

DRAFT

**West Nottingham Township
Planning Commission Minutes
July 6, 2010**

The West Nottingham Township Planning commission held its monthly meeting on Tuesday, July 6, 2010, at the Municipal Building, 100 Park Road, Nottingham, Pennsylvania.

The meeting was called to order by Chairman, Neal Camens at 7:30 p.m. with the Salute to the Flag.

A motion to approve the minutes of the June 1, 2010, meeting was made by Dennis Byrne, seconded by David Ross. Motion approved. Steve Reeves abstained (absent from June 1 meeting).

**Chairman, Neal Camens, announced the Township Engineer will be late. All agreed to wait for his arrival to hear the presentation from the Oxford Area Sewer Authority.

PRESENT:

Neal Camens, Chairman
Steve Reeves, V. Chairman
Dennis Byrne, Member
Robert Rohrer, Member
David Ross, Member
Nancy L. Cox, Secretary

Eric Todd, Chairperson--Supervisors
Pat Vail, V. Chairperson—Supervisors
Gerald Cox, Supervisor
Steve Gabriel, RETTEW Associates
Ed Lennex, Oxford Area Sewer Authority
Larry Palmer, Hunter Group
Billy Buckley, BDB Properties
Robert Johnston, Township Engineer

LAND DEVELOPMENT PROJECTS

SUBDIVISION PROJECTS

McMichael Industrial Park—Revised Plan--6 Lot Subdivision—Tax Parcel #68-6-121

- A review was received from the Township Engineer, Robert Johnston, indicating that the plans were not yet in conformance with the ordinances.
- *David Ross made the following motion: In the absence of an extension granted by applicant, we recommend the Board of Supervisors deny the application for Preliminary Plan approval because current plans, as submitted, are not in substantial compliance with the Township's Zoning and Subdivision and Land Development Ordinances as detailed in Gilmore & Associates, Inc. letter of June 16. It was seconded by Dennis Byrne and unanimously approved..*

Hughes Subdivision—Final Plan—25 Gray Horse Road—TAX PARCEL #68-4-11

- Extension accepted by Board of Supervisors at February 2010 meeting-until July 31, 2010.
- A letter was received by the Board of Supervisors from Pat & Ann Hughes requesting a waiver from requirement cited by James Gade of Stantec in his review letter dated January 29, 2009. The BOS requested the Planning Commission and Solicitor to review and comment.

- After a long discussion, *a motion to make no recommendation to the Board of Supervisors on the waiver was made by Dennis Byrne, seconded by Robert Rohrer. Motion unanimously approved.*
- Extension needed from applicant.

Wicklow Land Development (Subdivision)-Final—TAX PARCEL #68-2-62

- Plans resubmitted August 7, 2008.
- Extension accepted until December 31, 2010 at the December, '09 Sup. Meeting.
- *Action will be required at the November 2, 2010, PC meeting.*

FOR INFORMATION OR TRACKING ONLY

R. Samuel McMichael—Fireworks Retail Store (Final Plan)

At the June 16, 2009, meeting, “The Board (of Supervisors) consulted the Solicitor and determined that the Secretary should write a letter to the applicant asking him when he intends to put up the escrow for the improvements and record the plans.” No answer.

According to the Municipal Planning code, he has 5 years from Supervisors’ approval to start project.

**Still to do by others:

Applicant to prepare escrow legal documentation for execution.

Note: With regard to 90 days to record the plan, per Chapter 27, 311.1 and 314.1, the 90 days comes into play after final approval of the project by the Board and final approval occurs after the financial security has been executed. Therefore, even though the Board approved the final plan on 21 August '07, final approval has not occurred due to the financial security.

No update.

OTHER BUSINESS

- **Agricultural Security Area (ASA) review required every 7 years.** *Tabled until August meeting until ASA Board has met and sent information.*
- **Application from Herr Foods, Inc. for a proposed modification to the Township’s ASA .** The parcels are located on Fremont Road: Tax parcel #68-5-42 with 73.8 acres and property at 375 Fremont Rd.— Tax Parcel # 68-5-44 with 96.0 acres.
A motion to recommend Board of Supervisors approve addition of Herr Foods, Inc. property to Ag Security Area, unless other information received disqualifies it, was made by Neal Camens, seconded by Robert Rohrer. Motion approved. Dennis Byrne abstained (employee of Herr Foods) .
- **Family Farm Related Business or School Ordinance.** To be discussed at the Zoning Task Force meeting on Monday night. (Take off agenda).
- **Establishing a Police District Ordinance.** No comment received from Supervisors. Discuss at Task Force meeting on Monday night. (Take off agenda).
- **Results of Public Hearing on Tuesday, June 15—Amish Parochial School.** School was approved to be built (with conditions). An official letter with conditions has not been received.

- **Traffic Signal—Rt. 272 & Old Baltimore Pike.** Discussion on status. PC had asked Supervisors to keep Planning Commission informed of information from Township Engineer in June 2 letter to Supervisors. (Keep on agenda).
- **Regional Comprehensive Plan Meeting—**Wednesday, July 28, 7:30 p.m. June meeting was cancelled. David Ross will attend the July meeting.
- **Zoning Task Force Meeting—Monday, July 12, 7 p.m.**

NEW BUSINESS

- **Nilan Property—(S. Nottingham Drive).** Larry Palmer wanted to discuss the possibility of a commercial warehouse for fireworks (retailing and warehouse use). After much discussion, David Ross read the zoning and found this is allowed as a Conditional Use. They would just have to go through the process. Information would be needed of previous agreements with the township and Nilan.
- Information about CVS holding tank was questioned. They are permitted to have a holding tank until public sewer is in place.

OXFORD AREA SEWER AUTHORITY PRESENTATION ON ACT 537

- OASA Executive Director, Ed Lennex, presented an overview of the revised Act 537 Regional Sewage Facilities Plan and responded to questions.
- Mr. Lennex delivered the plan (in both hard copy and a CD to the Township on June 17. The plan is also available on the Web at <http://www.oxfordsewer.org/pages/act537.htm>.
- Township Engineer, Robert Johnston, raised questions about the timetable for the Township to evaluate and adopt the plan, in particular over when the Planning Commission's 60-day window for providing comments on the plan begins and ends. The Planning Commission needs an official request from the Board of Supervisors to review the plan.
- There were many questions and concerns. PC should read document in preparation for the August meeting and a discussion over what comments to forward to the Board of Supervisors or OASA. Mr. Johnston indicated that he would provide comments to help the PC with its discussion before the August meeting.
- There is no Appendix A, B, or C to the West Nottingham needs analysis in Appendix A of the Plan. Mr. Johnston indicated that he would address this and some other revisions needed to that section.
- There is no appendix I to the Plan—Mr Lennex explained that Appendix I includes responses to comments on an earlier draft and will be completed by OASA prior to submittal to PADEP.
- Mr. Lennex urged members to read the document. He suggested members focus on the West Nottingham Township needs analysis in Appendix A and on the executive summary.
- OASA Engineer, Steve Gabreil will check with Mark Gallant to ensure the Oxford Region Comprehensive Plan document has the same map as the Act 537 plan. He will also check on Mr. Johnston's concern of the appropriate time table. Mr. Gabreil will contact the township with that information..

COMMENTS

ADJOURNMENT

- *A motion to adjourn the meeting at 9:40 p.m. was made by Robert Rohrer, seconded by Steve Roberts. Motion approved.*

Respectfully submitted,

Nancy L. Cox
Secretary