

East Rockhill Township  
PLANNING COMMISSION MINUTES

October 10, 2019

The Regular Meeting of the East Rockhill Township Planning Commission was held at 7:00pm on October 10, 2019 at the Township meeting room at the East Rockhill Township Municipal Building, 1622 North Ridge Road, Perkasie, PA 18944.

Present: Anne Fenley, Chairperson  
Nancy Booz, Vice-Chairperson  
David Nyman, Secretary  
Joe Chellew, Member  
Blaze Youngers, Member  
Steve Baluh, P.E., Township Engineer  
Marianne Morano, Township Manager

The meeting was called to order at 7:01pm by Mrs. Fenley.

**Approval of August 8, 2019 Minutes:** On motion by Mr. Chellew seconded by Mr. Youngers to approve the meeting minutes from the August 8, 2019 Planning Commission meeting. With no additional discussion, all present voted in favor.

**Correspondence:** Correspondence listed on the agenda was noted as received. The Subdivision Plan Review Status dated October 2, 2019 was provided.

**Introduction of Vacancy Candidate:** Mr. Richard Kelly was present to introduce himself to the Planning Commission members.

**New Business:**

**Freier Lot Line Adjustment 417 Three Mile Run Road:**

Lot line adjustment subdivision proposes to convey 0.143 acres of TMP #12-8-118 (Thomas & Kathy Freier) to TMP #12-8-119-1 (Thomas & Lora Freier). The resulting properties will be 0.89 acres net (TMP #12-8-118) and 0.64 acres net (TMP #12-8-119-1) in area. Both properties contain an existing single-family dwelling with various outbuildings. The lot line adjustment will resolve an existing encroachment of paved parking area over the side lot line. Both lots are served by public sanitary sewage service and on-lot wells. Site is located within the Suburban (S) Zoning District.

Mr. Todd Myers, P.E., Cowan Associates and Mr. Tom Frier Senior and Mr. Tom Frier Junior were present.

1. In accordance with Note #9 on the plan, the area within Three Mile Run Road ultimate right-of-way is offered for dedication and should be accepted as an easement. Legal description(s) for right-of-way dedication, signed and sealed by the responsible surveyor, should be submitted for review. (SLDO Section 22-506.2) **Will comply.**

2. Proposed property and right-of-way monumentation must be installed prior to plan recordation and be certified in writing by the responsible surveyor. (SLDO Section 22-522) **Will comply.**
3. Deed of Consolidation should be recorded at the time of plan recordation so that a nonconforming parcel is not created. Preparation and recordation should be completed by counsel for the applicant, with proof of recording submitted for Township records in a form satisfactory to the Township Solicitor. **Will comply.**
4. Street improvements including cartway widening, drainage facilities, curb, and sidewalk are required to be installed along the property frontage in accordance with Sections 22-505, 506, 512, and 513 of the Subdivision Ordinance, unless a written request for waiver of frontage improvements is submitted by the applicant and approved by the Township. (SLDO Section 22-308) **Waiver request dated October 3, 2019 has been received and provided to the Commission with the following:**
  - a. SALDO Section 22-205.16 Drainage improvements and reconstruction of the cartway
  - b. SALDO Section 22-506.2.B Cartway widths
  - c. SALDO Section 22-512 Curbs
  - d. SALDO Section 22-513 Sidewalks
5. Property owner names should be printed under each owner signature line for both notary statements. Additionally, for clarity TMP numbers should be included in each notary certification. **Will comply.**
6. Reference to prior recorded subdivision plan for TMP #12-8-119-1 should be noted on the plan. **Will comply.**
7. Plan should include note indicating basis of property line bearings (eg. state plane, magnetic, deed). **Will comply.**

**On motion** by Mrs. Booz, seconded by Mr. Chellew to recommend granting waivers and to recommend granting preliminary / final approval contingent on compliance with C. Robert Wynn Associates letter dated October 1, 2019 for the Freier Lot Line Adjustment Plan. With no additional discussion, all present voted in favor.

