

SOLEBURY TOWNSHIP PLANNING COMMISSION

March 11, 2019

Minutes

Attendance: Dan Fest, TJ Francisco, Dan Moser, Keith Deussing, Peter Brussock, Joanna Waldron, (Township Solicitor), Robert McEwan (Supervisor Liaison), Jean Weiss (Planning Commission Administrator), Josh Perlsweig, Farm Committee

Absent: William Jordan

I. Call to Order

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

II. Election of Chair & Vice-Chair

Upon a Motion made by Dan Fest, seconded by Peter Brussock the Solebury Township Planning Commission appointed TJ Francisco as chair.

Upon a Motion made by Dan Fest, seconded by Peter Brussock the Solebury Township Planning Commission appointed Keith Deussing as vice-chair.

III. Approval of Minutes – December 10, 2018

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

IV. Minor Subdivision Application – Wayne Kenton (6114 Honey Hollow Rd, TMP #41-013-004)

The applicant is proposing a minor subdivision of 1.65 acres from existing 11.83 acre parcel to develop a single family residence.

Ed Wild, Esquire, Bela Rossman, Marco Polo Real Estate, Kris Reiss, Boucher & James, Inc., Kevin & Renee Horak and Wayne Kenton were present on behalf of the application.

Ed Wild gave a brief overview of the project, including the natural resource declaration of covenants and restrictions.

Kris Reiss gave a brief overview of the design layout of the project.

Curt Genner asked the applicant to comment on the C. Robert Wynn review letter dated March 7, 2019 to address comment items 1 through 20.

Item #1 will comply

Item #2 will comply

Item #3 will comply

Item #4a & 4b waiver requested

TJ Francisco asked if there will be any vehicle traffic going over the pipes.

Kris Reiss stated there will be not traffic access over the pipes, there in on the back of the property lot.

Item #5 will comply

Ed Wild added there will be an infiltration trench installed on the existing lot to address concerns.

Curt Genner stated it is recommended that the infiltration trench be installed prior to plan recordation.

Keith Deussing asked if the township has the impervious surface tabulation calculations.

Item #6 will comply

Item #7 will comply

Item #8 the applicant questioned the parks & recreation fee imposed on both lots.

Joanna Waldron stated it was a recommendation of the Parks & Recreation Board to the Board of Supervisors that the fee imposed on each lot of \$4,000 as per the township ordinance.

TJ Francisco expressed concern with erosion from the road front of the property as well as the back of the property in what appears to be very wet areas. Have any additional testing or studies be done in those areas.

Kris Reiss stated no additional testing or studies have been done.

Curt Genner stated the infiltration area has been removed to accommodate concerns.

Keith Deussing if the septic primary and secondary are both being installed on the site.

Kris Reiss stated only the primary will be installed, the secondary location would only be needed if the primary failed.

TJ Francisco asked if the fire company acknowledged the plan and signed off.

Curt Genner stated that acknowledgement was received from the fire company and is adequate with the plan.

Upon a Motion made by Dan Fest, seconded by TJ Francisco, the Solebury Township Planning Commission recommended approval (5-0) of modification/waiver items 4A and 4B, as indicated in March 7, 2019 memorandum from C. Robert Wynn Associates, Inc; at their regularly schedule Planning Commission meeting on March 11, 2019. The motion from the Planning Commission also recommended conditional approval of the Kenton Minor Subdivision Plan (Plan No. 18-603) dated November 7, 2018, latest revision date February 15, 2019, and prepared by Boucher and James, Inc. The approval is conditional upon full compliance with all comments and recommendations as indicated in C. Robert Wynn Associates review memorandum (dated March 7, 2019).

V. Agricultural Uses – Proposed Amendment to the Zoning Ordinance

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

Joanna Waldron gave a brief overview of the proposed ordinance amendment and the additional feedback from the Farm Committee.

Josh Perlsweig stated the Farm Committee made a recommendation of 150 ft. front yard setback from scenic roads and 50 ft. side and rear yard setbacks for passive solar greenhouses.

Joanna Waldron stated passive solar greenhouses can be within the 150 ft. scenic setback if approved by conditional use.

Keith Deussing asked what the current ordinance setbacks are.

Joanna Waldron stated the current zoning is 80 ft. in the RB zoning district and 70 ft. in the RA zoning district for front yard setback not on a scenic road.

Curt Genner stated the setbacks are figured by the future or ultimate right of way line.

Josh Perlsweig stated the current amended ordinance will not allow one or more passive solar greenhouses on any lot to result in more than 25% of the owner's total contiguous land are to be covered by a structure. The planning commission had expressed concern with on larger parcels of land that the percentage should be less for large parcels.

The Farm Committee recommends no change to the current language.

The Farm Committee does not want a cap on percentage with large setbacks.

Dan Fest asked if state rules trump local ordinances, and by making the ordinance more restrictive doesn't that leave the Township open for litigation.

Joanna Waldron stated the Township can make the ordinances more restrictive than the state regulations; they just cannot make them less restrictive.

Dan Fest questioned whether there will be a grading permit required.

Joanna Waldron stated that a zoning application with a plan showing where the passive solar greenhouse will be erected will be required for a compliance review.

Dan Fest asked if there will be fees associated with the permit.

Joanna Waldron stated the fee will be established by resolution by the Board of Supervisors.

Dan Fest asked the planning commission members their thoughts on a 50 ft. setback on front, side and rear yard setbacks.

Josh Perlsweig stated the Farm Committee recommended 35 ft. side yard setbacks.

Dan Fest asked if the planning commission members would be agreeable to 50 ft. front and rear yard setbacks and 35 ft. side yard setbacks.

TJ Francisco asked how frequently the passive solar greenhouses are relocated around the property.

Jose Perlsweig stated they are not relocated.

Peter Brussock stated the 25% coverage seems restrictive.

Curt Genner asked if the Farm Committee envisioned a standard property size for sustainable farming.

Josh Perlsweig stated the Farm Committee would like to remove the yearly renewal provision from the ordinance.

Peter Brussock suggested 3-5 year renewal.

TJ Francisco suggested every 3 years.

Peter Brussock requesting confirmation asked if the 25% coverage could be exceeded by conditional use.

Joanna Waldron stated yes a conditional use approval would be needed to exceed the 25% coverage.

Dan Fest suggested tabling the amended ordinance until the next planning commission meeting.

Robert McEwan stated the Board of Supervisors along with various consultants are in the beginning stages of a visioning/revitalization and infrastructure plan for the route 202 corridor from Sagan Road to Aquetong Road.

VI. Adjournment

Upon a Motion by Dan Fest, seconded by Keith Deussing, the meeting was adjourned at 9:15 p.m.

Respectfully submitted,
Jean Weiss

Planning Commission Administrator, Solebury Township