

# SOLEBURY TOWNSHIP PLANNING COMMISSION

March 13, 2023

## Minutes

Attendance: TJ Francisco, Lesley Marino, Gretchen Rice, Dan Fest, Amishi Castelli, Keith Deussing – via zoom, John Deandrea (Alternate Member), Curt Genner (Township Engineer) – via zoom, Mark Roth (Township Traffic Engineer) – via zoom, PJ Jobanputra (Township Planner) – via zoom, Maureen Carlton, (Township Solicitor), Jean Weiss (Planning Commission Administrator), John Francis (Supervisor Liaison) – via zoom

Absent: Peter Brussock, Eric Cohen (Alternate Member), Adrian Max (Alternate Member)

### **I. Call to Order**

At 7:03 p.m., the Solebury Township Planning Commission meeting was called to order.

### **II. Appointment of Chair**

**Upon a Motion made by Amishi Castelli, seconded by Gretchen Rice, TJ Francisco was appointed as Chair.**

### **III. Appointment of Vice-Chair**

**Upon a Motion made by TJ Francisco, seconded by Lesley Marino, Keith Deussing was appointed as Vice-Chair.**

### **IV. Approval of Minutes – December 12, 2022**

**Upon a Motion made by TJ Francisco, seconded by Gretchen Rice the Solebury Township Planning Commission approved the December 12, 2022 meeting minutes.**

### **V. Conditional Use Application Acknowledgement – Solebury School (6632 Phillips Mil Rd – TMP #41-018-079)**

The applicant proposes to run electric utility line to the new dormitory site utilizing directorial boring through the floodplain and riparian corridor crossing of the Primrose Creek.

**VI. Subdivision/Land Development – Natalie Hamill & Josh Perlswieg (3211 & 3175 Sugan Rd – TMP #41-013-046 & 41-022-015-001)**

The applicant proposes to redevelop an existing residential lot for use as an accessory farm stand and cooking school to the adjacent property and consolidation of both lots.

Joe Blackburn, Esquire, Sharon Dotts, Project Engineer, Josh Perlswieg, Owner, Ian Knauer, Malaika Spencer were present on behalf of the application.

Joe Blackburn proceeded to give a brief overview of the project.

Joe Blackburn referencing Simone Collins, Township Planner review letter dated February 23, 2023, McMahan Associates, Township Traffic Engineer review letter dated March 2, 2023, Wynn Associates, Township Engineer review letter March 3, 2023 and Solebury Township Zoning Officer review letter dated March 6, 2023 stated all comments will comply.

TJ Francisco asked Curt Genner if there are any items in his March 3, 2023 that are still a concern.

Curt Genner commented on waiver items pertaining to road frontage improvements, that Sugan Road is classified as a minor collector street which requires an ultimate right-of-way width of 60' and a cart way width of 34', the existing width of the road along the frontage is showing 20.2' which is significantly less than what would be required by that section of the Zoning Ordinance and SALDO based on the classification. However, my understanding is that the Township may not desire to develop or widen that section of the roadway.

Joe Blackburn stated the applicant has agreed to give the Township an easement over the ultimate right-of-way, so if the Township desires to do improvements in the future that would give them the ability to do so.

Curt Genner proceeded to go through each waiver request item in the Wynn Associates March 3, 2023 review letter.

TJ Francisco asked if there has been any discussion of a fee in lieu with some of the waiver requests that would be a larger cost differential to the applicant.

Curt Genner explained that there has been no discussion, but if the Board of Supervisors desires to impose a fee in lieu condition on a waiver then that will be discussed with the applicant at the Board meeting.

Lesley Marino asked Curt Genner for clarification on waiver request items H through K in the Wynn Associates March 3, 2023 review letter pertaining to stormwater management.

Lesley Marino asked for clarification on how many vehicles will be in and out of the property for the CSA pickup each day.

Sharon Dotts commented on the trip counts that were prepared for the property which would include the CSA pickup, cooking classes and farm to table dinners, including peak and non-peak hours,

Mark Roth commented on the March 2, 2023 McMahon Associates review letter in accordance with what has been submitted by the applicant for review. The current classification that currently serves the property which is a minimum use driveway would not change with the proposed use. The site distance for the driveway is adequate to serve as a single-family residence as well as the current proposed use. The low impact traffic being proposed for the property does not warrant any need for improvements along Sugan Road such as widening of lanes or a turning lane. In our opinion on all the factors provided by the applicant the driveway will function adequately.

