

# Warrington Township Planning Commission

## Minutes for October 4, 2012 Meeting

The regular meeting of the Warrington Township Planning Commission was held at 7:33 pm. October 4, 2012 at the Township Building located at 852 Easton Road, Warrington, PA 18976. The members present were as follows:

|                    |   |
|--------------------|---|
| Douglas E. Skinner | Absent  |
| Fred Gaines        | Vice-Chair  |
| Madeline Sturm     | Secretary   |
| Ted Piotrowicz     | Member  |
| Ben Redd           | Absent  |
| Dennis Gordon      | Member  |
| Richard Rycharski  | Member – arrived 8:30                                 |
| Ken Yerger         | Carroll Engineering                                   |
| Roy Rieder         | Director of Emergency Services, Inspections & Permits |

### **1. & 2. Call to Order/ Pledge of Allegiance:**

The meeting opened with the Pledge of Allegiance

### **3. Public Comment - None**

### **4. Old Business**

#### **a. Discuss the possibility of re-zoning certain parcels along a portion of Mill Creek Rd and Theresa Cir from RA to R-1 or 2**

The Planning Commission was asked to review this once again. The Township's Solicitor has sent a response to the Planning Commission's question of spot zoning for this proposal. He determined that this is NOT spot zoning.

The benefit to the township would be that a majority of these parcels would be made conforming

The Egenolf's are appealing the Zoning Hearing Board's decision with the court of common pleas.

The possible use of TDRs were discussed and it was determined that TDRs may be useable to solve the Egenolf's problem. This will require more research.

After discussion, it was suggested that this rezoning possibility be tabled until the appeal is decided and the possible use of TDRs is researched. Mr. Piotrowicz made the motion to table, Ms. Sturm seconded. The motion passed by a vote of 4-0.

Mr. Piotrowicz – yes    Mr. Gaines – yes    Ms. Sturm – yes    Mr. Gordon - yes

### **5. New Business**

#### **a. Review and make recommendations concerning an amended final plan for Penrose Walk**

Kim Freimuth (Fox Rothschild) and Ed Davis (Forino Engineering) were present representing this plan this evening. This amendment to the proposal is to add six more two family semidetached units to the

proposed development that was granted final plan approve in March 2012. There will need to be on additional waiver due to this amendment for the length of the cul-de-sac.

The Carroll Engineering letter of 10/2/12 will be complied with on all items.

A resident from Bradford Ave asked it the “pond” that now exists will be remaining. It was determined that the pond in question was for sedimentation control and will be a detention basin when the development is established.

Mr. Gaines asked if the developer could revisit the idea of alternative access onto street road due to the problems of the increased traffic on Bradford Ave. The applicant agreed to look at the possibility. The PennDOT HOP would have to be renewed.

The question was asked if any wooded areas are going to be replaced because of the wooded areas that are to be removed for construction. Carroll Engineering has already addresses this. The applicant will be leaving as much as possible and has agreed to add to the thin buffering areas.

The open space requirements were questioned with the addition of additional units. The approved plan had more than sufficient open space allowed. With the additional units, they are still above the required amount, just with less excess.

Bucks County Planning Commission letter of 9/18/12

They have requested a waiver for the cul-de-sac length, but emergency access has not been planned for at this time. The Warrington Township Fire marshal did not comment on this in his comments. They have chosen not put an island in the cul-de-sac for maintenance reasons. They have submitted an ordinance to vacate the stubs of the paper streets. The open spaces will be marked with fencing corners. All necessary markings will be included on the plans and waiver letters have already been submitted.

There will be a home owners association. As part of the planned community documentation, the owners must agree to maintain the property as it exists. They may not remove the trees and landscaping at will.

In a motion by Ms. Sturm, seconded by Mr. Piotrowicz, the Warrington Township Planning Commission voted to recommend to the Board of Supervisors the amended final subdivision plan for Penrose Walk with the following conditions:

1. Compliance with the Carroll Engineering letter of 10/2/12, including approval for the additional waiver for the cul-de-sac length.
2. Compliance with the BCPC letter of 9/ 18/12
3. There was a recommendation that the applicant consider adding emergency access to the cul-de-sac
4. The ordinance to vacate the paper streets needs to be approved as well.

The motion passed 3-0-1

Mr. Piotrowicz – yes      Mr. Gaines – yes      Ms. Sturm – yes      Mr. Gordon - Abstain

**b. Final recommendations to the Board of Supervisors regarding zoning ordinances revisions concerning vehicular signs and alternative energy.**

There was discussion on the vehicular sign ordinance with the concern that it seemed too restrictive. It was determined that the reasoning for this was to stay in keeping with the sign ordinance. The temporary sign ordinance allows for 20 days for a temporary sign, so it was determined that at the 21<sup>st</sup> day they would be in violation rather than the 2<sup>nd</sup> day.

Since this is a zoning ordinance, the penalty for violation is \$500.00 per day per violation. The violation is a notice is sent and the violator is given time to correct the violation. If the problem is not corrected and they do not appeal to the ZHB for a variance, the District Justice assesses penalties.

In a motion by Mr. Piotrowicz, seconded by Mr. Gaines, the Warrington Township Planning Commission voted to forward the vehicular sign ordinance to the Board of Supervisors for approval. The motion passed 3-0-1.

Mr. Piotrowicz – yes      Mr. Gaines – yes      Ms. Sturm – abstain      Mr. Gordon – yes

**c. Consider and make recommendations for amendments to zoning ordinance Chapter 27, Part 4, Section 411 of the Warrington Township Code of Ordinances**

The goal of this revision was to make the use of TDRs more flexible and easier to use. This charge was asked of the Planning Commission by Mr. Casey, the township's solicitor. This revision is asking for the allowance to use TDRs in the R-2 district which would allow twin homes to be built without having to apply for a variance with the Zoning Hearing Board.

The Planning Commission asked for more time to review the information and to allow for the review of work of the TDR subcommittee's work from the past few years.

**6. Subcommittee Reports**

The purpose and current members were reviewed. The subcommittees will need to be re-staffed due to the recent changes to the Planning Commission membership

**7. Approval of Minutes**

**7.1 September 6, 2012**

On a motion made by Mr. Piotrowicz, seconded by Mr. Gaines, the Warrington Township Planning Commission voted to approve the minutes of September 6, 2012. This motion passed by a vote of 2-0-3.

Mr. Piotrowicz – yes      Mr. Gaines – yes      Ms. Sturm – Abstain  
Mr. Gordon – Abstain      Mr. Rycharski - Abstain

**8. Posting of Minutes**

**8.1 September 20, 2012**

On a motion made by Ms. Sturm, seconded by Mr. Gaines, the Warrington Township Planning Commission voted to post the minutes of September 20, 2012. This motion passed by a vote of 3-0-2.

Mr. Piotrowicz – yes      Mr. Gaines – yes      Ms. Sturm – yes  
Mr. Gordon – Abstain      Mr. Rycharski - Abstain

**9. Forward Agenda Items**

**10. Adjournment**

The meeting adjourned at 9:15 with a motion by Mr. Piotrowicz, and seconded by Ms. Sturm. This motion passed by a vote of 4-0.

Recorder: Amy Organek