

MINUTES OF MEETING  
PERKASIE PLANNING COMMISSION  
APRIL 22, 2015

620 West Chestnut Street  
Perkasie, Pa. 18944

ATTENDANCE:

Planning Commission Members:

Earl Richard Hendricks  
John Cornelius  
Barbara Faust  
Ross Gardner (absent)  
Nelson Hollenbach  
Eileen Bradley  
Carolyn McCreary  
Richard Packard (absent)  
Steve Pizzollo

Borough of Perkasie:

Brandy McKeever, Code Enforcement Admin.  
Nate Fox, Borough Solicitor  
Doug Rossino, Borough Engineer

Bucks County Planning Commission Consultant: Maureen Wheatley

Richard Hendricks called the meeting to order at 7:02 PM. The Pledge of Allegiance was recited.

**PUBLIC FORUM**

None.

**APPROVAL OF MINUTES**

Upon a motion by Eileen Bradley, seconded by Nelson Hollenbach, the Planning Commission meeting minutes of the April 8, 2015 were unanimously approved.

**NEW BUSINESS**

**Willis & Sherry Moyer Living Trust**

Ed Wild introduced himself as the Attorney representing Willis and Sherry Moyer, Scott McMackin of Cowan Associates as the applicant's Engineer and Applicant Woody Moyer. He explained they were before the Planning Commission to discuss their sketch plan previously. They had planning concerns and zoning issues that needed to be addressed. He acknowledged they have been to the Zoning Hearing Board and were granted the relief to be compliant. He noted the plans have since been revised and identified the April 12, 2015 Engineer review from Gilmore and Associates.

Scott McMackin, Applicant's Engineer, gave an overview of the site. He showed the existing dwelling and features on the property. He explained they are proposing a minor subdivision, there will be a lot line added to the west of the existing dwelling and showed lot one as well as lot two which is the proposed new lot. With the sketch plan they had a driveway connection on Callowhill but now it is on the existing alley, lot one will continue to use the existing drive. The Zoning Hearing Board provided relief on steep slope areas. He said the new home will be a single family dwelling, there will be a new drive and connections for water and sewer are available, they are proposing a stormwater management system and showed as well as described the basin area. He also pointed out the outflow which goes through lot one.

Ed Wild noted the area is large enough to meet the lot requirements and explained the existing condition. Any questions about additional zoning relief were determined by the Zoning Officer. He explained the Moyer's deed says they own to the center line of the alley, therefore they own half and why the new driveway is proposed in that location. There are a few properties that take access off the alley and he explained their location in more detail. The Engineer letter was acknowledged and reviewed. It was noted that roman numeral three in the review relating to Zoning are either addressed or will be addressed and highlighted number two to which they have to add one additional tree and re-designate the location of an additional tree. Subsection B under Roman numeral three addressed their waiver requests and commented that the review letter shows no objections to their requests. He went into each item in more detail. He explained the ultimate right of way waiver is an existing condition and therefore cannot be met. It was acknowledged they are not proposing sidewalks therefore they are requesting a waiver; this is the same for curbing. A waiver request for side lot lines at right angles and are slightly offset because it follows the property. They have a minor waiver requested for grading of the proposed berm for stormwater management. Another minor waiver is requested for tree protection but all comments are a will comply. He went on to make comment that the fee in lieu of for park and recreation doesn't make sense for a minor subdivision as it is per unit. It was explained they will only be adding one additional unit and questioned whether it's based on existing and/or proposed and would pay for only unimproved but other than that he believes it is a blanket will comply. He then moved on to the Bucks County Planning Commission letter and acknowledged the maintenance agreement comment in order to secure confirmation the alley would be maintained. The use of the alley present day was discussed. He continued by noting at the Zoning Hearing Board the end property owner was not thrilled with them using the alley but they have the right to use it and the Borough agrees but it is open for discussion.

Maureen Wheatley questioned the tree protection waiver and asked if they would replace trees if they don't survive. She was curious as to the maintenance period for tree replacement.

Ed Wild asked what they would be most comfortable with.

Maureen Wheatley felt two years would be appropriate.

Ed Wild confirmed with Woody Moyer, who agreed.

Rich Hendricks commented on the waiver request letter and mentioned it needed to be updated.

