

East Rockhill Township  
PLANNING COMMISSION MINUTES

October 13, 2022

The Regular Meeting of the East Rockhill Township Planning Commission was held at 7:00pm on October 13, 2022 at the Municipal meeting room at 1622 N. Ridge Road, Perkasie, PA 18944.

Present: Anne Fenley, Chairperson  
David Nyman, Secretary  
Richard Kelly, Member  
Blake Eisenhart, Member  
Aaron Teel, Member  
Colin Monahan, Member  
Steve Baluh P.E., Township Engineer  
Marianne Morano, Township Manager

The meeting was called to order at 7:03pm by Mrs. Fenley.

**Approval of September 8, 2022 Minutes:** On motion by Mr. Eisenhart, seconded by Mr. Kelly, to approve the meeting minutes from the September 8, 2022 Planning Commission regular meeting as presented. With no additional discussion, all present voted in favor.

**Old Business:**

**MCCLENNEN TRACT FINAL PLAN SUBMISSION:** Final Subdivision Plan, sheets 1 thru 79, dated March 12, 2021, latest revision July 6, 2022, prepared by Schlosser & Clauss Consulting Engineers, Inc, for Real Pro Enterprises, LP & Select Properties, Inc., has been received by the Township. Preliminary plan was granted conditional approval by the Board of Supervisors on February 22, 2022. The approval conditions are itemized in approval correspondence dated March 8, 2022, from the Township Solicitor. The following comments are made with respect to the submitted plan, outstanding conditions of preliminary plan approval, and the prior stipulated settlement agreement.

Mr. Michael Kracht, Esq. and Mr. Andy Schlosser, P.E. were present.

**Discussion Items:**

1. Architectural features consistent with those submitted with the preliminary plan shall be incorporated into the design of each townhouse unit during land development approval process. Applicant has advised that final unit design will not be known until a builder/partner has been identified. (ZO Section 27-304.B.3.j) **Does not have at this time. Will comply.**
2. Notwithstanding the waived the architectural requirements of Paragraph II.5 of the Conditional Use Settlement, the applicant shall offer an option to include an unenclosed porch running across at least three-quarters of the dwelling front and be at least seven feet in width, on all single-family models offered. Design shall be consistent with the Typical House and Lot Detail on plan sheet 73 (“optional patio” and “optional porch (7’x20’)”) and consistent with previously submitted sample architectural elevations of the proposed units. Applicant has advised that final unit design will not be known until a builder/partner has been identified. (CU II.5) **Will comply.**
3. The 30 feet wide buffer zone established along the drainage channel which traverses the center of the development (Open space III) is required to be delineated/protected by installation of fence and/or

plantings prior to occupancy of any adjacent dwellings pursuant to CU Settlement. Installation of signage as an alternate to required fence/plantings is proposed. Sign design/wording is subject to approval by the Township (refer detail on plan sheet 74). This alternate requires modification of CU approval. **Will comply.**

