

**WRIGHTSTOWN TOWNSHIP PLANNING COMMISSION
MINUTES OF MEETING OF JANUARY 12, 2006**

The Wrightstown Township Planning Commission met on Thursday, January 12, 2006 in the Community Room of the Village Library, Penns Park Road, Wrightstown, PA. In attendance and voting were: Frank Davis, Chairman; John Halderman, Vice-Chairman; John Fowler, Ann Mark, Norman Sommer and Lary Whalen, members. Also in attendance were: Township Engineer Mario Canales of Pickering Corts and Sommerson, Township Planner Judith Stern Goldstein of Boucher and James, and Township Supervisor Jane Magne.

Call to Order: Mr. Davis called the meeting to order at 8:00 p.m.

Reorganization: *Mr. Halderman nominated Mr. Davis to serve as chairman. Mr. Whalen seconded and the motion passed 6-0. Mr. Davis nominated Mr. Halderman to serve as vice-chairman. Dr. Mark seconded and the motion passed unanimously.*

Approval of Minutes: *Dr. Mark moved to accept the Minutes of December 8, 2005. Mr. Fowler seconded and the motion passed 4-0-2, with Messrs. Sommer and Whalen abstaining.*

538 Swamp Road LP – Minor Subdivision Sketch Plan: Attorney Ed Murphy and Engineer John Baiano of Gilmore Associates were in attendance to review a sketch plan for subdivision of 10 acres into three separate parcels. There is an existing home on what will become lot one. Two new single-family homes are proposed for the two additional lots. Mr. Murphy said that this plan shows a single access point onto Swamp Road, with a shared driveway for the three lots. A prior plan had shown separate entrances.

The Commission Members agreed that they prefer the single shared driveway.

Mr. Murphy said that this plan proposes to deed restrict lot one to preserve the wooded area and meet the three-acre requirement. Using this plan, only one tree would be removed for the entire subdivision.

Mr. Baiano noted that the well depicted on the plan was to have been removed. He said that there are 1.2 acres of woods at the rear of the property, backing onto farmland.

Ms. Goldstein said that the purpose of preserving open space in the Conservation Management Zoning District is to promote agriculture. The proposed area of open space is heavily wooded. She also noted that the property is not currently used for agriculture. She said that the Board of Supervisors must decide, based on the Planning Commission's recommendation, whether to accept the dedication of open space or to deed restrict it.

The Commission discussed the sight distance at the proposed shared driveway, which would be at the same location as the existing driveway. Mr. Baiano said that the site has not yet been fully engineered; however some of the brush would be cleared from the right of way.

Dr. Mark asked about possibly adjusting the lot line for lot one to create a larger parcel of open space. Mr. Baiano said that the lot lines were drawn to accommodate three septic systems. He would attempt to make to rear lot lines contiguous to increase the open space area.

Mr. Murphy said that his clients will comply with all points in the review letters of Pickering Corts and Sommerson dated December 19, 2005, Boucher and James dated January 5, 2006 and the Bucks County Planning Commission dated December 30, 2005. He would address concerns raised by neighbor Anne Plusch through her attorney, Paul R. Beckert, Jr.

Resident James Fleming said that his property is adjacent to this property. He has some concerns about the impact that three lots would have on his well. He said that there is not a lot of water in this area. He expressed some concern about stormwater run-off. He also asked about berming and buffering.

Mr. Davis said that the Ordinance requires that sheet flow be improved with development. At this point stormwater management plans have not been prepared or reviewed.

Ms. Goldstein said that trees would be placed sixty feet back from the street. Berming would be addressed as part of the engineering work for the preliminary plan.

Resident Mike Donnelly of 550 Swamp Road expressed concern about well water and stormwater management. He also questioned why this property could be subdivided into three lots but he was only permitted to subdivide into two lots.

The Commission could not answer questions about Mr. Donnelly's property at this time.

The Commission agreed that they preferred the single access points and would like the lot lines adjusted to maximize the open space.

Varga Major Subdivision Final Plan: Attorney Ed Murphy and Bruce Roth of Toll Brothers presented the Final Plan for the Varga tract, 78.3386 acres in the CM District, to be subdivided for 22 single-family homes.

Mr. Murphy said that the wetlands are larger than on the preliminary plan. A revised plan has been submitted to Mr. Canales for review. Toll Brothers has agreed to comply with all comments in the review letter of Pickering Corts and Sommerson dated December 14, 2005, the Boucher and James letter of January 5, 2006 and the Bucks County Planning Commission letter dated December 15, 2005.

In response to Dr. Mark's comment, Mr. Roth said that cherry trees or native species such as dogwood would be substituted for Bradford pear trees.

