

MINUTES OF MEETING  
PERKASIE PLANNING COMMISSION  
MARCH 25, 2015

620 West Chestnut Street  
Perkasie, Pa. 18944

ATTENDANCE:

Planning Commission Members:

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

Borough of Perkasie:

Brandy McKeever, Code Enforcement Admin.  
Chuck Brooks, Council Member  
Florence Frei, Council Member  
Nate Fox, Borough Solicitor  
Doug Rossino, Borough Engineer

Bucks County Planning Commission Consultant: Maureen Wheatley

Richard Hendricks called the meeting to order at 7:01 PM. The Pledge of Allegiance was recited.

**PUBLIC FORUM**

None.

**APPROVAL OF MINUTES**

Upon a motion by Eileen Bradley, seconded by John Cornelius, the Planning Commission meeting minutes of the February 25, 2015 were unanimously approved.

**NEW BUSINESS**

Perkasie Woods – Second Submission

Kim Freimuth introduced herself and gave a brief overview of their previous appearance. She then introduced Tim Casey and Bob Blue and explained they submitted revised plans to the Borough which are before the Commission.

Bob Blue explained there were changes requested by various agencies as well as the Borough and showed the original plan. He pointed out surrounding characteristics including boarding streets and the shopping center. He noted the four unit building abutting the karate studio and gave a background on parking easement which effected those lots so they changed the orientation to be perpendicular to street. He went on to explain they expanded on the open space and tot lot detail which included playground equipment information and additional shop drawings for things that are not a PennDOT standard. He explained the correlation between PennDOT standards and shop drawings, basically that shop drawings are back up documentation for a different way of doing things beyond the PennDOT standard. He noted they showed speed humps on the plan to deter individuals from cutting through. It was explained that the Police Chief was concerned with high water in areas around Spruce and Constitution; he went over the Chiefs request and explained they address it on the revised plan. The underground basins were acknowledged and it was confirmed that approval has been received for their NPDES permit which was also explained. From the Erosion and Sediment control review the plans should work, it's all implementation and inspection from this point. At the request of the Park and Recreation Department a walkway connecting the neighboring shopping center was put in up to the property line for potential interconnection. This was comment of the Borough and it was requested that this also be used as an emergency access but the neighboring property owner does not agree with the proposal. Drive isle widths were acknowledged as a concern which was studied and the perpendicular parking was noted, which is more for overflow parking and not a Borough requirement but included due to the concern. It was explained that many places within the Borough have parallel parking on both sides of the street creating narrower cart way widths than what they are providing at 26 feet. He commented that an auto turn analysis was completed based upon the fire company's vehicular model and the turning radius was sufficient. It was noted that there will be signage of no parking along the street. It was pointed out that they would lose parking at the tot lot if the emergency access was put in. He commented that this is basically the same plan other than units that were repositioned. The Planning Commission was informed that UGI gas service would be providing gas to the units and that by Ordinance access is to be placed in the paved cart way, UGI informed them that they do not want it in paved cart way no do they only want one line in road way. UGI instructed them they want two lines and explained the logic and purpose, behind it. Although the Ordinance says facilities are to be in cart way UGI denied that request and thus a waiver is being requested.

Steve Pizzollo asked why the shopping center property owner doesn't want the emergency access.

Bob Blue explained that area is the back of the shopping center so he is reluctant to have walking path in that area.

Eileen Bradley stated she feels there needs to be an emergency access and acknowledged they are requesting nine waiver. She commented that there's not that big of a path and that it could be blocked off so there isn't unwanted traffic. It was urged that residents will use the path regardless due to the nature of people and if you have to put in anyway it may as well be an emergency access also.

Bob Blue suggested making it a recommendation and they will revisit it.

The Commission further discussed the walking path/emergency access.

Bob Blue noted there are going to be a number of penetrations there and they have provided the walkway up to the property line and will further discuss the option with the adjoining property owner. He acknowledged that there are sidewalks to walk to the shopping center on the perimeter but

pointed out there are no sidewalks around the karate studio due to buffer between the residential and commercial use.

Nate Fox noted an opening in the building at the shopping center right near the walking path so residents can cut through.

Maureen Wheatley commented that the shopping center owner said they'd be happy to accommodate the walking path and to put it at the break in building. She explained there is parking at the rear of the shopping center and that there should be a cross walk due to truck traffic in that area.

Rich Hendricks moved on to the Gilmore and Associates review letter and explained he's interested in zoning and the relief being requested but others may want to go through the whole letter.

Maureen Wheatley stated they have not received the revised plans for review.

Bob Blue noted they were not required to.

Rich Hendricks acknowledged the Bucks County Planning Commission still has comments.