4. Covered group mailbox areas are proposed along Driveway B in the townhouse area and between lot 105 and 106 along Road A in the single-family home area as previously approved. Details for pavilion type roof to cover the mailbox locations is included on plan sheet 73. Benches and trash receptacles have been added to the plan at each location. Plan details must include specification for a solar powered light at each location. Maintenance of group mailboxes should be addressed in HOA documents in a manner satisfactory to the Township Solicitor. (CU II.9.b) **Will comply.**
5. Sheltered school bus stop(s) are required to be installed at the three locations previously identified by Pennridge School District. However, plan only identifies covered bus stop at two locations. Covered bus stop is not identified between units 105 and 106. Plan should be revised to add shelter at this location. Shelter detail is located on plan sheet 73. Maintenance of shelters should be addressed in HOA documents in a manner satisfactory to the Township Solicitor. (CU II.9.c) **Will comply.**
6. As previously agreed, a larger/enhanced tot lot is proposed in the townhouse area. General detail for the consolidated tot lot playset is included on plan sheet 77. While not included in the detail, a note has been added indicating that a six-person swing set is also required to be installed. A full layout of the tot lot should be submitted to ensure adequate safety zones are provided and all required amenities are included. Additionally, ADA/safety compliant surface should be specified. This alteration requires CU Settlement modification. (SLDO Section 22- 525.3) (CU II.9.d & II.9.i) **Will comply.**
7. In-lieu-of construction of a small parking area and “level” play field originally required in the northern open space, adjacent to Hill Road, existing natural features shall be preserved, and the applicant shall pay a contribution to the Township. An estimate of actual construction costs should be submitted for review and approval. CU Settlement amendment is required to reflect the above modification. (CU.II.9.i) **Will comply.**
8. With respect to the townhouse buffer area proposed grading will require clearing of almost all existing vegetation up to the property line of the adjoining lobelle property. Proposed buffer plantings include a row of closely spaced four feet high arborvitae and canopy trees spaced 40 feet on center along the property line. Planning Commission recommended that taller shrubs be installed to increase buffer at time of planting. Township should determine if the proposed buffer plantings are satisfactory. (SLDO Section 27-1904.b and ZO Section 27-19.4.c) **Will comply.**
9. The applicant is required to acquire rights-of-way, as necessary, to design and construct a roundabout pursuant to PennDOT design guidelines at the intersection of Three Mile Run Road and Park Avenue pursuant to plan prepared by Traffic Planning and Design dated January 7, 2022, as amended (Roundabout Plan). Roundabout is required to be constructed in accordance with the plan. Applicant shall pursue right-of-way acquisition in accordance with the conditions of Preliminary Plan approval. Right-of-way acquisition should be completed in a manner satisfactory to the Township Solicitor. In the event that the applicant is unable to acquire right-of-way, building lot reduction and contribution is required pursuant to the CU Settlement. (CU II.9.M.1-2) **Will comply.**
10. Final design of Old Bethlehem Pike improvements should be reviewed by TPD for compliance with prior traffic review comments. All comments should be addressed on the plan. (SLDO Section 22-505.16,

506 & 512) (CU II.9.M.1-2) **Will comply.**

11. In-lieu-of full overlay paving and shoulder grading of Hill Road from the site entrance to Three Mile Run Road, the applicant shall pay a contribution in the amount of \$41,759.00 for that portion of Hill Road which was recently paved. The remaining section of Hill Road along the site frontage must be overlay paved. Paving limits should be clearly identified on the plans. In-lieu-of payment, the applicant shall complete alternate road improvements along Hill Road at the request of the Township. (SLDO section 22-505.16) (CU II.9.o) **Will comply.**
12. Upon resolution of street improvements and off-site utilities, staging and traffic control/detour plans should be submitted for review. (SLDO Section 22-403.11) **Township Traffic Engineer is reviewing. Will comply.**
13. An approved Jurisdictional Determination, dated December 28, 2021, was issued by US Army Corps of Engineers for wetland delineation on the site. **Comment noted.**
14. Several permits are required to be obtained by the applicant, including Township floodplain encroachment and PADEP General Permit for sanitary sewer and water line crossing of Three Mile Run. (Twp Code Chapter 8, ZO Section 27-1900.b) **Permits are in place. Will comply.**
15. Post Construction Stormwater Management (PCSM) Report dated March 12, 2021, latest revision date July 6, 2022, prepared by Schlosser & Clauss was submitted with the plan. In general, a storm sewer collection system is proposed throughout the site to direct stormwater to various water quality forebays/infiltration basins which discharge to a large stormwater basin located in the open space adjacent to Three Mile Run. The rate of stormwater runoff from the developed area after development will be reduced to less than 75% of predevelopment flow rates in accordance with Township requirements for this watershed. The PCSM report appears generally satisfactory, subject to the following comments:
  - A. STORMWATER narrative summary should specifically indicate the (single family dwellings) impervious surface utilized in the calculations is equivalent to the typical lot plan with optional patios and poches for future reference. **Will comply.**
  - B. Verification of NPDES permit issuance and erosion and sediment control plan adequacy must be received in writing from Bucks County Conservation District. If any modifications to the stormwater management system is required by BCCD/PADEP during the review process, plan revisions should be submitted to this office to ensure that the revisions are also compliant with Township requirements. (SLDO Section 22-518) NPDES permit is in place. **Will comply.**
  - C. Perimeter fencing has been included on the plan for Forebay 1A, Infiltration Basin 1, and main Detention Basin pursuant to section 26-319.14 of the Stormwater Management ordinance (based on maximum depth of ponded water). Fence details should be included on the plan. **Three have a fence, three do not have a fence. Fencing will be split rail with wire mesh. Will comply.**
  - D. Reinforced concrete checker blocks detail should be provided on the plan. (SMO Section 26-319.9.) **Will comply.**
  - E. Operation and Maintenance agreement for all privately-owned stormwater facilities must be executed between the applicant/HOA and Township to guarantee long term maintenance and structural/operational integrity of the facilities. Agreement should include provisions for Township access to inspect the facilities, but not the obligation to repair/maintain the facilities. Agreement must be in a form satisfactory to the Township Solicitor. (SMO Section 26-345 &