Eileen Bradley asked if lot one is serviced with public water.

Ed Wild confirmed it is.

Barbara Faust asked who takes care of the alley present day.

Ed Wild commented he believes the bulk of the labor is incurred by the person at the end of the alley as that is their only means of access, he would think they'd come to an agreement collectively despite the fact the alley is mostly not used as primary access by the others. He is hoping common sense prevails but acknowledged they still have to wait and see if everyone agrees. Ed went on to note that there are the right amount of waivers requested but the numbering does not correspond with the Borough Engineer letter because curb and sidewalk was together in their request but the Borough Engineer letter has them separate.

On a motion by Eileen Bradley, seconded by John Cornelius the Commission unanimously recommended a waiver from section 164-20 dealing with Ultimate Right-of-Way.

On a motion by Carolyn McCreary, seconded by Barbara Faust the Commission unanimously recommended a waiver from section 164-20(C), 164-51, 164-52 dealing with sidewalk.

On a motion by Eileen Bradley, seconded by Nelson Hollenbach the Commission unanimously recommended a waiver from section 164-30(D) dealing with required side lot lines.

On a motion by John Cornelius, seconded by Nelson Hollenbach the Commission unanimously recommended a waiver from section 164-31(F) dealing with grading within five foot of a property line.

Rich Hendricks clarified the request and Scott McMackin showed on plan that it's just blending.

On a motion by John Cornelius, seconded by Eileen Bradley the Commission unanimously recommended a waiver from section 164-41(1) dealing with tree protection.

The Commission discussed the maintenance standard and it was acknowledged they would follow what was in the Ordinance.

Rich Hendricks asked if they are requesting conditional approval.

Ed Wild commented they'd like preliminary/final approval.

Doug Rossino acknowledged the Ordinance just requires final for a minor subdivision.

Rich Hendricks clarified the definition of a minor subdivision has been fuzzy in the past.

On a motion by John Cornelius, seconded by Carolyn McCreary the Commission unanimously recommended approval of the proposed Subdivision request conditional on the waiver requests above, the Gilmore and Associates letter dated April 13, 2015 and the Bucks County Planning Commission letter dated March 27, 2015.

### **Hidden Meadows**

Gia Raffaelli introduced herself as general counsel for Hallmark Homes Group, Richard R. Carol III the Vice Present of Hallmark Homes Group and John Tressler their Design Engineer from Boucher and James.

Gia Raffaelli explained Hallmark Homes Group is the equitable owner of what is known as the Kratz Tract and provided an overview of the location. She commented they are proposing a forty eight single family dwelling subdivision and that the subdivision will have a Homeowners Association. She went on to discuss the fact that they have submitted for preliminary/final approval due to the work they've put in on the project over the course of the year which included providing sketch plans. She believes their proposal complies with the Ordinance and acknowledged the review letter's that were received as well as eight waiver requests in their April 7<sup>th</sup> Boucher & James letter.

Rich Hendricks questioned who the sketch plan was presented to.

Eileen Bradley noted it was discussed before the Planning Commission for the zoning but not planning.

Rich Hendricks explained typically people come before them to head off planning issues. He felt there is some risk here as they should have been advised Planning Commission needed to see it for comment prior to putting a preliminary/final plan together.

Gia Raffaelli noted this plan has not changed since the zoning was discussed. The layout hasn't changed but they did lose some lots. She moved onto discuss the Gilmore & Associates letter dated April 16<sup>th</sup>, review number two.

Rich Hendricks asked where review one was.

Doug Rossino explained they addressed the comments in review one and sent it back for a second review before presenting it to the Planning Commission.

Gia Raffaelli commented that they wanted a cleaner plan to present to the Planning Commission but most of the items that were addressed were engineering issues. She acknowledged the zoning comments in the Engineering letter. The allowable impervious was addressed first, she commented on the initial building allotment and additional allotment for homeowners. She explained they have designed the stormwater management system to allow for the maximum impervious and additional for the residents to use.

Eileen Bradley asked how much.

John Tressler commented that there is an additional 1,400 square feet for each unit.

