

**PENNSBURY PLANNING COMMISSION MINUTES
SEPTEMBER 24, 2013**

Chairman Dennis Smith called the meeting to order at 6 p.m. Present: Dennis Smith, Bob Crandell, Chip Horne, Lynn Luft, Jim Ware and Kathy Howley. The minutes of September 10, 2013 were approved as submitted.

Parker Preserve Lot Line Change – Jim Fritsch of Register Associates outlined a proposed revision to the Parker Preserve subdivision that would increase the size of Lot #17 by taking from the HOA open space. The change is to accommodate a potential buyer of Lot #17. Anthony Dambro (Builder), Keith Mikkelson (the potential buyer of the lot), and the buyer's realtor were also present.

As per the currently approved Parker Preserve subdivision plan, Lot #17 is 1.000 acres. The proposed lot line change would add 0.613 acres to Lot #17, to be taken from the 16.207 acres of HOA owned open space. Mr. Mikkelson stated that he would like to re-grade and plant grass in the proposed area, but that there would be no additional structures, with the possible exception of a gazebo. The HOA open space is currently tall grasses and is not mowed.

A number of Planning Commission members expressed concern that if this lot size increase were to be approved, then other homeowners might make similar requests, further reducing the HOA open space. Mr. Dambro indicated that he would be willing to agree to a restriction prohibiting any further reduction in the size of the open space if the proposed lot line change for Lot #17 is approved.

It was agreed that the proposed lot line change constitutes land development as defined in our SALDO and, therefore, approval by the Board of Supervisors is required.

Mr. Dambro stated that Parker Preserve does not currently have an active HOA. The Parker Preserve HOA Declaration of Restrictions, Covenants and Easements would need to be amended to accommodate the proposed change to HOA open space. The Declaration defines under what conditions the document can be amended and the process requirements to make an amendment. None of the Dambro party in attendance was familiar with the amendment requirements.

Dennis Smith indicated that the first question that needs to be answered is whether it is legally possible to make the proposed change to the subdivision. That question needs to be answered by the township solicitor, Tom Oeste, in consultation with Mr. Dambro's attorney. It was agreed that the next step is for Mr. Dambro to have his attorney contact Mr. Oeste to determine the legal feasibility of the proposed change. The Dambro party asked to be on the October 8 Planning Commission agenda if the proposed change is determined to be legally feasible.

Glenn Bently, CCPC was present to review with members the services that the County Planning Commission has been providing townships for the past 20 years. The CCPC is visiting all townships in the County to get their input as they update and review their land development review process. The county wants to make the reviews more interesting with additional graphics etc. Members suggested possible schematics to show structure height and how it fits in the plans being reviewed. After a short discussion, Mr. Bently thanked members for their input and will be back to us with the survey results and a path forward.

Act 167 Storm Water Ordinance Draft – Matt Houtman was present to review the draft distributed earlier to members for their comment. Mr. Houtman stated that with this ordinance, all maintenance documents, etc., for storm water on a submitted plan must be recorded. There is more of an enforcement component to this ordinance and it is very detailed. The township’s storm water ordinance is more restrictive in some areas and this was incorporated into the county draft. Members reviewed the entire document with Mr. Houtman and some changes were suggested. The ordinance must be adopted by the township by year end. Mr. Houtman will be on the PC agenda for October 22nd to wrap up the review before sending it onto the supervisors and Mr. Oeste. Members should research the following before the October 22nd meeting: 1) Section 304 – 4 step process 2) agricultural exemption section 3) septic to well area.

With no further business the meeting adjourned at 10 p.m.

Respectfully submitted:

Kathleen Howley
Recording Secretary