346) **Will comply.**

16. Sanitary sewer service is proposed via extension of East Rockhill sewer system which is located along the opposite side of Three Mile Run. A stream crossing is required to connect the proposed collection system to the existing interceptor. As indicated above, appropriate permits for this crossing should be obtained by the developer. The following additional comments are made with respect to sanitary sewer design (Twp Code Chapter 18 Part 3):

- A. Sewage facilities planning module is required to be submitted for approval by the Township and PADEP. Verification of PADEP approval should be received by Township. (SLDO Section 22-407 & 520) **In process. Township has all documentation.**
- B. CU Settlement specifies sewer connections (EDU) fees for the subdivision, which may be utilized to offset Township costs for reconstruction of the Township sewage pump station. The timing of payments of fees for connections, including the reservation fees for any sewer connections permitted, must be determined to the Townships satisfaction. **Will comply.**
- C. Easements for Township access to sanitary sewer system within the townhouse area must be established in a manner satisfactory to the Township Solicitor. Use of a “blanket” easement has been proposed by the design engineer. **Will comply.**
- D. PADEP general permit and Township floodplain encroachment permits are required to be obtained by the applicant for the Three Mile Run sanitary sewer crossing construction (similar permits are also required for public water line extension adjacent to Old Bethlehem Pike). Appropriate permit details should be included on the plan. **Will comply.**
- E. Sanitary sewer is proposed to be extended between townhouse units 8 and 9 to provide a suitable location for future extension of sanitary sewer service north along Old Bethlehem Pike. Final design/details should be resolved between the design engineer and this office. **Will comply.**

17. Subdivision is proposed to be served by extension of PRA public water system. Water line is proposed to be extended from its current terminus in Park Avenue and continue along the full length of the property frontage along Old Bethlehem Pike. Verification of satisfactory system design must be received in writing from PRA. (SLDO Section 22-519) **Applicant has obtained verbal approval from PRA.**

Full width cartway paving restoration is required for offsite water line construction. Final roundabout design and waterline design will affect the extent of offsite street restoration required along Park Avenue/Old Bethlehem Pike. Overlay limits must be clearly indicated on the plan. (SLDO Section 22-505, Twp Code 21-303.A) **Will comply.**

18. Street trees are proposed throughout the single-family area; however, limited trees are proposed in the townhouse area. Additional trees and/or shrubs should be considered to be installed along the townhouse area overflow parking spaces adjacent to unit 47, and between units 28/29 and 33/34. **Will comply.**

19. Waiver to permit contribution of a fee in-lieu-of planting of energy conservation trees was approved. Total number of plantings requested to be waived must be determined by the design engineer for calculation of contribution. (SLDO Section 22-515) **Will comply.**

20. Plan sheets 33 thru 39 include street lighting. Type of proposed fixtures is subject to approval by the Township. The Township standard Acorn luminaire on a Boulevard pole is recommended. Additional information for PPL options for full cutoff LED fixtures has been requested. (SLDO Section 22-409.9 &

