

**PLANNING COMMISSION
EAST WHITELAND TOWNSHIP**

MINUTES

October 25, 2017

Members Present: Deb Abel, Chairman, Jeff Broadbelt, John Laumer,
Todd Asousa, Michael Chain and Peter Fixler

Also Present: Scott Greenly, Director of Planning and Development
Darrell Becker, Township Engineer and Donna
Wikert Interim Assistant to the Township Manager

Meeting called to order – Deb Abel – 7:30

Discussion:

Approve minutes for August and September.

Mr. Asousa made a motion to approve the minutes for August and September. Mr. Chain, seconded the motion. The motion was approved 5-0.

November meeting date – Next meeting November 29th 2017.

Ordinances:

Steep Slope Amendment: Amendment to Section 200-57 removing new single family homes as a permitted use in areas of steep and very steep slope and keeping existing single family homes as a permitted use.

Mr. Greenly give a brief overview of the ordinance as amended, which currently allows single family homes in areas of steep and very steep slope. Mr. Greenly continued to explain that the ordinance has been amended to continue the use of existing single family homes in areas of steep and very steep slope as a permitted use, but not allowing new single family homes to be built.

Mr. Broadbelt stated that the true spirit of not developing on steep slopes would be to protect downstream citizens. Mr. Broadbelt continued that he doesn't support the ordinance as written and asked the Township or Solicitor to come up with a more creative ordinance.

Mr. Laumer, suggested adding flexibility, for people who would want to spend money having engineers evaluate the areas of slope.

A resident questioned who wrote the ordinance. Mr. Broadbelt said the solicitor wrote it. Ms. Able said she understood why it was written this way, but raised concerns over the negative impacts to residents.

Another Resident wanted to express her view, she has the right to not have a steep slope come crushing down on her head. So the question is, what are the engineering standards? As a person who may want to build on a steep slope, can't they go for a zoning variance? And will the Zoning board not have to include these engineering standards? Mr. Laumer explained, you have to have something recorded as to what the standards are, not all builders have structural engineers. We are asking it to be looked at case by case, the ordinance should spell it out because The Zoning Board members are not engineers. We are just saying we are not comfortable with the way it is written.

The resident also wanted us to know she has been impacted by steep slope on her property, the homeowners above me were having work done and when it rained their back yard ended up in her back yard. It's an act of God, so that is my problem now. Several years later, lack of top soil on their property caused trees to come down, was that from the construction that was done before... I think yes. It didn't matter it's an act of God oh well my problem again. I can't imagine you are ever going to come up with anything that is standard for everyone.

Mr. Greenly reminded everyone that this ordinance will be discussed at the next scheduled Board of Supervisors meeting and that residents would continue to have the opportunity to discuss this issue.

A resident has some concern on this ordinance, he thinks this really needs to be looked at closer, and it is really going to harm certain property owner's homes. He pointed out there are several home owners that are located on flat ground yet the yard is on a steep slope, so the ordinance is saying they can't build?? He felt that the township really needs to think about this before they vote on this and that it is going to harm lot of home owners.

Mr. Broadbelt made a motion not to accept the Steep Slope as written. For reasons that it is too simple, and that more detail and creatively is needed, engineering standards are needed. Structural and Stormwater issues need to be addressed and that man-made verses natural steep slope needs to be considered, with potential consideration as a conditional use.

Mr. Chain seconded motion. Motion approved 5-0.

Sketch Plans

Subdivision Plan: 1530 Morestein Road: Proposed subdivision of an existing lot into 5 lots. The property is located at 1530 Morestein road, is zoned R-1 Single Family Residential and is approximately 13.7 acres in size.

Rick Bun gave an overview of the proposed subdivision plan, which included two possible layouts to consider moving forward. Mr. Bunn explained that there is one existing home on the property currently, and there would be 4 new homes as part of this subdivision. Mr. Bunn stated that he would like to make both lots 1 and 4 of the plan wider and that he would preserve the trees. The south western corner of the property currently contains a pond and it is expected stormwater for the development would drain to this area. The board seemed to think this area will be a nice feature and liked the plan.

Land Developments & Subdivision

Subdivision Plan: 473 Conestoga Road: Proposed subdivision of 1 lot into 3, with an existing single family lot, for a total of 4 residential lots. The property is located at 473 Conestoga Road, is zoned R-1 Single Family Residential and is approximately 2.76 acres in size.

Ms. Abel recused herself from this discussion, and turned it over to Mr. Broadbelt. Jack Robinson, the engineer for the project, gave a brief overview on this proposed subdivision, one lot being partially subdivided to maintain the appropriate frontage. It recently became known that the existing structure on the property was a historic resource. If this structure is determined to be historical and the applicant had to preserve it, they would revised the plan and move forward accordingly. The applicant requested approval of the plan as presented, with the condition that the plan be revised if it is determined the existing home is historic.

A resident asked why Ms. Able recused herself, and was told she is the owner of the property.

Mr. Chain made a motion to approve provided the Historical issue is worked out. Mr. Laumer seconded. Motion approved 4-0, 1 recused.

Mr. Chain made motion in the event the house is deemed Historical we recommend the owner go to the Zoning Hearing Board.

Mr. Laumer seconded. Motion approved 4-0, 1 recused.

Meeting Adjourned – 9:15P.M.