should be defined by bedrooms.

Dan Fest felt the parking should be flexible.

Dan Moser asked if the setback should be more relaxed.

The Solebury Township Planning Commission agreed to table further discussion until the November 13, 2018 meeting.

VI. Conditional Use Application Acknowledgement - MWH Properties, LLC (2995 River Road, TMP #41-019-004)

The applicant proposes to demolish the building and construct a twin-dwelling unit.

Dan Fest acknowledged the receipt of an application for conditional use from MWH Properties, LLC that will be on the November 13, 2018 agenda for discussion.

VII. Adjournment

Upon a Motion by Dan Fest, seconded by Peter Brussock, the meeting was adjourned at 9:30 p.m.

Respectfully submitted,

Jean Weiss

Planning Commission Administrator, Solebury Township