

NOCKAMIXON TOWNSHIP PLANNING COMMISSION
MINUTES
March 2, 2004

ROLL CALL:

Members Present:

Bill Sadow, Chairman
Mark Kulp
Phyllis Hamilton
John MacFarland

Anne Lyons
Robert Balbirer

Attendees:

Supervisors
B. Keyser

Members Absent:

Ken Gross

OPEN MEETING:

Chairman B. Sadow opened the March 2, 2004 Planning Commission with a salute to the flag at 7:30 PM.

APPROVAL OF MINUTES:

A motion was made by R. Balbirer, seconded by A. Lyons, to accept the minutes of the February 3, 2004 meeting as presented. The motion carried 4-0-1, with Bill Sadow abstaining; he was not present for this meeting.

SUBDIVISIONS:

Nockamixon Farm - Planning Modules
Fink Drive and Foellner Lane,
TMP #30-14-10-1

Steve Baluh commented he had received the signed planning module from the Bucks County Health Department (BCHD) for a two-lot subdivision on Foellner Lane. The Planning Commission had recommended preliminary, final approval of the subdivision plan, but was awaiting the planning module. The applicant had to replace the septic system at the original farmhouse. Steve is asking for a motion to approve signature of the planning module so we can forward to the Supervisors.

A motion was made by A. Lyons, seconded by R. Balbirer, to approve signing of the Nockamixon Farm planning modules. The motion carried 5-0-1, with J. MacFarland abstaining; he arrived after motion was made at 7:35 PM.

NEW BUSINESS:

1. Planning Commission 2003 Annual Report of Activity -

A motion was made by J. MacFarland, seconded by A. Lyons, to approve the 2003 Annual Report of Activity and forward to the Board of Supervisors. The motion carried 5-0-1; with R. Balbirer abstaining because he was not on the Planning Commission during 2003.

2. St. Luke's Church/Consolidation of Lots - Request to be on Agenda

Betty Quirin, representing St. Luke's Lutheran Church, commented the two cemeteries are on separate deeds as well as the church. They recently purchased two lots behind the church from Mr. Schneider when he subdivided. They feel it would be to their advantage to combine all of these lots. They are currently developing plans for an addition to the church. It would eliminate any set-back issues with the cemetery. Also, with the development of the addition, a new septic system will be needed. They intend to utilize one of the new lots behind the church for the septic so they want to incorporate that as well and make it all one piece.

Under discussion, the Planning Commission gave Betty some direction in submitting plans for review. The Planners suggested she start with a 'sketch plan review', outlining everything the church wanted done to the lots. This sketch plan would

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show all the parcels including the new building addition. The Planners would look it over and give their input and feedback as to whether the church is headed in the right direction. It was also suggested that an explanation, a narrative, of what they intend on doing be brought along and presented with the plans.

Steve Baluh commented that eliminating the lot lines isn't much different than a lot-line adjustment plan. It's a boundary survey plan showing which lines are removed or consolidated. Both the lot-line adjustment and church building addition can be done on the same plan and brought in for Township review and approval.

Betty also wanted to know what other options they might have since they are considering putting the septic system on the same lot as the church. J. MacFarland commented you can't use that septic site for the church **and** build a house on it. That septic site is rated for 'X' amount of gallons using that capacity for the church. You cannot use for an additional single family dwelling. S. Baluh commented he would think it would be acceptable to construct anything related with the church - ball fields, pavilions or anything that is part of the church facility.

OLD BUSINESS:

J. MacFarland attended the last Board of Supervisors and learned the Township Engineer had been instructed to hold up proceeding with the Riparian Buffer Ordinance and the Groundwater Zoning Ordinance (GWZO) that the Planners were working on. He was sure that hadn't been discussed by this group. The reason it was being asked to be held up was due to the fact that we were considering doing the Comprehensive Plan. He asked for copies of the last Comprehensive Plan and each member of the Planning Commission was asked to take their copy home and review. A Comprehensive Plan is mandated by the Municipal Planning Code. It's a vision document. He asked Steve where the Township stood with the ordinances. Steve referred to a water resource Well Ordinance, and an Environmental Protection Ordinance based on wetlands. Both of these ordinances are in need of further work to put them in the format used by Nockamixon Township. Steve commented the Wetlands Ordinance could be put together within a month, but the Well Ordinance is more involved and would probably take 60 days, plus the time needed between the Board and the Planning Commission. **J. MacFarland Made a motion, seconded by A. Lyons, that the Planning Commission request the BOS move forward in finishing up the Well Protection Ordinance and the Environmental Protection Ordinance since they are separate from the Township's Comprehensive Plan. The motion carried 6-0-0.** A. Lyons asked if the Township was going to move forward on the SALDO, also. J. MacFarland commented at the last BOS meeting, B. Keyser made a motion to move forward with the SALDO, and the Board of Supervisors talked about advertising it at the March Meeting. S. Baluh commented there is going to be a work session and he talked with K. Gross about the dates he is available. No date had been set. T. Stone asked what document Steve had that he was currently reworking? S. Baluh stated it's the last printed revision of the SALDO that was distributed. He had not formally made any changes to that document. There are only a handful of changes to be made. He will have the changes for the work session and then it's ready to be advertised. There was a question posed concerning the Comprehensive Plan. Elaine commented the Township signed the agreement and is waiting for the Bucks County Commissioners to sign.