Bob Blue went over the Engineer's review letter. He explained they are providing open space as well as fee in lieu at \$1000.00 per unit. Each purchaser must execute a residential disclosure statement at the satisfaction of the Solicitor and Engineer approval. He commented that he needs to speak with the Zoning Officer about handicap parking requirements and that they will comply with what is required. He stated they will comply with obtaining a sign permit prior to the installation of said sign. He noted that the secondary streets are required to be 34 feet but since private they are asking for 26 feet which is more than adequate and explained the parking comes off of that area thus not deducting any further cart way width.

Eileen Bradley asked the Borough Engineer if the fire company deferred to him for an adequate width.

Doug Rossino said it's been reviewed and found to be adequate, the largest truck specifications for the Borough were provided and found to be satisfactory.

There was discussion as to why the roads were not going to be dedicated to the Borough. The consensus was that the Borough preferred they not be dedicated and rather maintained the Home Owner Association.

Doug Rossino explained dedication would require them to meet all road specifications and the 26 feet wouldn't be accepted unless a waiver was received.

Bob Blue noted increasing the cart way would add more impervious, provide less green space but that it will reflect a Borough road but would remain private. He went on to the waiver request for driveways being 40 ft from the intersection and explained they are at 38 ft for three lots. He went on to explain their waiver request for vertical curves and noted a typo for algebraic difference and explained it in more detail acknowledging the units involved, he explained this was a result of raising the elevation for potential flooding at the request of the Police Chief, he commented that the Engineer has no objection and they will add it to the record plan. He moved on to the waiver request for driveway apron slope and the requirement when located within a legal right of way, there was no objection by the Engineer and has to do with the Karate Studio easement. He noted they are willing

to work with everyone within reason. He explained they are requesting a waiver from the existing features within 400 feet of the proposal and noted they would be providing an aerial plan to which there was no objection by the Engineer. Lastly he commented that they are requesting a waiver from the plan set requirement in order to submit larger plans because they are easy to read.

Eileen Bradley noted the size referenced is not acceptable to the Recorder of Deeds.

Bob Blue said thank you and that they appreciate the flexibility of the Borough on submitting a larger plan. He acknowledged roadway construction requirements and noted their alternative and commented that a structural analysis from PennDOT confirmed they will meet the required loads.

Doug Rossino explained the Borough specifications and that their alternative proposal actually exceeds that standard.

Bob Blue explained the driveway slope increase due to the 5 foot sidewalk, confirmed with Doug there wouldn't be a waiver.

Doug said that is correct and noted the additional waiver.

Kim Freimuth noted the gas line waiver and one or two items suggested by Doug Rossino.

Doug Rossino explained the gas lien waiver, UGI requesting the line is installed in the grass strip between the curb and sidewalk.

Rich Hendricks asked about the electric department's review and was concerned with underground electric in that area.

Doug Rossino commented that the electric department is doing the design for lighting and electric service within the development. He noted they want the area on the back side of the sidewalk and since UGI is requesting gas on front there will be a sidewalk separation.

Bob Blue noted there will not be sidewalk between the Karate Studio and the end unit in order to install landscaping for protection.

Eileen Bradley asked for clarification.

Kim Freimuth pointed out an area that is only large enough for a sidewalk or landscaping and wanted a safe means of travel.

Bob Blue commented on coordination with the Engineer for improvements to East Spruce Street and noted that they will comply. He commented on the walking path and emergency access stating he would speak with his clients to see if there's a resolution. He went on to discuss traffic controls, speed humps and crosswalks were noted it was explained that additional signs would be added if needed. He acknowledged no parking on the road so that there won't be any confusion for enforcement. He explained curbs are to be concrete in Borough but they would like to use Belgium block for aesthetics, beyond this the Borough wouldn't have to worry about it if it gets damaged. If it does get damaged only one block would need to be addressed. He questioned the back stock and commented that it could be discussed.

Eileen Bradley advocated for obtaining the extra block stating the block will be needed.

Carolyn McCreary noted UGI's gas line placement and questioned if there would be mailboxes and whether they'd be gang.

Bob Blue said yes they would be gang mailboxes and that they are working with post office to finalize placement.

Eileen Bradley suggested a concrete pad be provided at the mailboxes so residents aren't in the street or in the mud.

Bob Blue commented that is a practical problem and they will include a detail on the plan.

Carolyn McCreary noted the 26 foot cart way and that it should be considered with mailbox placement.

Bob Blue stated he believed they have adequate space.

John Cornelius commented that the no parking on he both sides of the street is a good idea and noted what issues could arise if it was allowable. He then asked about Borough Police enforcement in the development and expressed that it's a concern.