527) **Will comply with what PPL has available.**

21. Street names must be proposed by the applicant and require approval by the servicing post office and Township. (SLDO Section 22-505.12) **Will comply. Street A Liberty Trail; Street B Trolley Lane; Drive A Bell Court; Drive B Independence Court; Drive C Lantern Court.**
22. An engineering and drafting detail review memo for the final plan submission is forthcoming. Plans should be revised to address these comments in accordance with Subdivision Ordinance requirements. **Will comply.**

Remaining Conditions of Preliminary Plan Approval:

**Applicant will comply.**

23. Recording of the associated six lot subdivision plan must be completed prior to, or coordinated with recordation of the current subdivision plan, when approved, to ensure the proper ownership and transfer of all parcels. Reference to six lot plan and recording information should be included on record plan sheet(s) for the current plan set.
24. The applicant, in concert with the Township Solicitor shall amend the Conditional Use Settlement to reflect the proposed dwelling unit mix (103 singles, 95 townhouses) as shown on the plan. (CU II.2)
25. Applicant is proposing to convey townhouse units with only that lot area within the footprint of the dwelling unit. This is often referred to as “zero lot line” or “footprint” lots. Additional information is required from the applicant regarding conveyance of these lots to permit proper references and restrictions to be incorporated into the Homeowners Association (HOA) documents. Additional information should be in a form satisfactory to the Township Solicitor. (ZO Section 27-304.B3)
26. No outdoor storage buildings or structures shall be permitted in Townhouse Section as indicated in note #29 on Sheet 1. Typical Townhouse Detail on plan sheet 65 depicts an “optional elevated deck with ground level patio underneath (10’x15’) on townhouse units. Construction/maintenance of decks/patios should be addressed in HOA documents as limited common elements, to the satisfaction of the Township Solicitor. (CU II.9.j)
27. Residential disclosure statements to the Village House units must include a statement as to the maximum buildable area on these lots and the limited ability for homeowners to construct additions, decks, patios and accessory structures within the confines of the Zoning Ordinance.
28. In accordance with CU Settlement, proposed Roads A & B are designed with a 36-foot wide cartway within a 60 feet wide right-of way (except at the boulevard style entrance at Old Bethlehem Pike). Curb and sidewalk are proposed along the entire length of both streets. These streets are intended to be dedicated to East Rockhill Township. As requested by the Township, street trees are proposed to be installed along the back of the sidewalk (on lots) in-lieu-of between curb and sidewalk. (SLDO Appendix A)
29. Plan includes enhanced crosswalks and traffic calming improvements including pavement markings. Township traffic consultant should comment on final design of traffic calming measures. (SLDO Section 22-506.11 & 12 and 528)
30. The CU Settlement provided that the streets proposed to serve the townhouse units shall be 30 feet in

width (with no right-of-way) and be privately owned and maintained by a homeowner's association. HOA documents should address private street maintenance responsibilities, in a manner satisfactory to the Township Solicitor. (CU II.8)

