

**PENNSBURY PLANNING COMMISSION MINUTES
OCTOBER 8, 2013**

Chairman Dennis Smith called the meeting to order at 7 p.m. Present were Dennis Smith, Jim Ware, Chip Horne, Margo Leach, Lynn Luft (by phone) and Kathy Howley. The minutes of September 24, 2013 were approved as submitted.

Parker Preserve request for lot line change. Mr. Dambro as well as the prospective buyer and engineer Jesse Condon from Register Assoc. was present to continue discussion on a proposed lot line change to one lot in Parker Preserve. This would be a one time change, acquiring some of the HOA open space into one lot and Mr. Dambro stated it would be noted on the plan that this would not be done again in this subdivision. It was also noted that both the township attorney and Mr. Dambro's attorney have talked and both agree that this may be legally done. However, the final decision lies with the Board of Supervisors. Mr. Condon went on to state that a note was added to the plan stating this would be a one time change adding open space to a lot. It was pointed out by Mr. Ware that the note was a suggestion only by one member of the commission at the last meeting. Lynn Luft asked if all property owners were contacted and agreed to this proposed change. Mr. Dambro submitted support letters from 5 property owners. The other 5 property owners were not asked for a letter of support. Mrs. Luft also stated it was her opinion that the PC should not be involved in this matter without a letter from the supervisors requesting the PC review. Mr. Condon stated that Mr. Dambro is looking for an indication from members of support for this proposed change. Ms. Leach moved to support the request to move a lot line. The motion was not seconded. After further discussion, Ms. Leach stated that her position to support the Parker Preserve request to purchase/sell open space was changed to a definitive position not to support the request due to the fact that it would set a bad precedent. Members stated that their attorney should talk to Mr. Oeste and the applicant go before the supervisors for their opinion on this proposed change before they spend money on a subdivision plan.

Uhrik ZHB – Mr. & Mrs. Uhrik were present with their engineer Jesse Condon to review their application before the ZHB requesting 3 variances in order to have an in ground pool in their backyard. They live at 42 Constitution Drive in Chadds Ford Knoll and their property, .72 acres, backs up to the railroad tracks. The three variances are :

1. Variance from the 50 ft side yard set back
2. Variance from size of a pool. Their pool would be 800 sf
3. Variance from the lot coverage. The proposed pool and pool house would exceed the 20% allowed.

Discussion followed as to the actual lot coverage calculations, accessory structure max of 500 sf and also providing on the plan a secondary septic system as required by our ordinances. Mr. Condon will check with Matt Houtman and get guidance on these issues. Letters of support for the variance requests from adjacent property owners were given to members for their review. Mr. Horne moved to recommend to the supervisors support for the 3 variances with the condition that a viable secondary septic system be identified on the plan. Ms. Leach seconded the motion and all were in favor.

Dennis Smith noted the next PC meeting on October 22nd will be devoted to a wrap up with Mr. Houtman on the Act 167 storm water management ordinance. With no further discussion the meeting adjourned at 8:30 p.m.

Respectfully submitted: Kathleen Howley, Recording Secretary

