

# SOLEBURY TOWNSHIP PLANNING COMMISSION

April 14, 2014

## Minutes

Attendance: Laura Sachs (Chair), Jack Durkin (Vice Chair), Keith Deussing, Chris Caputo, Diane Sarti, Kevin Morrissey, Bob Wynn (Township Engineer), Jonathan J. Reiss (Township Solicitor) Justine Keller (Township Planner), and Jean Weiss (Planning Commission Administrator).

Dan Fest was absent

### I. Call to Order

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

### II. Approval of Minutes – March 10, 2014

**Upon a motion made by Diane Sarti, seconded by Chris Caputo, Solebury Township Planning Commission approved the March 10<sup>th</sup>, 2014 minutes.**

Keith Deussing and Jack Durkin abstained as they were not at the March 10, 2014 meeting.

### III. Conditional Use

- A. Coleman Residence (Saw Mill Road) #41-1. TMP #41-001-027-004  
The Applicant is seeking approval per SALDO Section 1504 (G) – Prime Agricultural Soils to allow disturbance of soils in excess of 20% for construction of a single family residence.

Colin Jeni, attorney for the applicant, Adam Crews, Douglas and Shawn Coleman were present on behalf of the application.

Mr. Crews gave a brief overview of the application and why the applicant was seeking conditional use approval.

Mr. Crews proceeded to address each item the Simone Collins letter dated April 8, 2014.

Item #1 – The applicant will comply.

Jack Durkin questioned whether there will be additional trees on the landscape plan for the project.

Mr. Crews stated that there would be additional trees on the plan.

Items #2 thru #5 – The applicant will comply.

Kevin Morrissey asked why the applicant is not using porous paving for the driveway and motor court area.

Item #6 – Porous paving is not feasible and the applicant will not comply.

Item #7 thru #9 – The applicant will comply.

Mr. Crews proceeded to address C. Robert Wynn's letter dated April 3, 2014.

Items #1 thru #5 the applicant will comply.

**Upon a Motion made by Diane Sarti, seconded by Jack Durkin the Township Planning Commission recommended the approval of the Conditional Use application subject to Simon Collins letter dated April 8, 2014 with the exception of Item #6 and C. Robert Wynn's letter dated April 3, 2014. The approval is furthermore subject to the inclusion on the as built plans of a note designating 23,000 Sq. Ft. of meadow, and/or agricultural plantings. Additionally subject to the applicant providing a screening placed in the front hedgerow with supplemental flowers and plants.**

**B. Temple Partners I, LP (Mechanicsville Road) #13-3. TMP#41-001-029-001 & 41-001-029-002.** The applicant is seeking approval per Zoning Ordinance Section 1507.E2.2.b and 1507.E.4.b – Riparian Corridor

Kellie McGowan, attorney for the applicant, Tony D'Orazio and John Tressler of Gilmore and Associates were there on behalf of the application.

Ms. McGowan gave a brief overview of the application and why the applicant was seeking conditional use approval.

Ms. McGowan proceeded to address C. Robert Wynn's Review letter dated February 7, 2014.

Item #1 thru #3 – The applicant will comply.

Item #4 thru #5 – The applicant has already received Zoning Hearing Board approval.

Item #6 – The applicant has already received their DEP permit.

Item #7 thru #13 - The applicant will comply

Chris Caputo asked what material would be used for the driveways.

Mr. Tressler stated the driveways would be gravel.

Bill Tinsman asked if the property was being developed would the Commissioners need to look at this application for different zoning.

CeCe Brillman asked if there will be animals on the property.

John McDevitt asked for an explanation of the definition of no impact to wetlands.

John Holmes and Jim Bishop stated that Solebury should be encouraging agricultural uses on properties throughout the Township.

**Upon a Motion made by Laura Sachs, seconded by Jack Durkin the Township Planning Commission recommended the approval of the Conditional Use application subject to C. Robert Wynn's letter dated February 7, 2014.**

#### **IV. Act 537 Ordinances**

Bob Wynn gave a brief overview of the Act 537 Ordinances and why they are required by the Department of Environmental Protection as part of the Township 537 Plan.

##### **A. Ordinance Governing Municipal Management of Holding Tanks**

Ed McGahan asked if a permit issued by the Township would be required to pump your system.

Jonathan Reiss stated that a permit would not be required to pump your system.

**Upon a Motion made by Laura Sachs, seconded by Chris Caputo the Township Planning Commission recommended the Board of Supervisors adopt the Ordinance Governing Management of Holding Tanks.**

##### **B. Ordinance Providing Permit of 10-acre On-lot Sewage Disposal System**

**Upon a Motion made by Diane Sarti, seconded by Jack Durkin the Township Planning Commission recommended the Board of Supervisors adopt the Ordinance Providing for the Permitting of all On-lot Sewage Disposal Systems Proposed to be Installed on all Lots in Solebury Township, Regardless of Lot Size, and Providing Penalties and Enforcement Remedies.**

C. Ordinance Governing Management of On-lot Sewage Disposal Facilities

**Upon a Motion made by Laura Sachs, seconded by Diane Sarti the Township Planning Commission recommended the Board of Supervisors adopt the Ordinance Governing Municipal Management of On-lot Sewage Disposal Facilities.**

Residents Barry Fetterolf, Marian Smith and Noel Barrett opposed the Act 537 Ordinances stating that they were unnecessary and pose a burden on the residents of Solebury Township.

**V. Zoning Ordinance Agricultural Soils Amendment**

Bob Wynn gave a brief explanation of the amendment to the Agricultural Soils Zoning Ordinance. Additionally addressing comments from the Bucks County planning Commission review letter dated April 2, 2014.

The Solebury Township Planning Commission was not provided Bucks County's review letter as it was not received by the Planning Commission Administrator prior to the meeting.

Alissa Devlin questioned what specific need was the amendment being done for.

Residents Ruthann Wilson, Bill Tinsman, Eric Allen, Robert McQuinn, Jim Bishop and Hope Blaythorn opposed the amendment to the Agricultural Soils Zoning Ordinance stating that the amendment goes against everything that Solebury has pledged to protect and maintain for many years specifically the protection of the natural resources.

Resident John Holmes stated that the current ordinance places a large financial burden on the property owner to go through the process of obtaining a conditional use approval just to build a home. That the Township requires the property owner to go through this onerous and expensive process only to get what they were requesting anyway. The Township should proceed with the adoption of the amendment to the Agricultural Soils Ordinance.

**Upon a Motion made by Chris Caputo, seconded by Jack Durkin the Township Planning Commission made a recommendation to the Board of Supervisors not to adopt the Amendment to the Agricultural Soils Ordinance as written, but to authorize the Township Engineer and/or Solicitor to contact the Penn State Extension to find out more information on restoration which may be added to the existing Zoning Ordinance.**

## **VI. Adjournment**

**Upon a Motion by Jack Durkin, seconded by Laura Sachs, the meeting was adjourned at 9:20 p.m.**

Respectfully submitted,

Jean Weiss  
Planning Commission Administrator  
Solebury Township

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