Kim Freimuth said the Police have to right to enforce the Borough and would put it in their HOA documents.

Nate Fox asked if that would satisfy the concern and didn't believe Police would have an issue.

Eileen Bradley asked about lampposts and felt placement should be acknowledged in residential disclosure due to the gas lines.

Barbara Faust asked if the heat provided will be gas and if cooking would be gas also, she was interested in the primary fuel source.

Bob Blue said he believes it would be but would get the information for Borough Council and noted the blanket easement throughout subdivision.

Doug Rossino stated the blanket easement is for stormwater and the utilities would use the road right of ways since there are not any utilities in the open space.

Bob Blue said they would add a note to acknowledge that.

Rich Hendricks questioned how to figure out the minimum lot area with all these easements.

Nate Fox said a compliance plan will be submitted and explained the lots will be limited common area but they will show the lot area, lot lines and calculations to meet Zoning requirements.

Kim Freimuth said they provided the compliance plan in the revised submission.

Rich Hendricks questioned the easements.

Doug Rossino said they are all in the right of way of the road and not in the open space; he noted the

sanitary lines do run through a portion of the open space but acknowledged they have been relocated away from the lots therefore no longer affecting the lot area. He commented they are providing 4-5 acres of open space and only 1.5 acres of clean open space needs to be provided by Ordinance therefore the plan complies.

Maureen Wheatley noted the easements, deductions and individual lots.

Rich Hendricks made comments on the formula.

Kim Freimuth noted the blanket easement and explained she sent a letter to the Solicitor explaining this.

Rich Hendricks was concerned the Ordinance was being pushed aside and that they still have to comply with minimum lot area.

Kim Freimuth believes they are complying; the stormwater easements are useable land and the blanket easements are for access.

Bob Blue said there are no defined easements and the only reason they are doing a blanket easement is for if some reason the HOA doesn't maintain it the Borough then has the right to come in and address it.

Maureen Wheatley noted that the blanket easement is not addressed on plan in detail.

Kim Freimuth said it would be addressed in the documents, as well as sent to the Solicitor and recorded.

Nate Fox said the unit owners are not allowed to personally use the common area.

Kim Freimuth noted its common area and restricted, the restrictions will be in the community documents and reviewed by Solicitor.

Nate Fox confirmed it will be all spelled out.

Kim clarified only footprint of building is theirs and documents will spell out common areas very clearly.

Steve Pizzollo asked if the areas will have monuments.

Kim Freimuth noted residents are only purchasing the footprint of the building therefore no.

The Commission discussed limited common area and individual area.

Barbara Faust was concerned that compliance will not be able to be met.

Rich Hendricks questioned if the Ordinance needs to be addressed. He commented that this is the first time they are addressing this issue and he does not feel comfortable under the current ordinance.

Steve Pizzolo noted this is a new style of living which will be desired by the purchaser.

Rich Hendricks said he's ok with that but wants to make sure the Ordinance is met because they spent a lot of time developing it.

Steve Pizzollo noted they need to rely on the Engineer and Solicitor in these instances in order to follow development rather than hold up development to fix things.

The Commission further discussed the development, common space and individual space.

Maureen Wheatley clarified the Bucks County Planning Commission's position.

Nate Fox said the understanding was that a blanket easement is not the same as individual lot easements. The thinking is that limited common elements in a HOA are not the same as an individual lot that would have these easements. He understands it hasn't been seen in the Borough before and there needed to be clarification on a standard determination. He noted he will take any recommendations they have to council.

Carolyn McCreary stated that if another development comes through like this the Ordinance needs to be addressed and she agreed that for now the Commission should defer to the professionals.

Nate Fox said they are working on one amendment to address several issues. Lot area is one item that needs to be addressed and the Ordinance does not address this type of development.

Rich Hendricks asked if there were any issues with the review.

Kim Freimuth noted speed humps are more appropriate and recommended by the Engineer, speed bumps were recommended by the Police Chief.

Eileen Bradley clarified the difference.

Doug Rossino noted humps or tables would be more appropriate.

Bob Blue commented that additional crosswalks would be worked out for inside the development.

Rich Hendricks asked for any more comments and went over the Bucks County Planning Commission review and asked if the floodplain was reflecting the new maps.

Bob Blue said yes.

Rich Hendricks asked about environmental protection standards.

Maureen Wheatley questioned the Zoning Ordinance standard.

Tim Casey said it's been added to revised plan set therefore they comply.

Maureen Wheatley asked about the pocket parks and explained there's nothing there to make it a pocket park.

Tim Casey noted it was just terminology and that the term has been taken off the plan.

Bob Blue noted the tot lot area and explained what equipment would be installed.

Maureen Wheatley asked about buffering.