TJ Francisco asked if the applicant did not meet the minimum use driveway, what would be the required improvements for the next level up.

Mark Roth stated the next level up (low use) would require driveway widening. With a low use driveway there would need to be a minimum of 20' wide, what currently exists is what is required for a minimum use is 13'.

Amishi Castelli asked for clarification on vehicles accessing the property for the CSA, cooking school and dinner events each day. Isn't there a concern with traffic backing up along Sugan Road waiting for people to exit so another car can turn in.

Mark Roth stated the information provided showing the hours of peak rate and the hours of the CSA pickups, cooking classes, and dinner events, and based on the current volumes of Sugan Road there is no indication that there would be any congestion on the road to allow vehicles to turn in.

Lesley Marino asked Mark Roth if he had done a study of this part of Sugan Road as part of his review of this application.

Mark Roth stated there was no capacity analysis done, the review was based on understanding the peak hour volumes which we do have

documented as part of our work with the Township and combined with what is anticipated for this use that is what we based our evaluation on.

Amishi Castelli asked what is considered the peak hour.

Mark Roth stated typically in the Township the commuter peak is between 4:00 p.m. and 6:00 p.m. more so between 4:30 p.m. and 5:30 p.m.

Keith Duessing expressed concern with the stone pillars on each side of the driveway entrance, and the ability for vehicle exiting as another vehicle is turning in, that there would not be sufficient room driving on the grass.

Gretchen Rice asked if there will be signage installed, if so where would that be placed.

Josh Perlsweig stated no there are no plans for any type of signage.

Curt Genner commented on sheet 2 of the plan which shows the driveway entrance a little better, the existing width of the driveway is 13.2' and the one pillar showing on the plan is approximately 5' away from the driveway and the other side is approximately 3' away from the driveway. Which as Mark Roth stated would physically give the room for a couple vehicles.

Keith Duessing asked if the Township were to request the entrance of the driveway to be expanded to 20', what additional work if any would be required by the applicant.

Curt Genner stated it would not be a major undertaking at all if they wanted to widen the entrance somewhat.

TJ Francisco asked if there is any reason the applicant would not be interested in increasing the width of the driveway to 20'.

Joe Blackburn stated the current design was to stay with the look and feel of a residential property, and as we have heard from the individual consultants the existing driveway meets the requirements. But if it is the recommendation of the planning commission to increase the entrance, and possible removal of the stone pillars that would be something we would consider.

Amishi Castelli questioned the conditions set forth by the Zoning Hearing Board decision.

Curt Genner stated he did mention in the March 3, 2023 Wynn Associates review letter the conditions imposed by the Zoning Hearing Board decision.

Lesley Marino asked is there an apartment going to also be in this structure. Prior plans showed an apartment, the current plans do not.

Joe Blackburn stated there is no apartment being proposed with this application, if an apartment was being proposed at this time additional zoning relief would be needed.

TJ Francisco asked Maureen Carlton for clarification that if the applicant wanted an apartment use would have to come back to the Zoning Hearing Board for additional zoning relief.

Maureen Carlton confirmed that they would need zoning relief.

Mark Schmukler, resident spoke in opposition of the application, in particular traffic concerns.

Wayne McDonald, resident spoke in opposition of the application, in particular traffic concerns.

Jacklin Sofia, resident spoke in opposition of the application, in particular traffic concerns, noise, headlights streaming in their side yard through their windows and decrease in appraised value once it is turned into a commercial use.

Ronald Norton, resident spoke in opposition of the application, in particular traffic concerns.

Rich Strucker, resident spoke in opposition of the application, in particular traffic concerns.

Nolan Trowe, resident spoke in opposition of the application, in particular traffic concerns, noise, headlights streaming in their side yard through their windows and decrease in appraised value of their property.

Russ Witte, resident spoke in support of the application.

Dan Fest asked if food being used for the cooking classes are products from the farm.

Joe Blackburn replied yes, they are all products from the farm.

Joe Blackburn in response to a number of comments wanted to clarify that the agricultural uses and consolidation of 3175 Suga Rd to the farm property of 3211 Suga Rd is being done because the conservation

easement currently on the farm property does not permit the agricultural uses of a farm stand, cooking classes, farm to table events etc. If the easement would have allowed such uses we would not have needed this application and would not be here this evening, using the farm property would have been the preference of the applicant but unfortunately not was not an option.