Gia Raffaelli noted residents may want a pool, shed and deck so they sized the facility for each lot having it. This was defined on the plan to make it clear on the plan so it's more useable. She explained they will comply with the Engineer's comment and show the break down in a table, it was noted they have designed for a maximum on impervious but will comply with the Zoning Ordinance.

Nate Fox asked if it could be provided in the sales disclosure.

Gia Raffaelli responded yes. She explained they will comply with item number two which is lot area; item three acknowledges there is one area where there is no buffer between the Perkasio Borough and East Rockhill municipal line. After looking at the table there is no buffer required for residential use abutting vacant land which is why a buffer is not shown.

Doug Rossino said it isn't an issue but it is in the Zoning Ordinance.

Maureen Wheatley commented when the Ordinance was updated it was changed in one place and not in the table, this is a discrepancy. One section says a class C is required which she believes is meant to be all around the parcel but it's not clear.

Nate Fox said he felt a class C buffer should be installed where specified but is there a concern if this buffer is not put in when abutting vacant land.

Eileen Bradley asked about the zoning on the neighboring parcel in question.

Gia Raffaelli believed it is a C-R1 which is country residential; therefore they would be single family homes.

Carolyn McCreary asked if it is currently being farmed.

Gia Raffaelli said yes.

Carolyn McCreary was concerned with buffering the homeowners from farm activity.

Gia Raffaelli said the Commission could make a recommendation. She noted that they would request a zoning determination and discuss it further with Council.

Rich Hendricks believed it has always been interpreted as each person has their own buffer.

Maureen Wheatley commented that the intent was to have a class C buffer around the whole property.

Nate Fox asked if a class C buffer could be a fence.

Maureen Wheatley said yes and commented on the options.

Eileen Bradley said it doesn't make sense to talk class C buffer and not carry it through. She felt that this was left out of table and is warranted as well as needed.

John Cornelius asked if the plan was provided to Hilltown.

It was noted it was and would check on if there was any comment.

The Commission had further discussion on buffering and felt it was needed.

Gia Raffaelli said if it is determined a buffer is needed a fence would be fine if it continues to be farmed. She explained page three is all will comply in reference to Zoning and moved on to the Subdivision and Land Development comments. She noted the first item relates to preliminary/final approval and understands what was said in the beginning of the meeting and provided insight into why they believe it is warranted. She made comment that there has been review and changes made to the plan, beyond this they would like to begin construction this fall. It was identified that a waiver was requested for phased development and doesn't believe the Engineer has an issue.

John Tressler showed the area.

Rich Hendricks asked if they are developing in Hilltown.

Gia Raffaelli said it is under agreement but they do not have plans in place.

Rich Hendricks asked about the cul de sac and noted the potential for a through drive on the existing development. He commented he was interested in the whole plan and potential connection to Hilltown.

Gia Raffaelli said they did not have the tract at the time and is not sure where that's going through at this point. The initial reason for the connection there is a requirement in the chain of title which is where the stub came from; the parcel that adjoins does not have access to Callowhill and is land locked.

Rich Hendricks clarified there is a potential for 48 dwellings here and more in Hilltown.

Gia Raffaelli said the most in Hilltown is 8-9 dwellings.

Carolyn McCreary noted there is no plan in place to verify and she was concerned with traffic.

Rich Hendricks noted the cul de sac length with one access and commented that this is well beyond the allowable length. He felt an alternate exit/entrance is important and commented on stubbing into Souder Lane.

John Cornelius agreed on the connectivity issue and felt that it makes sense from a planning standpoint to connect it. He acknowledged the Hilltown portion at this point is far off.

Rich Hendricks was concerned about where people would exit should the entrance be blocked especially with the Hilltown parcel developed.

John Cornelius agreed.

There was further discussion on additional access to the development.

Gia Raffaelli commented on requirements and construction material for the emergency access as well as its intent.

John Tressler noted there would be break away bollards to open up the access.

Barbara Faust noted there is still a lot of traffic and questioned if it's feasible to widen Souder Lane and add another access in and out of the development.

Gia Raffaelli commented there are a number of reasons why a connection wasn't made, which included comments from the public and the adjoining subdivision doesn't want the road.

Nate Fox noted there's been a lot of communication from residents identifying that they do not want a through street. He stated he believes the applicant was compromising by adding an emergency access point should there be an issue with the intention that it also be a walking trail, therefore all traffic has to primarily go through the main street but it is still an access point.