Etzler Lot Line Adjustment 2386 East Rock Road:

Lot line adjustment subdivision proposes to reconfigure four adjoining tax parcels to incorporate the existing driveway to TMP 12-11-19-6 (Gross) within a deeded lane; combine TMPs 12-11-19-5 and 12-11-19-4 (both owned by Etzler); and modify TMP 12-11-19-7 (also Etzler) to only have frontage along Mountain View Road. The three resulting lots will contain 4.65 acres net (Gross - dwelling), 10.11 acres net (Etzler - dwelling), and 13.68 acres net (Etzler – vacant) respectively. The existing dwellings are served by onsite sewage disposal systems and wells. No improvements are proposed on the plan. Site is located within the Rural Residential (RR) Zoning District.

Mr. Todd Myers, P.E., Cowan Associates was present.

1. Plan notes indicates that all but 1.8 acres of TMP 12-11-19-7 (Etzler – vacant) is proposed to be deed restricted from further subdivision. Additionally, combined TMP 12-11-19-4 (Etzler – dwelling) is proposed to be deed restricted from further subdivision. Applicant should clarify the method proposed to deed restrict the properties (eg. private restriction, conservation easement, or other). Restrictions should be prepared in a manner satisfactory to the Township Solicitor and be recorded with the Bucks County Recorder of Deeds. **Mr. Etzler has just indicated the deed restriction where the pond is located is to be removed from the plan. He requests conservation easement consideration be made to the Board of Supervisors.**
2. Notwithstanding the reconfigured deeded lane to TMP 12-11-19-6 (Gross), a small section of the existing driveway alignment encroaches into TMP 12-11-19-7. A driveway easement is proposed on the plan to address the encroachment. Easement should be prepared in a manner satisfactory to the Township Solicitor and be recorded with the Bucks County Recorder of Deeds. (SLDO Section 22-527) **Will comply.**
3. Prior recorded subdivision plan(s) should be referenced on the plan. Based on review of our files for the 1988 Etzler Subdivision, it appears that East Rock Road ultimate right-of-way was identified on the plan; however, dedication was not required at that time. Accordingly, area within the ultimate right-of-way of East Rock Road should be offered for dedication to the Township by note on the plan; and should be accepted as an easement in accordance with Section 22-506.2.A of the Subdivision Ordinance. Legal description for the right-of-way, signed and sealed by the responsible surveyor, should be submitted for review. **Will comply.**
4. Property monumentation should be installed along the ultimate right-of-way and at all new property corners. Installation of required monuments and boundary pins should be completed and certified in writing by the responsible surveyor prior to plan recordation. (SLDO Section 22-522) **Will comply.**
5. Street improvements including cartway widening, drainage facilities, curb, and sidewalk are required to be installed along the property frontage in accordance with Sections 22-505, 506, 512, and 513 of the Subdivision Ordinance, unless a written request for waiver of frontage improvements is submitted by the applicant and approved by the Township. (SLDO Section 22-308) **Waiver request dated October 3, 2019 has been received and provided to the Commission with the following:**
  - a. SALDO Section 22-205.16 Drainage improvements and reconstruction of the cartway
  - b. SALDO Section 22-506.2.B Cartway widths
  - c. SALDO Section 22-512 Curbs
  - d. SALDO Section 22-513 Sidewalks
6. Deeds of Consolidation must be recorded at the time of plan recordation so that a nonconforming parcel are not created. Preparation and recordation should be completed by

counsel for the applicant, with proof of recording submitted for Township records in a form acceptable to the Township Solicitor. **Will comply.**

7. Signature lines for owner names should include printed name under the lines. Additionally, Notary certifications should include TMP#s for clarification. **Will comply.**
8. Plan should include note indicating basis of property line bearings (eg. state plane, magnetic, deed). **Will comply.**

**On motion** by Mr. Chellew, seconded by Mrs. Booz to recommend granting waivers and to recommend granting preliminary / final approval contingent on compliance with C. Robert Wynn Associates letter dated October 2, 2019 for the Freier Lot Line Adjustment Plan. With no additional discussion, all present voted in favor.

The lot line adjustment plans will be on the Board of Supervisor October 22, 2019 agenda.

