

**AGENDA  
EAST NOTTINGHAM TOWNSHIP  
REGULAR PLANNING COMMISSION MEETING  
February 27, 2012**

- I. *Call meeting to order*
- II. *Pledge of Allegiance*
- III. *Approve Agenda*
- IV. *Public Comment on Agenda*
- V. *Approve Minutes*
  - January 23, 2012 Regular meeting
- VI. *Subdivision/Land Development Plans*

**\*TOWNSHIP ENGINEER REVIEW LETTERS**

- Robert H. Mills, Jr. Minor Subdivision Plan

**DEVELOPERS REQUESTING TO BE ON AGENDA**

- Herr Foods Inc Industrial Subdivision – Ron Ragan presenting on behalf of applicant

**REQUEST FOR EXTENSION LETTERS – NONE**

**OTHER SUBDIVISIONS & LAND DEVELOPMENT PLANS IN PROCESS (FYI)**

- Langston - Preliminary Subdivision Plan
- Liz Miller – 2003 Preliminary Subdivision Plan
- Meadowview Estates (Frost) (Option 1)
- Carl E & Lesley L. Mease – Land Development Plan
- Timothy Bishop – Minor Subdivision Plan
- Stephen & Lydia Fisher –Minor Subdivision Plan
- David T. Muehlmatt – Minor Subdivision Plan
- Wicklow – Final Subdivision Plan
- Wilson King – Final 2-Lot Subdivision & Land Development Plan

- VII. *Correspondence*
- VIII. *Old Business*
- IX. *New Business*
- X. *Planning Commission Members*
- XI. *Recognition of Visitors*
- XII. *Adjournment*

***\*Planning Commission Meeting Protocol - The township's engineer will go over his review letter with the Planning Commission and the applicant, if he is present. The Planning Commission requests that the applicant wait until he is asked a question by the engineer or the chairman, or wait until the engineer's review of the plan is finished before directly addressing the Planning Commission regarding that plan.***

**East Nottingham Township  
Planning Commission Regular Meeting Minutes  
February 27, 2012**

The regular meeting of the East Nottingham Township Planning Commission was held in the Township Building on February 27, 2012 at 7 pm. Those present were: Planning Commission, Chairman Walt Leis, Vice-Chair Janice Gavin, Members, Rick Orner, John Wallace, Art Rieck, Tom Faux and Planning Commission Secretary, PJ Scheese. Member Robert Williams was absent.

The meeting was called to order at 7:00 p.m. by PC Chairman Walt Leis.

The Pledge of Allegiance was led by Vice-Chair Janice Gavin.

**A motion was made by Art Reick, seconded by Janice Gavin, to approve the agenda.**

**Aye: 6      Nay: 0**

There was no public comment on the agenda.

**A motion was made by John Wallace, seconded by Art Reick, to approve the regular meeting minutes for January 23, 2012. The motion passed.**

**Aye: 6      Nay: 0**

**Subdivisions & Land Development Plans**

**Engineer Review Letters**

**Robert H. Mills, Jr. Minor Subdivision Plan**

Mark Deimler, Township Engineer, went over his review letter with the Planning Commission. This subdivision plan is for the purpose of creating two lots from a single lot that is partially in West Nottingham Township and partially in East Nottingham Township. The lot in East Nottingham is vacant and the applicant wishes to build on it at some point. Mr. Deimler believes zoning issues can be easily resolved by adding some items to the plan. It was determined that the Riparian Corridor will be the same as the flood plain, since the flood plain is wider. The SALDO issues can be resolved with adding some items to the plan as well as requesting some waivers:

- From 22-302.B & 22-304.B – The fact that the lot is partially in a flood plain automatically makes it a major subdivision, requiring separate preliminary and final plans. As this is plan is simply a lot that is partly in West Nottingham and partly in East Nottingham, a waiver request is not unreasonable.
- From 506.A – regarding concrete markers and monuments.

The applicant is in the process of preparing a sewage facilities planning module to be reviewed by the Chester County Health Department, East Nottingham Township and finally DEP. With this come the requirements of:

- A wetland delineation;
- Stormwater management plan for the lot in ENT;
- A note explaining the method of sewage disposal for each lot.

Also needed is a street address for the newly created lot in ENT, a grading plan, something that addresses the required roadway improvements, location of the new driveway, and something that addresses the fee in lieu of park and open space dedication. Some of these may be addressed with waiver requests.

Until a planning module is submitted to the CCHD, ENT PC, and DEP has approved it, no action regarding plan approval will be taken.

No action taken on this plan at this time.

Herr Foods Inc. Industrial Subdivision Plan

Mark Deimler went over his review letter with the PC. He reminded everyone about the previous review letters from Jim Gade of Stantec Engineering, and to look at them for a detail of the previously resolved issues.

Open zoning issues are the NPDES permit approval and a letter from East Penn Railroad regarding the approval of the applicant having the legal authority to cross the East Penn Right of Way.