Carolyn McCreary commented on the staff meeting and asked if staff is advising the applicants.

Nate Fox noted the discussion was on compliance and part of the review was narrowing down the Engineering issues so that when it does come to the Planning Commission it was in a form presentable to go over without an extensive review. There has been some dialogue and it has been discussed. Although this is the first time Planning Commission is seeing it he believes it is a compromise by the applicant and acknowledged he would like thoughts on the issue.

Gia Raffaelli commented that they went off what was in the Ordinance. She acknowledged the original plan was much different and by working through the comments and design this is what was prepared and presented for comment.

John Cornelius noted the walking path is short and he felt it was not a resource but access.

Gia Raffaelli noted there are connections and it is an element of planning by connecting the neighboring subdivision.

Maureen Wheatley mentioned in the Manager's memo that it was noted the emergency access to Stonycrest is not a good connection because it's winding but the Bucks County Planning Commission believes it is a good connection because people won't cut through.

Gia Raffaelli went on to their horizontal curb waiver on secondary streets.

John Tressler noted the area on the plan.

John Cornelius asked if it was a 34ft. cartway.

John Tressler said yes.

Gia Raffaelli went on to discuss a waiver for the minimum site distance of 500ft for collector streets, David Horner their traffic engineer provided a letter dated August 2014 which reviewed the Ordinance and design site distance for a PennDOT road or a road of this nature. She noted it is not clear if it's for cars at a stopped condition or cars passing by. The letter states they believe they have ample distance based on PennDOT standards and believe that's sufficient. The Borough Engineer's recommendation was to do a speed study for the actual speed on North Main St. The April 20<sup>th</sup> study identified that at the 85 percentile of 40mph they would have ample distance. Furthermore even at 45mph they would still meet it and therefore will comply thus the basis waiver. She moved on to a waiver request for an approach at a straight course for 50ft at an intersection.

John Tressler stated they are coming in at a slight angle and their proposal is a common practice of engineering which he believes the Borough Engineer is ok with.

Gia Raffaelli noted they are providing an aerial and are requesting a plan size waiver. She moved on to the waiver for road way construction.

Eileen Bradley asked about dedication of the roadways.

Gia Raffaelli said yes dedicated.

John Tressler noted a strength analysis was completed to compare to proposed construction and they believe the substitution satisfies the requirement.

Doug Rossino said yes it meets the Borough Ordinance.

Gia Raffaelli noted number two requesting Belgium block versus concrete as they feel it's easier to maintain and replace.

Doug Rossino noted that 5% of extra block would be supplied to the Borough for repair.

The commission discussed maintenance responsibility.

Nate Fox noted it would be the responsibility of the Borough.

The commission discussed Belgium block further.

Gia Raffaelli commented that item three is a will comply, item four also a will comply but acknowledged they may need a temporary construction easement from and adjoining homeowner and there is potential for relocation of a driveway.

John Tressler showed this on the plan.

Rich Hendricks asked why it is so close to property.

John Tressler noted due to the wetlands and commented they are required to be five feet off the property line.

Gia Raffaelli noted have extra ten feet.

Rich Hendricks asked if they talked to the neighbor.

Gia Raffaelli noted they would reach out to them. She commented item five is a will comply. She noted they understand there is a fee in lieu of and propose to pay it. Item seven is a will comply and acknowledged they have received a review letter from Perkasio Regional Authority and explained they are in the process of revising the plans and there haven't been an issues brought up.

Rich Hendricks asked if they are tying into the adjacent development.

John Tressler noted they are going to tie into Souder Lane.

Gia Raffaelli noted item eight and believed the plan had been submitted to fire chief but there was no review yet. She stated item nine is a will comply and will be revised and item ten is also a will comply.

Rich Hendricks asked if they were servicing residents with gas.

Gia Raffaelli said yes.

Rich Hendricks asked if the plan has been reviewed by the Electric Department.

Bob Blue noted it was reviewed and comments were provided, other utilities are following the electric departments lead.

Doug Rossino explained UGI does not want their lines in street but rather in grass and an additional waiver would be needed for this.