Bob Blue said yes there would be buffering.

There was more discussion on the roads and dedication versus Homeowner Association ownership.

Eileen Bradley explained many private roads are in disrepair and residents will call wanting the municipality to take them back over since they pay taxes to municipality, she felt these types of things get lost in translation.

Mary Antczak asked about the playground equipment.

Bob Blue said they are installing 70k in playground equipment and details have been submitted.

Nate Fox commented that until the property is sold out the developer/builder would be responsible for the financial contribution and maintenance of those common areas.

Kim Freimuth said there are specific turn over periods and until then there will be financial security with Borough to guarantee completion.

The Commission reviewed the list of waivers.

Steve Pizzollo asked about overflow parking.

Tim Casey commented that there are 98 spots for overflow and two spots for each residence plus garage space.

Rich Hendricks noted the partial driveway waiver on a few lots that are non-complaint by two feet.

John Cornelius was concerned with the end lot (#88) because it is by a busy road.

Bob Blue commented that it's only two feet and that they could shorten the driveway to be complaint but it wouldn't look right.

Kim Freimuth said it was de minimis.

Barbara Faust expressed concern with the waiver as well.

Rich Hendricks noted grading within 5ft of the karate studio and that it is just blending grades.

Kim Freimuth said they swapped easements and that the owner is aware of the waiver request.

Rich Hendricks acknowledged the existing features have been shown and pointed out the vertical curbs.

Kim Freimuth noted that the Police Chief requested the elevations be raised in that area due to potential flooding.

Rich Hendricks noted the driveway apron slope.

Doug Rossino explained this is the area from the sidewalk down to the roadway.

Rich Hendricks noted the paving specification and the gas line placement.

Doug Rossino explained there are auto shut offs for the gas service and that is probably why they are comfortable putting the lines in the area they've requested.

Nate Fox noted it will be in the residential disclosures not to use this area.

On a motion by Eileen Bradley, seconded by Barbara Faust the Commission unanimously recommended a waiver for the plan sheet size.

On a motion by Eileen Bradley, seconded by Carolyn McCreary the Commission recommended a waiver for the cartway width subject to the homeowners association documents reflecting the roads are under HOA ownership. The motion passed 4-2.

On a motion by John Cornelius, seconded by Carolyn McCreary the Commission recommended a partial waiver for driveway distance from an intersection for lot 34 and 62 but not lot 88. The motion passed 5-1.

On a motion by Eileen Bradley, seconded by Carolyn McCreary the Commission unanimously recommended a waiver for grading within five feet of a property line.

On a motion by Carolyn McCreary, seconded by Eileen Bradley the Commission unanimously recommended a waiver for existing features.

On a motion by Eileen Bradley, seconded by Steve Pizzollo the Commission unanimously recommended a waiver for vertical curves.

On a motion by Steve Pizzollo, seconded by John Cornelius the Commission unanimously recommended a waiver for driveway apron slopes.

On a motion by John Cornelius, seconded by Steve Pizzollo the Commission unanimously recommended a waiver for paving specifications.

On a motion by Steve Pizzollo, seconded by Eileen Bradley the Commission unanimously recommended a waiver for gas line location.

Nate Fox explained the compliance plan.

Kim Freimuth noted the Bucks County Planning Commission letter and that some items they will not comply with. She noted 2(a) and 6 specifically as items they are not complying with but all others have been addressed.

On a motion by Eileen Bradley, seconded by Steve Pizzollo the Commission recommended preliminary approval only, subject to compliance with the Gilmore and Associates letter dated March 18, 2105 and the Bucks County Planning Commission letter dated January 14, 2015 with exception of items 2(a) and 6, as well as the recommendation that there is an emergency access on open space parcel A and resolution of the compliance plan including the blanket easement issue with respect to

the Solicitor and Engineer's satisfaction, while also granting waivers as listed above and outlined in the applicants letter of March 25, 2015. The motion passed 4-2.

#### **OLD BUSINESS**

None.

#### **OTHER BUSINESS**

The Commission discussed the potential for a curative amendment.

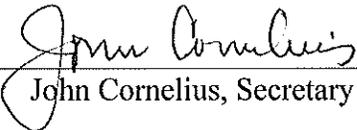
Nate Fox said he would prepare a memo to the Planning Commission in reference to this.

The Planning Commission has recommended looking at the lot area definition and application while laying out possible avenues. They went on to discuss the blanket easement option.

The Commission commented they would like staff meetings documented and a memo circulated so everyone is on the same page.

#### **ADJOURNMENT**

On a motion by Richard Hendricks, seconded by Steve Pizzollo meeting adjourned at 9:19 PM.

  
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John Cornelius, Secretary