Perkasie Regional Authority Conditional Use Hearing Application and Land Development 1503 Park Avenue:

Applicant proposes to construct a 1,152 SF booster pump building and free-standing generator pad adjacent to an existing water tank on a 2.25 acres parcel located along Park Avenue within the Residential 1 (R-1) Zoning District. Use G1, Utilities, is permitted as a Conditional Use within the R-1 zoning district. The proposed non-residential accessory structure, Use I1, is a permitted use in the R-1 zoning district; however, as it is accessory to the G1 use, conditional use approval is required in addition to land development plan approval. (ZO Section 27-304.I1).

Mr. Pete Anderson, P.E., Anderson Engineering, was present.

1. Zoning Hearing Board Decision dated August 16, 2019 was issued for the project. The ZHB granted variances to permit reduced front, side, and rear yard setbacks as depicted on the plan. Additionally, modification of buffer requirements was approved subject to installation of six feet high, 70 feet long, screening fence along the adjoining Colalillo property (TMP #12-8-112-5); or in-lieu-of fence, installation of evergreen buffer plantings to the satisfaction of the Township. Wood stockade type fence is proposed on the plan. **Mr. Andersen will contact adjoining Colalillo property owner and install per their preference.**
2. In accordance with Conditional Use regulations of Section 27-2208 of the Zoning Ordinance, the Township must determine that the proposed use is in accordance with the Township Comprehensive Plan, in the best interest of the municipality, suitable for the property in question, and suitable in terms of access and zoning requirements. Applicant should provide additional information related to the operation of the facility such as, frequency of operational/maintenance visits to the site, generator operation, and other expected impacts, if any, on adjoining properties. The conditional use hearing before the Board of Supervisors has been scheduled for October 22, 2019. The Planning Commission should issue comments/recommendation on the Conditional Use application for consideration by the Board of Supervisors at the hearing. (ZO Section 27-2209.d) **Comment noted.**

3. Property is configured as a lane lot with a 20 feet wide access strip extending to Park Avenue. Shared driveway entrance was widened with prior development on the adjoining property. Street improvements including cartway widening, curb, sidewalk, and drainage improvements are required along the property frontage unless waivers are requested in writing and approved by the Township. (SLDO Sections 522-506, 512 & 513) **Waiver request dated October 7, 2019 has been received with the following:**
  - a. SALDO Section 22-506.2 Right-of-Way widths
  - b. SALDO Section 22-506.4.A. Cartway widths
  - c. SALDO Section 22-512.1 Curbs
  - d. SALDO Section 22-513 Sidewalks
  - e. SALDO Section 22-515.2 Landscaping
  - f. SALDO Section 22-525.1.C Recreation land
4. Parking area shading calculations and proposed landscape plantings should be proposed on the land development plan, unless waivers are requested in writing and approved by the Township. (SLDO Section 22-515.2) **Waiver request dated October 7, 2019 has been received and provided to the Commission.**
5. Roof drains from proposed booster pump building are to be connected to the existing tank overflow collection system. This system directs runoff to a stormwater management basin on an adjoining property as previously approved. Plan should clarify by note that all roof drains must be connected to the collection system. Based on the limited increase in impervious surface proposed (approx. 2200 SF) an exemption from rate control stormwater management requirements may be requested. Grant of an exemption requires contribution of a fee to the Township stormwater management fund based on current Township fee schedule. Design engineer should submit a stormwater management application requesting the exemption, if applicable. Submission should include a narrative report of existing/proposed conditions and the results of soils testing recently conducted on the lot. In the alternate, Stormwater Management Report and Stormwater BMP design should be submitted. (SMO Chapter 26, Part 3) **Will comply.**
6. Applicant should clarify if any potable water or sanitary sewage disposal facilities are necessary for the proposed Booster Station. If necessary, appropriate plan details and capacity approvals should be addressed by the applicant. (SLDO Section 22-519 & 520) **None proposed.**
7. Verification of approval must be received in writing from Bucks County Conservation District for proposed erosion control measures to be implemented during earthmoving activities. (SLDO Section 22-518) **Will comply.**
8. It appears that only one security light is proposed to be installed near the door on the booster pump building. All proposed lighting should be noted to be zero cutoff type fixtures. (SLDO Section 22-526 and ZO Section 27-1805) **Will comply.**