Bob Blue commented the trees are on the lot side of the sidewalk. The layout will be curb, street light, grass strip, sidewalk, UGI and electric together in a common trench.

Gia Raffaelli noted item eleven is a will comply and they contacted PRA. She comment on the stormwater, item one through five are a will comply. She noted they did receive an adequacy letter from the Bucks County Conservation District and they just need a consistency letter from the Borough in order for the NPDES permit to be released. She noted number six having to deal with impervious surface is a will comply. In reference to the traffic comments there are two items to discuss, street names, existing streets and alignment.

John Tressler noted Coventry Way and Hidden Meadow Drive are across from each other.

Gia Raffaelli noted the layout of the interior roads.

Eileen Bradley expressed she did not like the road names.

Rich Hendricks likes the logic presented but the other roads would be the same road to him and he can see three different road names but not the four. He noted the fire chief may weigh in on that.

Gia Raffaelli noted item number three which no waiver is listed because they are not sure they need it based on what PennDOT says. Collector streets are to be at 40ft, the plan indicated existing roadway is at 32ft. North Main Street is a PennDOT road therefore a Highway Occupancy Permit is required and they don't believe they will want widening but if they do not they would request a waiver to not widen the road along the frontage.

Barbara Faust noted the only area to be widened would be the small section.

Gia Raffaelli when on to item four requesting a waiver for a portion of sidewalk,

John Tressler explained the whole residential portion has sidewalk but there is only sidewalk on one side leading out of the development as any additional sidewalk wouldn't serve a purpose but more impervious. He acknowledged every house does have sidewalk in front of it.

Gia Raffaelli noted there is no area where there's not an appropriate connection. She acknowledged that residents can get to both developments as well as out to Main Street therefore they are requesting a partial waiver. She moved on to item five and six which are a will comply, number seven was in reference to the traffic impact study completed and it was found that a light wasn't feasible.

Bob Blue noted the traffic signal was not warranted.

Gia Raffaelli noted number eight is a will comply.

John Tressler explained restriping Callowhill's intersection to the North was recommended but they didn't know if the Borough wanted it done.

Doug Rossino noted the study recommended a right turn lane but discussions with the public works and police led to it being more of a hazard.

Nate Fox noted it is a will comply with the Ordinance and there was no comment on the recommendation.

Gia Raffaelli noted page seven and the fact that a Highway Occupancy Permit is require which is a will comply, item ten identifies their need to meet with the public works department to discuss snow removal.

Rich Hendricks wanted to know if they would provide an easement.

Doug Rossino noted they will figure out an area to place the snow.

Gia Raffaelli noted general comments and stated that an environmental phase one was completed. Soil testing came back within the normal limits. She commented on item two referencing the access easement to be extinguished which will be shown until they actually show the stub. She further explained that the property is currently a farm; there is an access easement for a farmer to get to the Bethel tract. She noted the rest of the comments are in reference to legal description request and additional permits. All of which are a will comply and will be submitted. There are general permits required for DEP, Highway Occupancy Permit, Erosion and Sediment Control and NPDES to which they received a planning module exemption. It was noted there was no material changes that would alter the comments of the Bucks County Planning Commission. She noted comment one and two are a will comply and moved on to comment three addressing environmental protection standards.

John Tressler noted sheet four which shows the environmental standard table which they believe complies. He questioned if they are appropriately demonstrating sensitive areas, allowable disturbance and what's being disturbed.

Maureen Wheatley noted it was added to the plan but temporary and permanent impacts are separated out. She commented that either way they are not to be disturbed.

John Tressler clarified the temporary disturbance and explained they are putting rain gardens in that area. He explained they will do additional grading to add the rain gardens and reforest the area so that once it is complete you will have woodland and naturalized impressions to help with stormwater. He noted wetlands on the site which are not disturbed and showed the area, he also pointed out a drainage ditch which crosses an area that is not wetlands but waters of the US.

Maureen Wheatley stated that from the drainage plan it all appears the whole area is to be regarded including rain garden area, question if the area to be regarded will be changing the hydrology.

Doug Rossino noted this will actually improve the hydrology and runoff as agricultural use is very close to impervious and this will actually slow down the water.

Carolyn McCreary asked if the stormwater will stay on the property.