Steve Baluh had a Pending approval notice - the Harrington Subdivision but there is a letter dated March 2 2004 granting an extension.

CORRESPONDENCE:

A. Bucks County Planning Commission Review - Erhardt, TMP#30-8-125-1

Steve is waiting for revised plans. He will discuss this under a regular review.

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B. Urwiler & Walter - Notice - General NPDES Permit Application.

Steve is waiting for revised plans. This will be discussed under a regular review.

C. B.C. Planning Commission Review - Harold Subdivision, TMP#30-3-9

This is the subdivision on Meginnes Road, at the corner. Steve is waiting for revised plans.

D. B.C. Planning Commission Review - Storage Tanks

This has been adopted by the Board of Supervisors.

E. Letter to William Benner - RE: Candlewic Status.

A letter was sent, February 4, 2004, to ascertain the current status of the project and whether they intend to proceed with the application. They have until April to reply.

F. Robert Harrington - Extension Letter.

Steve Baluh had a Pending approval notice for the Harrington Subdivision. There is a letter dated March 2, 2004 granting a 90-day extension in order to revise their plans.

G. Wynn February 26, 2004 Subdivision/Land Development Plan Status.

This was discussed previously.

PUBLIC COMMENT:

Todd Stone, President of Gallows Run Water Association updated the Planning Commission concerning the \$45,000 he is waiting to receive for a water study of the Gallows Run. To date no moneys have been received. They are also working with the Heritage Conservancy in gathering some of the existing data on the Watershed. He showed an aerial picture of the diabase in Nockamixon Township. He explained it does not recharge like the rest of the aquifer, and he pointed out designations for riparian buffer repair. It is not suitable for plantings along stream edges - most are washed away due to this type of soil.

He commended the Planning Commission for the action taken in recommending the GWZO and the Riparian Buffer Protection Ordinance. These can be used in conjunction with the Comprehensive Plan. He would like the Township to focus on an Open Space Policy. The Board is currently reorganizing the Open Space Committee and thought it would be based on the group who originally put this together.

He also discussed the question concerning an increase in the EIT for Open Space. He thinks the Commission and Board want the same thing for the Township and that the vision this Open Space Plan puts forward is a vision of the Township. He felt with the School Board's pending increase in real estate millage perhaps this was not the time to ask residents to fund open space. He felt a referendum was not a good idea at this time - Nockamixon won't look good if the referendum is defeated. A. Lyons also feels this is very bad timing and that taxes will be raised somewhat and residents may say no to another tax increase.

The Commission discussed the farms in the area that are already under Open Space protection, and that there is only one farm not in the program, the Fleck's.

Carol McCloskey commented a perc test had been done on the property next to her and wanted to know if it had been sold. She was told due to the fact Rapp Creek runs through that property that there are more constraints as to how or what can be done on the land.

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Tax breaks were discussed and if owners of 100 acre parcels had deed restrictions that they would remain as one large entity, not be broken down into 50 two-acre lots. B. Sadow commented that would place a burden on the majority of the taxpayers for a small minority. M. Kulp commented that in the western area of the County there are metal signs stating - this block of acreage preserved by the Heritage Conservancy. The taxpayers are made aware of just what their tax dollars have accomplished.

A motion was made by J. MacFarland, seconded by A. Lyons, that the Planning Commission send a recommendation to the BOS to seriously reconsider moving forward with approving a referendum for an EIT increase. The motion carried 6-0-0.

J. MacFarland commented there's one way we can have a record of what was discussed.

R. Balbirer had a question from a resident with regard to the Horse Park. He had heard the Township would be responsible for mowing the horse paths and basic maintenance and upkeep of the grass and cutting back brush. Elaine commented the horse park committee will continue the managerial duties. The Township would be responsible for mowing the Super Fund Site.

A motion was made by Mark Kulp, seconded by P. Hamilton, to adjourn the Planning Commission meeting at 8:35 PM. The motion carried 6-0-0.

Respectfully submitted, Arlene Eichlin, Recording Secretary