9. Recreation land in the amount of 1,500 sf per 4,000 sf of new building area, or part thereof, is required in accordance with Section 22-525.C(2) of the Land Development Ordinance. In the alternate, the Township may accept a fee in-lieu-of land dedication pursuant to Township fee schedule. **Waiver request dated October 7, 2019 has been received and provided to the Commission.**
10. All requests for waiver of Land Development Ordinance requirements must be submitted by separate correspondence and include the Ordinance section(s) involved, minimum modification necessary, and basis for the request. (SLDO Section 27-308) **Andersen Engineering letter dated October 7, 2019 with the subject Conditional Use Application and Land Development has been received and provided to the Commission.**
11. Pending resolution of required improvements or grant of waivers, as noted above, Development/Financial Security Agreement may be required to be executed between applicant and Township to guarantee installation of required improvements including, but not limited to, stormwater management, erosion control, landscaping, etc. If required, an Opinion of Cost, prepared by a licensed professional engineer should be submitted to the Township for review. (SLDO Section 606) **Will comply if necessary.**
12. The following engineering/drafting detail review comments should be addressed on the plan:
  - A. Third note under Zoning Data table should be corrected to reference ZO Section 27-304.11. **Will comply.**
  - B. Owner signature line should be included with the notary certification. Name and title of the signatory should be added under the line and in the certification. **Will comply.**
  - C. Street maintenance plan notification, Item H, from Appendix B of the Land Development Ordinance should be included on the record plan. **Will comply.**

**On motion** by Mr. Youngers, seconded by Mr. Nyman to recommend granting approval of the Perkasio Regional Authority Conditional Use application plan as presented. With no additional discussion, all present voted in favor.

**On motion** by Mr. Nyman, seconded by Mr. Youngers to recommend granting waivers and to recommend granting preliminary / final approval contingent on compliance with C. Robert Wynn Associates letter dated October 3, 2019 for the Perkasio Regional Authority Land Development Plan. With no additional discussion, all present voted in favor.

H2O Grant Application Three Mile Run Road Pumping Station Replacement:

East Rockhill Township replacement of the Three Mile Run Road Pumping Station (end of Schoolhouse Road) has been designed and is ready for construction. The Township is looking to make application to the H2O grant to help finance the project which is estimated to have an estimated total cost of \$813,519.00.

**On motion** by Mr. Nyman, seconded by Mr. Chellew to approve Mrs. Morano sending correspondence confirming the Three Mile Run Road Pumping Station replacement is consistent with the East Rockhill Township Comprehensive Plan. With no additional discussion, all present voted in favor.

**Old Business:**

There was none.

**Public Comment:**

- Curt Barthel, 2743 Three Mile Run Road, could not attend the Planning Commission work session on October 3, 2019 reviewing the draft comprehensive plan and expressed concern for the Weisel Village recognition, citing someone who attended the last meeting indicated zoning would be amended. He was informed that the Bucks County Planning Commission was asked to investigate the history of the Weisel Village and follow up at the next meeting which they did on October 3. The October 3 agenda was posted to the website on September 24. There is a history of the Weisel Village before the road was abandoned to form the lake that exists there today. Several sources confirmed the Weisel Village. The general store/Weisel post office is still there currently operating as the Lake House Inn in addition to a Church and historical dwellings. It was clearly stated at the last meeting that zoning was not being considered.
- Lewis Despirito, 2327 Three Mile Run Road, asked what it means when you put the village on a list. It was stated that It is an acknowledgement of the history.
- Carolyn Barthel, 2743 Three Mile Run Road, asked how the designation was missed on the current comprehensive plan. Although none of the current Planning Commission members had any direct knowledge or information about why Weisel village was not mentioned in the previous comprehensive plan, there was some speculation and general consensus it was due to the village borders Bedminster Township. It was noted the Weisel name is located on Bucks County tax maps.

**Adjournment:** **On motion** by Mr. Nyman, and seconded by Mr. Youngers, the meeting adjourned at 7:55pm.

Respectfully Submitted,

David R. Nyman  
Planning Commission Secretary

Recorded:

Marianne Morano  
Township Manager