Open SALDO issues are:

- A letter from the OASA regarding the availability of sewer capacity, the timeframe to provide it, and who will be financially responsible to extend the public sewer.
- A copy of the traffic impact study.

There are three waiver requests from the SALDO made by the applicant at this time:

- From 22-508.5.D – regarding Basin Dewatering Time – approval recommended;
- From 22-503.3.D – regarding Vertical Curbs – approval recommended;
- From 22-502.14.A – regarding the cul-de-sac length – approval recommended subject to the following conditions:
  - That the street is proposed as a private street and an access and maintenance agreement is prepared and reviewed by the Township solicitor, and recorded upon the unconditional final plan approval.
  - The appropriate Emergency Services be notified and comments solicited as to the affect upon service if the street is constructed as shown on the plan.

Mr. Deimler acknowledges that the predevelopment computation and runoff coefficients used are based on more stringent standards than required by SALDO 22-508.4. However, he recommends that a waiver request be submitted nonetheless.

Ron Ragan, applicant's engineer, stated that they will obtain a letter from the OASA and reviewed the requirement of a culvert. Individual land development plans will need to be submitted as lots are sold, and the new owners will determine where the new driveways will be. This is the main reason for the waiver request for rolled curbs. He stated that he has been in communication with Penn Dot regarding the traffic study.

There was some discussion regarding sidewalks. The applicant does not wish to encourage pedestrian traffic in an industrial subdivision, and does not see a purpose for sidewalks at this time. Mr. Deimler agrees with this assessment. As it may take several years before this subdivision is built out, a binder coat, possibly beefed up, will be put on the driveway. Walt Leis suggested the use of a permeable surface, but Mr. Ragan indicated that the maintenance problems would outweigh the benefits.

**A motion was made by Art Reick, seconded by John Wallace, to recommend approval of the waiver request from SALDO 22-503.3.D, requiring vertical curbs, instead granting the use of rolled curbs. The motion carried:**

**Aye: 6      Nay: 0**

**A motion was made by Rick Orner, seconded by Janice Gavin, to recommend approval of the waiver request from SALDO 22-502.14.A, requiring that cul-de-sac streets not exceed 800 feet in length, with the following conditions:**

- **The street is proposed as a private street and an access and maintenance agreement is prepared and reviewed by the Township solicitor. The agreement shall be recorded upon unconditional final plan approval.**
- **The appropriate Emergency Services be notified and comments solicited as to the affect upon service if the street is constructed as shown on the plan.**

**The motion carried:**

**Aye: 6      Nay: 0**

**A motion was made by John Wallace, seconded by Art Reick, to recommend approval of the waiver request from SALDO 22-508.5.D, requiring that all basins include an outlet structure to permit draining the basin to a completely dry position within 24 hours, to allow basin #1 to dewater in 36.9 hours. The motion carried.**

**Ay: 6      Nay: 0**

The PC decided to wait until a written request from SALDO 22-508.3 before voting on it. Mr. Ragan asked for consideration of a vote on the recommendation of a conditional approval of the plan, but the PC opted to hold off until receipt of the final waiver request. No further action was taken.

**Letters of Extension - NONE**

**Other Plans Currently in Subdivision or Land Development Process (FYI)**

- Langston - Preliminary Subdivision Plan
- Liz Miller – 2003 Preliminary Subdivision Plan
- Meadowview Estates (Frost) (Option 1)
- Carl E & Lesley L. Mease – Land Development Plan
- Timothy Bishop – Minor Subdivision Plan
- Stephen & Lydia Fisher – Minor Subdivision Plan
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- Wicklow – Final Subdivision Plan
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**Correspondence - NONE**

**Old Business**

PJ Scheese gave a brief synopsis of the meeting sponsored by the Brandywine Conservancy at the Russellville Grange on January 30, 2012 about the Chesapeake Bay TMDL Plan for the Chester County Municipalities (MS4 for the Chesapeake Bay watershed). There was some discussion about DEP. The Township has been contacted by the BC about being one of the case studies. The Board of Supervisors has put John Theilacker of the BC on the March 20, 2012 Work Session agenda. PJ Scheese will email the PC members closer to the work session date to remind them about it in case they would like to attend.

**New Business - NONE**

**PC Members**

Janice Gavin spoke to the PC about Multi-municipality Comprehensive Plan. On March 1, 2012 it will be on the County website, [www.chesco.org/planning/oxfordregion](http://www.chesco.org/planning/oxfordregion). The public comment period will last until March 16, 2012. Also Ms. Gavin recommended reviewing the implementation strategies. There was some discussion about adopting the Comprehensive Plan but not signing the Implementation Agreement.

**Visitors – NOTHING**

A motion was made by Rick Orner, seconded by Art Reick, to adjourn the meeting.

The meeting adjourned at 8:32 p.m.

Respectfully Submitted,

  
PJ Scheese  
Planning Commission Secretary

APPROVED:

Date 3/26/2012

  
Walt Leis, Planning Commission Chairman