31. Open space areas are required to be owned and maintained by a homeowner's association, including the stormwater management facilities therein. HOA documents should address maintenance responsibilities, based on type of coverage proposed (e.g. woods, meadow, lawn, stormwater BMP). (CU II.8 & II.9.h)
32. A public access trail is proposed to be constructed parallel to Three Mile Run through the site (through lot 197 and open space) and continuing along Old Bethlehem Pike frontage as shown on the plan. Eight feet wide paved trail alignment was modified slightly from CU plan and is located generally adjacent to the proposed sanitary sewer main and north side of lot 197. (CU II.9a & II.9.i)
33. In addition to the above discussed recreation improvements, the applicant is required to pay a Park and Recreation contribution of \$100,000.00 to the Township in lieu of installing any other park or recreation improvement not included in the CU Settlement. The contribution is to be paid 50% at the time development agreements are signed and 50% upon the issuance of the 50th building permit for the project. (CU II.9.i)
34. Homeowner's association (HOA) is required to be established to own and maintain several aspects of the development including without limitation townhouse area streets, open space, stormwater management, and recreational facilities. Applicant has indicated that a single HOA including both the townhouse and single-family units will be created. HOA should be established in a manner satisfactory to the Township. Required maintenance of all areas (wooded, lawn, natural, recreation, stormwater management, etc.) should be specified. Documentation should be prepared by the applicant and be submitted to the Township Solicitor for review. (CU II.8 & II.9.h)
35. In addition to standard HOA documents, disclosure statements for townhouse owners and single-family homeowners should be prepared in a manner satisfactory to the Township Solicitor to clarify limitations and restrictions imposed pursuant to the CU Settlement and limitations and restrictions inherent in the plan and its approval. (CU II.9.h)
36. Minimum 20 feet wide buffer areas are required around the site perimeter adjacent to existing residential properties. Overall Landscape & Lighting Plan, sheet 32, depicts buffer areas. Existing vegetation is to be preserved in the cross hatched areas. Buffer plantings are proposed to be installed along the rear boundary of the townhouse units, and in limited areas along the rear of lots 108 to 113 and 119 to 122. Notes have been added to the plan to maintaining existing trees within all buffer areas and supplement them with appropriate shrubs and evergreen trees to enhance buffering. These plantings will be extended along the entire outboundary where new building lots and/or trails are in close proximity to the outboundary. The final determination of planting locations will be deferred until clearing is completed and remaining vegetation is reviewed in the field by the Township Engineer in conjunction with the developer. (CU II.9.e)
37. Notwithstanding energy conservation tree waiver, pursuant to the CU Settlement, a \$10,000.00 contribution shall be made by the applicant to the Township tree fund in-lieu-of strict compliance with the tree replacement requirements of Section 22-515 of the Subdivision Ordinance.
38. Design engineer indicates that the development will be constructed in one phase. If phasing of construction is proposed in the future, a phasing plan should be submitted for review to verify extent

of improvements to be constructed with each phase. (SLDO Section 22-403.12.E)

39. Dedication documents for all easements identified on the record plans should be prepared by in a manner satisfactory to the Township Solicitor (or applicable utility owner). Blanket easements are proposed for utilities within townhouse section and open space. Legal descriptions, signed and sealed by the responsible surveyor must be submitted for review and document preparation (SLDO Section 527)
  40. Area within the ultimate rights-of-way of Roads A & B, Old Bethlehem Pike, and Hill Road should be offered for fee simple dedication to the Township. The ultimate right-of-way area along Lot 198 frontage with Three Mile Run Road should be offered for easement dedication to the Township. Note 4 on plan cover sheet should be revised accordingly. All dedication documents should be prepared in a manner satisfactory to the Township Solicitor. Legal descriptions, signed and sealed by the responsible surveyor must be submitted for review and document preparation. (Section 22-506)
  41. Declaration of easements, conditions, and restrictions, consistent with CU Settlement and land development plan approval, must be prepared in a manner satisfactory to the Township Solicitor.
  42. Specific disclosure form delineating all easements, conditions, restrictions and/or assessments for presentation to each lot owner prior to the sale of any individual lots/townhouse units, must be prepared in a manner satisfactory to the Township Solicitor.
  43. Both Street Light and Trash Collection Districts are required to be established for the finally approved plan pursuant to the CU Settlement. Documentation must be prepared in a manner satisfactory to the Township Solicitor.
  44. Natural gas facilities are located in Old Bethlehem Pike. Applicant has indicated that natural gas service will be extended into the development. Location of proposed gas main should established to verify that there will be no conflicts with other utilities. (SLDO Section 22-521)
  45. Property monumentation (outboundary, right-of-way, easements, and lot corners) should be installed in accordance with Section 22-522 of the Subdivision Ordinance. Overall property outboundary monumentation must be installed prior to plan recordation and be certified in writing by the responsible surveyor. Individual lot, right-of-way, and easement monumentation must be escrowed for installation after related construction is complete. Property corner monuments should be installed prior to occupancy of the individual lots.
  46. The applicant must coordinate with the Township for all construction activities and street openings relating to the extension of sanitary sewer line on Old Bethlehem Pike.
  47. The applicant must comply with the Township Solicitor Review memorandum dated February 22, 2022.
  48. Development/Financial Security Agreement should be required to be executed between applicant and East Rockhill Township to guarantee installation of "public" improvements including, but not limited to, stormwater management, erosion control, landscaping, regulatory signage, monumentation and street improvements. An Opinion of Cost, prepared by design engineer, should be submitted for review and agreement preparation upon finalization of design. (SLDO Section 22-606)
- Jim Marte, 2094 Hill Road, stated he did not receive certified mail notification with the preliminary plan submission. The plan was the result of (7) 2011 Conditional Use Hearings held at Pennridge High School

