

**WRIGHTSTOWN TOWNSHIP PLANNING COMMISSION
MEETING OF March 10, 2016**

The Wrightstown Township Planning Commission met on March 10, 2016 at the Wrightstown Township Building, 2203 Second Street Pike, Wrightstown, PA. In attendance were Francis Doerr, Ann Mark, Steven Marcell, Dave Espenshade and Jeanne Trivellini. Wrightstown Township Engineer Mario Canales was also in attendance.

Chair Conroy and Vice Chair Masenheimer were absent from the meeting and appointed Francis Doerr as interim Chair of the Planning Commission and Ann Mark as interim Vice Chair.

Call to Order: Mr. Doerr called the meeting to order at 8:00 P.M.

Approval of Minutes:

On a motion by Ms. Mark, seconded by Mr. Marcell the minutes of February 11, 2016 were approved unanimously.

Old Business:

The Conditional Use Application for 2236 Second Street Pike, Wrightstown Sportsplex was discussed. The Conditional Use Application was on the January 28, 2016 Planning Commission agenda. Mr. Doerr had asked what progress had been made. The Commission was made aware of the draft of conditions should the application be approved. Ms. Mark commented that she still did not believe the property would be the appropriate location for the soccer field and athletic facility. Mr. Marcell stated that he did not believe enough information had been provided by the applicant for any formal decisions to be made. Mr. Doerr agreed with Mr. Marcell and stated that one issue he was particularly concerned with was the lighting. It is currently proposed in the draft of conditions that lighting would be allowed two nights a week, however it is not provided what type of lighting would be installed. Mr. Doerr asked for any further comments. As no formal recommendation or motion could be made regarding the issue discussed it was agreed upon by the present members of the Commission that until an adequate amount of information was provided they would stand behind the formal recommendation made to the Board of Supervisors from the January 28, 2016 meeting that the application be denied.

New Business

Zoning Hearing Board Application. 105 Warner Way.

Homeowner Steven Ross was in attendance. Bruno Morganheira and Vince Piscitelli, of Crystal Clear Pools the contractor for the project, were in attendance. Mr. Ross and Mr. Piscitelli have applied for a Zoning Hearing Board(ZHB) variance to allow for an additional 170 square feet of impervious surface and for a rear yard setback variance for the pool equipment pad to be allowed closer to the rear yard setback than the allow ten feet. Mr. Piscitelli and Mr. Ross had previously applied for a ZHB variance for impervious surface in December 2014. The original request was to be allowed a total of 9,664 square feet of impervious, taking the percentage from 18% to 21%. The variance was approved. Mr. Morganheira presented to the Commission the final As-Built plan that was submitted to the Township on October 15, 2015. Mr. Morganheira explained that during construction several alterations to the approved plans were made without resubmitting

plans to the Township for approval and that he believed as long as they compensated for the additional impervious surface they added by making the seepage bed larger they would not have to submit for approval by the Township or Engineer's office. Mr. Doerr pointed out that when the permit was issued by the Township an escrow fee was received that would cover any inspections and plan resubmissions that would need the Township and Township Engineer's approval and any bills associated. Mr. Piscitelli stated that he did not realize the stepping stones that have been added to the project and the equipment pad would count as impervious surface. He also commented that the plan surveyor, Mr. John Graser, had stated to Mr. Piscitelli that the pad would not be impervious surface and that a letter would be provided to both Crystal Clear Pools and the Township stating so. Mr. Graser has since taken ill and has not issued any letter stating such. Engineer Canales stated that until a letter is received by the Township and Engineer's office and is approved the equipment pad will be counted as impervious surface. Mr. Piscitelli stated that they had made the seepage bed larger to accommodate for the entire amount of additional impervious surface that have added without approval. Engineer Canales commented that the additional stormwater controls installed have no relevance to their request for a variance because they were legally bound by the previous ZHB decision to stay within the approved 21% impervious surface and that they must justify why they made the decision to alter the approved plans. Engineer Canales additionally stated that it was Mr. Ross, Mr. Morganheira and Mr. Piscitelli's responsibility to show a hardship caused by not having the additional impervious and setback variance. Ms. Mark asked if the project was completed to date. Mr. Piscitelli replied that it was. Mr. Doerr commented that by being purposefully negligent of the December 2014 ZHB decision and not receiving approval for the alterations had set a bad precedent among their neighbors and other residents. Mr. Doerr noted that at a separate Planning Commission for another property in Warner Meadows the Ross pool was used as an arguing point by the homeowners as they did not understand why Mr. and Mrs. Ross could install such an enormous amount of concrete without approval and that they had to go through the variance process. Mr. Doerr also noted that after the Ross's original ZHB application had been heard that an almost identical application for a ZHB variance for impervious surface was submitted by another resident. The application was extremely similar to the Ross's and that the resident had been granted the amount of impervious surface requested as they were willing to detract from their driveway to allow for the additional percentage they would need. Mr. Piscitelli stated that the option for more impervious was given to them at the previous ZHB but that he believed the 21% would be enough and said no, this was his mistake. Ms. Mark asked if there another location within the setback limit for the pool equipment that would not be in the line of sight. Mr. Piscitelli stated that they would have to address that possibility but that it made the most sense to place the pad and equipment next to the shed and that they had not realized that the shed was not in the allowed setback. Engineer Canales stated that the shed was a preexisting condition and that neither of the variances requested the shed location to be changed from the allowable setback. Engineer Canales also stated that they could move the shed within the allowable setback or remove the shed all together which would relieve some of the impervious surface requested. Mr. Ross stated that he was not willing to remove the shed as he had no other location to store the items currently inside. Ms. Mark noted that the home has a three car garage and basement and that the shed was not vital to the property and could be removed. Ms. Mark asked if they could take some of the concrete back from the pool. Mr. Piscitelli stated that it would not hard to do so and that it would alter the pool's appearance. Engineer Canales stated that if they were willing to remove a portion of their driveway that could allow them to recover forty to fifty feet of

impervious surface and that they should consider removing the stepping stones and the gazebo as well. Ms. Mark asked if there was a location on the patio for the gazebo to be moved to. Mr. Morganheira stated that there was not because it would be too close to the water's edge and it would be unsafe to do so. Mr. Ross stated that while he understands he may have to remove the gazebo or shed if it is what the Zoning Hearing Board decides, he is unwilling to cut into his driveway and does not want to remove the shed or gazebo. Ms. Trivellini suggested removing some of the front walkway as well as the driveway. Mr. Ross said he would not want to redesign the front walkway by making it smaller or removing it all together. Mr. Marcell stated that he did not see an issue allowing for the extra impervious because they have compensated with additional stormwater management controls. Ms. Trivellini stated that she saw no hardship and that she believes they can remove existing impervious surface areas to compensate for the amount they have gone over. Mr. Doerr asked if there were any further comments. Mr. Marcell formally recommend to the Board of Supervisors and Zoning Hearing Board to approve the request for the impervious surface and setback variance with the conditions that the stepping stones are removed, Mr. Piscitelli and Mr. Ross provide other areas they are willing to deduct impervious from, and that they install a rain barrel for added stormwater management controls. On a motion by Mr. Espenshade, seconded by Ms. Mark, the recommendation was approved with a 3-2 vote.

ADJOURNMENT: On a motion by Ms. Mark, seconded by Mr. Doerr, the meeting was adjourned at 8:50 P.M.

Respectfully submitted
Alyce Foster
Code Clerk