TJ Francisco asked Maureen Carlton to verify the language of the conservation easement and report back to the commission.

Amishi Castelli asked if the driveway distances and site lines could be field verified by the Township Traffic Engineer in light of all the public concerns.

Sharon Dotts stated the Traffic Consultant for the applicant had field verified and measured the distances and site lines as part of the application.

TJ Francisco asked the applicant to reorient the dumpster location to another part of the property.

Joe Blackburn clarified that there is no dumpster, they are single trashcans on wheels the same as any other property in the area with regular curbside trash pickup.

Lesley Marino expressed concern with some of the parking spaces and the nighttime headlights illuminating into the neighboring property. Can these parking spaces be moved to the other side of the property.

Sharon Dotts commented that they specifically placed them where they are, as the other side of the property has a number of large specimen trees.

TJ Francisco asked Curt Genner what the impervious coverage percentage is for the property.

Curt Genner confirmed the plans are showing 15%, but the district allows 25%.

TJ Francisco asked Maureen Carlton to confirm the ZHB appeal in the court of common pleas.

Maureen Carlton confirmed the ZHB decision is under appeal.

TJ Francisco asked the applicant to take a look at their plan and try to reorient the plan to be more respectful of the neighboring property, location of the trash facility, and widening of the driveway entrance. Maureen Carlton has been asked to review the conservation easement,

as well as the pending appeal of the ZHB decision and how this does or does not affect the pending subdivision/land development application recommendation/decision. Mark Roth has been asked to revisit his review of the site geometry from a field condition perspective and be available to discuss at the next meeting so we can have further discussions about the traffic impact.

**VII. Zoning Ordinance Amendment Regarding Clustering Requirements for Principal Dwellings and all Accessory Dwellings in RA Residential/Agricultural District and the RB Residential/Agricultural District**

Maureen Carlton gave a brief overview of the proposed ordinance amendment.

Amishi Castelli asked for clarification on the 20% clustering requirement, does that mean that principal dwelling and accessory dwelling units have to be within 20% of the property.

Maureen Carlton confirmed yes principal dwelling units and accessory dwelling units have to be in a 20% pocket if you will.

Amishi Castelli stated so you mean that this will allow a principal dwelling that has agricultural workers/housing, they would now allowed to be anywhere on the property outside that 20% pocket.

Maureen Carlton confirmed yes.

Lesley Marino asked what is the impetus for this change.

Maureen Carlton stated the application immediately preceding this was some type of impetus for this, it is also my understanding the Supervisors were approached by a few farmers asking for this change in the 20% pocket.

John Francis commented this originated from a handful of farmers that are being prevented from housing their farm staff in a number of existing building elsewhere on the property that could be easily converted but do not meet the 20% clustering.

TJ Francisco asked if the applicant could just come in on a case by case and asked for a conditional approval.

Maureen Carlton replied yes, but it would be a variance not a condition use approval.

Gretchen Rice commented if there is a farm property with structures that would be used for the housing of workers, I would have no

problem with supporting whatever mechanism that would allow them to do that, I have a real concern with a blanket ok across the board.

The commission asked that a member or members of the Farm Committee attend the next meeting to be able to address some of the concerns/questions of the commission. It would also be helpful to have background information on the ordinance.

The ordinance was tabled until a further meeting.

**VIII. 202 Property Advisory Committee – Update**

TJ Francisco commented there was a survey of the community on ideas for the 202 property. There was a presentation given to the Board of Supervisors of that compiled data.

John Francis stated a committee has been formed and they are well on their way.

**IX. Alternative Energy Ordinance - Update**

TJ Francisco asked John Francis what is the status of the ordinance.

John Francis commented that the ordinance is still under review, there are a few concerns with enforceability as well as to may “May and not enough shall”.

**X. Sustainability Energy Ordinance – Update**

Kate Robeson-Grubb was introduced to the commission, as the new hire with Solebury Township that will be spearheading the sustainability initiative/committee.

**XI. Adjournment**

**Upon a Motion by Gretchen Rice, seconded by TJ Francisco, the meeting was adjourned at 9:50 p.m.**

Respectfully submitted,  
Jean Weiss  
Planning Commission Administrator, Solebury Township