Doug Rossino noted they are addressing rate control, infiltration and water quality which is why what's proposed is proposed. He confirmed this proposal is a best management practice.

Gia Raffaelli commented she believes they are complying.

John Tressler noted the natural state is agriculture and he questioned if that means they should continue to farm.

The Commission further discussed wetland intrusion and the environmental standard.

Maureen Wheatley suggested temporary impact versus permanent impact should be clarified.

Eileen Bradley felt it is an improvement to the site.

Rich Hendricks agreed but was not sure the Ordinance reflects that.

Larry Weinberger, 546 E. Callowhill St., spoke to the high flow of water and the placement of the berm. He said the farm is too wet to utilize and questioned where the water is going to go.

Rich Hendricks noted they would collect it, convey it and store it.

John Tressler noted they are going to capture that, slow it down and capture it and disperse it into the wetlands and water will be collected in rain gardens then infiltrated into ground and discharge at slower rate into natural wetlands. He confirmed he is aware of what was described and believe they built a plan that would improve all of that.

Gia Raffaelli noted number four dealing with open space, she stated the terms should be uniform.

John Tressler said they will work to clean that up and the soils are a will comply.

Maureen Wheatley noted there is a sheet provided.

Gia Raffaelli commented basements are proposed and number six addressing access.

John Tressler noted the emergency access was discussed and there is mention of crossing wetlands, the symbols do not differentiate between waters and wetlands which they will revise

Gia Raffaelli noted there was a meeting with DEP before submitting the plans which directed them.

Maureen Wheatley noted visitor parking.

Gia Raffaelli confirmed there will be on street parking.

Rich Hendricks felt there was ample space.

Maureen Wheatley noted the borough has requested parking on only one side of street.

Rich Hendricks commented this has been done in the past but with a 34 foot wide road it does not warrant restricted parking but if the fire chief raises a concern they will address it.

Gia Raffaelli noted item number eight which is a waiver request for sidewalks, item nine discussed buffering, item ten references changing of a type of tree which is on the revised plan as well as number eleven. She explained the utility lines will be coordinated as to whether a waiver is required. Number eleven is detail on lighting which is a will comply, item twelve is the proposed fee in lieu,

item thirteen is referencing Perkasie Regional Authority.

John Tressler acknowledged it has been noted and they will comply.

Gia Raffaelli commented on number fourteen that additional waivers were requested and number fifteen about sewage facilities to which they have received an exemption from DEP.

Rich Hendricks commented on the access road and said he would prefer the tie in. He acknowledged the issue with the grading in the buffer area and that it needs clarity. He commented most of the waivers he does not have an issue with.

Tom Hamburger, explained that road turns directly towards his property and is objectionable. He wanted to know if they could alter it so that the turn isn't so hard. He said the buffer is fine but he does have water, sewer, gas and utilities through the driveway and wanted to know what is going to happen with them. The driveway being an access point with a curb drop could be a huge problem is a large number of triaxles come through because he doesn't want utilities affected. He questioned what happened with the first concept and disagreed with the road change. He noted neighboring parcels and the potential for more traffic through that area.

Rich Hendricks noted he would like to hear from Hilltown Township.

The Commission discussed the traffic study requirements and reviewed the issues at hand. They felt they needed clarity on access, safety, buffering, curbing and disturbance.

Eileen Bradley does not like the preliminary/final request but if issues are resolved she could change her opinion.

Carolyn McCreary also agreed but the applicant came before the Commission upon meeting with staff therefore they were led a certain direction but have to look at the bigger picture. She also commented that she agrees with Maureen Wheatley and that improvement of the buffer area is a big one for her.

On a motion by Eileen Bradley, seconded by Barbara Faust the <sup>application</sup>~~meeting~~ was unanimously tabled.

## **OLD BUSINESS**

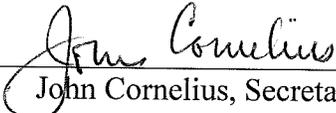
None.

## **OTHER BUSINESS**

None.

## **ADJOURNMENT**

On a motion by Nelson Hollenbach, seconded by Barbara Faust the meeting adjourned at 9:26 PM.

  
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John Cornelius, Secretary