

The meeting was called at 7:31. Present were Cole, Aherne, Casola, Bickford and Dotti

Kimberton Whole Foods, Waiver of Land Development

Patrick Mullaney, applicant, represented, regarding the application to construct a 268 square foot addition at 239 Durham Road, Ottsville, PA. . The Planning Commission reviewed the 11/17/2016 memo from Tracy Tackett (TT) and the 11/22/2016 memo from Tom Fountain, which are both attached to these minutes.

Moved by Dotti, and seconded by Cole, that the PC recommends approval 4-0-1 (Peter Bickford abstained) of the waiver of land development subject to:

- Compliance with the comments of Tom Fountain email as follows.
 1. Maintenance of professional services agreement and reimbursement of expenses of Township professionals.
 2. Clarification regarding whether as-built plans or an updated site plan shall be recorded at Bucks County.
 3. Impervious surface remediation supported in the location identified on the site plan with the addition of vegetation such as shrubs in the remediation area.
 4. Stormwater BMP area to be staked and fenced.
 5. Replanting of existing vegetation along proposed addition to provide vegetation between addition and side property line.
 6. Consideration of a tree planted near the dumpsters, but outside of the septic drainfield area.
 7. Trees to meet minimum standards of the Township Engineer within reason.
 8. Applicant provides a copy of the site plan to Bucks County Conservation District to determine if review of grading is required by BCCD.
 9. If applicable, Applicant will obtain grading and stormwater permits from the Township.
 10. Regarding compliance with the conditional use decision and order, the PC recommends the following:
 1. Staff confirm the correct parking standards to be shown on the site plan and determine if as-built plans are required to be recorded.
 2. Support of the remediation area in the area identified on the site plan, with additional landscaping consisting of shrubbery.
 3. Support 6 x 6 landscape ties and shrubbery to be utilized in place of bollards.
 4. Support issuance of a temporary certificate of occupancy prior to removal of temporary trailer to allow transfer of contents.

All in favor, except that Bickford abstained.

Schmidt Conditional Use, Critical Recharge Overlay District

Robert Nase, architect, represented the application, to construct a driveway and seepage bed in the Critical Recharge, and a 2,374 square foot detached garage for the storage of farm equipment, and to renovate the existing residence at 23 Frankenfield Road, a 26.6 acre tract in the Residential Agricultural Zoning District.

Nase asserted that a long portion of the existing driveway will be removed and that this area will be remediated so that it will qualify after Township review as pervious, so that the total percentage of impervious in the Critical Recharge part of the site will be less than 4.9%.

Nase asserted that after improvements the total impervious on site would be 54,830 square feet, over a 26.6 acre tract. This did not include the area of the horse riding ring. The Planning Commission discussed whether the graded aggregates of the riding ring subject to compaction by horse hooves represented an impervious surface. The Commission referred the question about the riding ring to the Township Engineer. It was noted that the horse riding ring is a preexisting condition and no change is proposed in association with the horse riding ring.

Aherne reviewed the application according to sections 1 through 9 of the Conditional Use Criteria, and found that it complied.

Motion by Dotti, seconded by Cole, that the Planning Commission recommends approval subject to the stormwater management facilities being constructed in accordance with the Township Engineer recommendations. All in favor.

REVIEW OF INTERNAL PROCESS (FROM OCTOBER)/GENERAL COMMENTS

- PC requests all electronic documents be provided in PDF format rather than as Word documents.
- Suggests that when any zoning application is not submitted directly to the zoning officer then the payment not be accepted.
- TT should prepare a sign-off sheet for submittals

ZONING ORDINANCE UPDATES

Steep Slopes-

Discussed challenges associated with mapping, encroachments, and the fact that the Comp Plan references regulating slopes of 8% and greater. Recommended looking at recommendations from the Middle Delaware Study from 2010. TT suggested keeping regulation of 15% and greater and consider revisiting in 2017. It was noted that if Township moves forward with regulation 8 percent and greater there should be allowances for encroachments. Suggestion to look at Bedminster regulations. PC does not recommend exempting man-made steep slopes.

Action Items:

- TT to look into Bucks County lidar mapping for updating of steep slopes map and ability to identify slopes of 8% and greater.
- Revisit in 2017 regulation of steep slopes between 8-15 percent.

Riparian Buffer

PC is supportive of riparian buffer width of 200 feet, rather than 150 feet as presented. PC supportive of keeping all three zones applicable to all stream categories.

Action Items:

- TT to revise buffers to maximum of 200 feet
- Prepare map with parcel layer and application of riparian buffer to illustrate the potential impact on smaller lots.
- Permit fertilizers, pesticides, and herbicides in accordance with manufacturer's instructions. Consider right to farm.
- Eliminate revegetative requirements associated with CU process

Other Sections/Action Items

- TT to determine date of soil map being used by Township to determine whether a soil scientist needs to map soils for a Qualifying Improvement.
- Keep standards identified in comments 7 & 8 of Tackett Planning memo.
- TT to highlight sections of the ordinance being changed.

Motion by Cole, second by Casola, to adjourn at 9:58. All in favor.