which resulted in a Court Order with multiple public meetings held as noted on the agenda. Price range is not entry level and stormwater from the site would be reduced. Mr. Marte expressed concerned for lighting on the back of the dwellings impacting his property and concern for people congregating at the end of the walking trail adjacent to his property.

- Candids Craveiro, 2052 Hill Road, stated concern for stormwater from the development to her neighboring property. It was reiterated stormwater would be reduced and discharged at a slower rate.
- Antonio Craveiro, 2052 Hill Road, would like the creek bed to be cleaned out.
- Nick Lashte, 2122 Hill Road, just bought his house and was not advised there would be a development.
- Christine Stock, 1700 Old Bethlehem Pike, would like her well tested. Public water is proposed to the development and therefore her well would not be impacted. It was confirmed the current design of the roundabout would not require any easements on her property.
- Mike Derr, 204 Three Mile Run Road, would like a temporary light at Tunnel Road during the detour and more fire hydrants. Detour is under Traffic Engineer review and fire hydrants under PRA review.
- Tom Rau, 2116 Hill Road, asked why the plan was not the same as what was at the Conditional Use Hearings. The Board of Supervisors lost a lot of conditions with the Court Order. Exit onto Hill Road is an exit not an emergency exit.
- Ron Schulberger, 2386 Hill Road, is opposed to detour to Tunnel Road.

**On motion** by Mr. Kelly, seconded by Mr. Monahan, to recommend granting final approval conditioned on compliance with Wynn Associate August 8, 2022 correspondence as presented. With no additional discussion, all present voted in favor.

**New Business:**

**1917 OLD BETHLEHEM PIKE CONDITIONAL USE APPLICATION.** Discussion of a B9 Residential Conversion Use to convert an existing residential accessory structure to one apartment at 1917 Old Bethlehem Pike with tax parcel number 12-008-041 owned by Lucas Hollenbach for a use permitted by Conditional Use Hearing in the RP Resource Protection Zoning District. The applicant was not present.

**On motion** by Mr. Teel, seconded by Mr. Kelly, to recommend granting the Conditional Use application contingent on the conversion: (1) not to be used as a short-term rental; (2) meet septic requirements; (3) limit to residential use and (4) no further extension of footprint or height. With no additional discussion, all present voted in favor.

**ZONING MAP AMENDMENT.** Discussion of Rezoning a portion of tax map parcel 12-014-004 from RR Rural Residential to C-E Cultural Educational

**On motion** by Mr. Monahan, seconded by Mr. Teel, to recommend a zoning map change as presented. With no additional discussion, all present voted in favor.

**PERKASIE REGIONAL AUTHORITY GRANT APPLICATION.** Consider authorizing a letter supporting a Pennvest grant application for public water service on a portion of Old Bethlehem Pike

**On motion** by Mr. Eisenhart, seconded by Mr. Teel, to authorize a letter supporting a Pennvest grant application as presented. With no additional discussion, all present voted in favor.

**Public Comment:**

There was none.

**Adjournment:** **On motion** by Mr. Teel, seconded by Mr. Monahan, the meeting adjourned at 8:52pm.

Respectfully Submitted,

Marianne Morano  
Township Manager