Mr. Murphy briefly discussed setbacks. He said that calculations have been made for each individual lot. He agreed with Commission members that there is concern that when calculations of setbacks and impervious surface are made for the entire subdivision, as per the Ordinance, there is frequently not enough remaining space for homeowners to make improvements.

Mr. Murphy said that there is not a light at the entrance to this development, as it is aligned with the development across the street, and that light will be adequate.

In response to Mr. Sommer's concern, Mr. Murphy agreed that a disclosure would be made to the purchaser of lot number one that it adjoins farm property, which might produce some odors.

The Commission discussed road improvements to Wrightstown Road and the proposed traffic light that would be required as part of the development of the Hibbs tract. Mr. Murphy said that the Hibbs project has not been approved, and Toll Brothers has been reluctant to include the road improvements in advance of that approval. He said that the road improvements involve more than just the traffic light, such as acquisition of rights-of-way. It appears that some of the problems with the Hibbs tract will be resolved shortly, and Toll Brothers would be in discussion with the Township about beginning the improvements during the construction of the Varga tract.

Mr. Fowler said that his property adjoins this development, and he continues to have some concerns about the access to open space in this development. He would have preferred the open space to run in a path to Wrightstown Road. He said that the open space plan has not adequately addressed preservation of farmland. He expressed some concern about parking to access the open space. He referred to sheet 3 of 27 of the plans, and noted a tree line along Wrightstown Road which is not there; to sheet 9 of 27, which does not show a split rail fence behind lots 7 and 8 to the woodlands; to sheet 12 of 27, which shows buffer planting along the south border; and to page 10 of 27 which shows a temporary stockpile which might interfere with drainage to Mr. Fowler's pond.

Mr. Canales said that the split rail fence stops because they do not want to run it through the woodlands.

Mr. Murphy said that most of these issues have already been discussed. He would be happy to work with Mr. Fowler to assure that border planting between his property and the development is satisfactory. He and Mr. Canales agreed that moving the stockpile would not be a problem.

Mr. Roth said that because of grading, there would be a combination of drip systems and sand mounds for the sewer system.

Mr. Halderman moved to recommend that the Board of Supervisors approve the final plan for the Varga Tract with the conditions that:

- *The plan comply with the Boucher and James letter of January 5, 2006;*
- *The plan comply with the Pickering Corts and Sommerson letter of December 14, 2005;*
- *The plan comply with the Bucks County Planning Commission letter of December 15, 2005;*
- *That reference to Bradford pear trees be removed;*
- *That a phase one environmental study of open space be provided;*
- *That Boucher and James and Pickering Corts and Sommerson review and approve the revised plan;*
- *That purchasers be given a discloser statement regarding activities on the Sommers property;*
- *That a traffic light be installed and improvements to Wrightstown Road be completed in conjunction with this project rather than with the Hibbs project;*
- *That the developer, engineer and landscape architect meet with Mr. Fowler to address buffering between his property and the development.*

Mr. Sommer seconded and the motion passed 5-0-1, with Mr. Fowler abstaining.

Proposed Zoning Ordinance Amendments: 2006-05 - Agricultural Accessory Uses; 2006-04 - Livestock and Poultry; and 2006-06 - Winery Accessory to Vineyard: Mr. Davis explained that this had been one ordinance, but through the course of meetings, it was broken into three separate ordinances, and the Jointure felt that while similar, each of these uses was slightly different.

Ms. Goldstein said that all of the points brought up in previous reviews of the ordinances had been included in these amendments.

In response to Dr. Mark's question, Mr. Davis said that there is a different end time for agricultural entertainment for wineries because the winery in Upper Makefield abuts a development and the residents wanted the entertainment to end earlier. Ms. Goldstein also pointed out that agricultural entertainment is limited to certain times of year, while winery entertainment is year round.

Mr. Fowler said that he thought that 5 acres was sufficiently large for a farm stand, rather than the proposed 10 acres.

Mr. Davis moved to recommend that the Board of Supervisors approve Zoning Ordinance Amendment 2006-05 - Agricultural Accessory Uses. Mr. Halderman seconded and the motion passed 5-0-1, with Mr. Fowler abstaining.

Dr. Mark moved to recommend that the Board of Supervisors approve Zoning Ordinance Amendment 2006-04 - Livestock and Poultry. Mr. Fowler seconded and the motion passed 6-0.

Mr. Halderman moved to recommend that the Board of Supervisors approve Zoning Ordinance Amendment 2006-06 - Winery Accessory to a Vineyard. Dr. Mark seconded and the motion passed 6-0.

Adjournment: *Mr. Halderman moved to adjourn at 10:10 P.M. Dr. Mark seconded and the motion passed unanimously.*

Respectfully Submitted:

Mary Donaldson
Recording Secretary