

SOLEBURY TOWNSHIP PLANNING COMMISSION

November 10, 2014

Minutes

Attendance: Laura Sachs (Chair), Jack Durkin (Vice Chair), Diane Sarti, Chris Caputo, Dan Fest, Kevin Morrissey, Jonathan J. Reiss (Township Solicitor), and Jean Weiss (Planning Commission Administrator).

Keith Deussing 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 – June 9, 2014

Upon a motion made by Diane Sarti, seconded by Kevin Morrissey, Solebury Township Planning Commission approved the June 9, 2014 minutes.

III. Draft Comprehensive Plan

Jack Durkin requested the further clarification be given pertaining to Agricultural Soils, that soil disturbance needs to be looked at more closely. The Board of Supervisors should be looking to reducing soil disturbance in the Township.

Kevin Morrissey requested further clarification of table 4 on page #25

Kevin Morrissey recommended the following be added to page #45 after "Primrose Creek is designated..." Restoration and maintenance work essential to the recovery of Primrose Creek is required under a consent order that the Primrose Creek Watershed Association (PCWA) and Citizens for Pennsylvania's Future (PennFuture) have entered into with the Pennsylvania Department of Environmental Protection (PaDEP) and New Hope Crushed Stone (NHCS). The consent order resolves an appeal filed by PCWA and PennFuture that contested PaDEP's issuance of a permit revision in 2011 allowing NHCS to dig to a deeper level at its quarry in Solebury Township.

The consent order and agreement requires NHCS to conduct stabilization work that will address the following concerns:

- "to limit further erosion and minimize potential health and safety risks", p3

- “facilitate the expected restoration of stream flow through the area in the future when groundwater elevations have recovered after the end of active mining”, p3
- “provide aquatic habitat suitable for the trout stocking, migratory fishes designated use when groundwater elevations have recovered after the end of active mining”, p4

Kevin Morrissey recommended the following be replace on page #79

“However, Solebury School is in on-going litigation with NHCS regarding possible damage on the school’s property due to the quarry operations”.

with

On July 31, 2014 the Pennsylvania Environmental Hearing Board (EHB) issued its decision in a suit brought by the Solebury School against New Hope Crushed Stone (NHCS) and the Department of Environmental Protection (DEP). The EHB found that continued mining operations by NHCS threaten the health and safety of all affected residents of the Township, that DEP erred in issuing its permit allowing the quarry to dig beyond 120 feet below mean sea level, and it revoked the permit.

Beyond its fact finding, the court concluded: “The quarry is creating a public nuisance. 52 P.S. § 3311 (b).” p65

The full decision may be found on the Solebury Township website at <http://www.soleburytpw.org/images/pdf/SoleburyOpinion140731.pdf>

Upon a Motion made by Jack Durkin, seconded by Dan Fest, the Solebury Township Planning Commission recommended Kevin Morrissey’s comments on the draft Comp Plan be forwarded to the Board of Supervisors for consideration.

Chris Caputo recommended that future goals be included for the quarry as far as open space or recreation as per the recommended action step on p192.

After further discussion by the Commissioner’s it was decided that it was too premature to include the future goals for the quarry.

Chris Caputo recommended that Hal Clarke Park be considered for possible river access and walking trails and suggested the Township may consider a partnership with the County to develop.

Dan Fest suggested definitions be included the next time the Comp Plan is updated.

Chris Caputo suggested that additional language be added on page #108 last sentence "however, recent demographics inform us that population has plateaued".

Chris Caputo recommended a new column be added on page #105 & page #106 to add abbreviations of potential uses for each property.

Jonathan Reiss stated that the Park & Recreation Master Plan already identifies each facility and future use.

Upon a Motion made by Chris Caputo, seconded by Kevin Morrissey the Solebury Township Planning Commission recommended that Chris Caputo's comments on Hal Clarke Park and the suggested revision to page 108 be forwarded to the Board of Supervisors for consideration.

IV. Adjournment

Upon a Motion by Laura Sachs, seconded by Kevin Morrissey, the meeting was adjourned at 8:30 p.m.

Respectfully submitted,

Jean Weiss
Planning Commission Administrator
Solebury Township