

The monthly meeting of the Longswamp Township Planning Commission was held on Tuesday, October 4, 2005. The members attending were Dick Meier, Chairman, Carolyn Donio, Secretary, Joe Vangeri, Mike Radcliffe, Bruce Godfriaux and Stanley Bauman. Also in attendance was Rich Orwig, our Solicitor, and our Engineer, Jill Smith.

The attendance sheet was signed by: Bruce Rader, the engineer for the **Fenstermacher "Feld-3" Subdivision** and the **Mike Radcliffe Subdivision**; Alex Baggio with Tim and Wendy Manley for the **Golden Meadows Phase II Subdivision**; Doug White and Lew Rauch for the **Biundo Retail Center Sketch Plan**; and Michele and Thomas Dean for the **Dean Subdivision Final Plan**. Also signing the attendance sheet as interested citizens were Bill Dieruff, Dale Fandl, Mike Sacks, Tina Becker, Frank Karoly, Preston Boyer, Cathi Kratzer, Maryann Lantz, and Winfield Lease.

Dick Meier, Chairman, called the meeting to order at 7:30 P.M. On a Motion made by Bruce Godfriaux, seconded by Joe Vangeri and unanimously carried, the Planning Commission Minutes for the September 6, 2005, meeting were approved as written.

Our Engineer, Jill, offered the following report of actions taken by the Board of Supervisors at its September 13, 2005 meeting with regard to Planning Commission matters:

1. The Supervisors authorized our Engineer to review information presented on behalf of the **Oswald Subdivision** concerning the status of Linden Lane and the issue of access
2. The time extension request for **Hills of Shalom-3** was rejected. The developer concurrently submitted a request to withdraw the plan.
3. The request for the extension submitted on behalf of **Radcliffe Farm Subdivision** was granted to January 1, 2006.
4. The sewage facilities planning module for the **Feld-3 Subdivision** was passed via Resolution 2005-11.

At its September 27, 2005 meeting the Supervisors passed a motion to advertise the new Little Lehigh Creek Watershed Act 167 Ordinance for consideration at the October 11, 2005, BOS meeting.

Thomas and Michele Sikora Dean, with their engineer, Bruce Rader, presented the **Dean Subdivision Final Plan**. This is Drawing No. 709-33-01-04 dated August 11, 2005, with no revisions. Our Engineer's review letter is dated September 28, 2005, and the following items addressed therein were discussed:

1. Section 4.3559 refers to the ownership and maintenance of storm drainage facilities. Notes 8, 23 and 29 on the plan shall be reviewed by our Solicitor. Note 23 requires the execution of a drainage easement agreement, the terms of which our Solicitor should be able to resolve before the Supervisors meeting on October 11. In addition, a note shall be added to the plan prohibiting excavation, placing of fill or structures and any alterations that may adversely affect the flow of storm water within any portion of the easements.

2. Section 4.3565 requires that an erosion and sediment control plan be submitted. The engineer indicated that the County had some comments and the plan needs to be revised and resubmitted.

3. Section 7.34 requires the planting of deciduous hardwood trees. A note will need to appear on the plan indicating who will be responsible for the plantings. Note 31 on the Plan shall include a description of the specific waiver that was granted that provides for no trees being planted in the proposed swales and clear sight triangles. A list of acceptable trees is available from the Township.

4. The engineer indicates that the right-of-way along Old Topton Road was dedicated per the Heydt Subdivision Plan. The Board of Supervisors will have to decide whether it wants to accept the right-of-way being offered for dedication.

A Motion was made by Mike Radcliffe, seconded by Stanley Bauman and unanimously carried, to recommend to the Supervisors approval of the Final Plan subject to the issues outlined in our Engineer's letter of September 28, 2005.

Bruce Rader, P.L.S. presented the **Radcliffe Subdivision Preliminary Plan**. This is Drawing No. 776-33-01-05 dated August 31, 2005. This is a first submission and there have been no revisions. Mike Radcliffe, a member of the Planning Commission, reclused himself from discussion concerning this plan. Our Engineer reviewed the plan and provided comments in a letter dated September 28, 2005.

After some initial discussion, it was determined that the plan is not properly plotted due to a lack of information on the existing deeds. The engineer will do a more extensive search of courthouse records and will provide more accurate detail. The plan was tabled.

The **Feld-3 Subdivision Preliminary Plan** was presented by Bruce Rader, P.L.S. This is Drawing No. 667-33-04-04, dated May 11, 2004, last revised September 10, 2005. The plan proposes 28 building lots and a new cul-de-sac road in alignment with Cider Mill Road and is bisected by the boundary between Longswamp and Rockland Townships. Our engineer reviewed the plan and provided comments in a letter dated September 28, 2005.

There was extensive discussion concerning Lots 18 and 28, each of which is divided by Cider Mill Road. The Planning Commission is not in favor of separating lots by a roadway. Several options were discussed. It was determined, however, if there is not an ordinance disallowing that configuration, the Planning Commission will reconsider its view. The Solicitor is to determine the Township's position on this matter.

The **Biundo Retail Center Sketch Plan** presented by Lew Rauch of Lehigh Engineering Associates is dated September 6, 2005. The developer desires to create 3 residential building lots on the 2.7 acre tract while reserving 1.9 of that acreage for commercial purposes. Our Engineer reviewed the plan and provided comments in a letter dated September 28, 2005.

In June of 1996, after destruction of the building in a fire in 1991, the Longswamp Township Zoning Hearing Board granted a developer a variance from the requirement of Section 707.1 that new construction begin within 18 months and a variance of Section 704 which would allow non-conforming use of a prior non-conforming use with certain conditions and restrictions.

The developer was advised that the variance granted in 1996 would not carry over to the current owner and the redesigned submission will again require Zoning Hearing Board approval, or, in the alternative, the developer might wish to wait for the new zoning which gives the area a commercial overlay. The plan was tabled.

Our Engineer presented the **Oswald Subdivision** extension request to December 13, 2005, and pointed out the extension was appropriate to permit the adjoining land owner and the developer to complete an agreement concerning access on Linden Lane. A Motion made by Joe Vangeri, seconded by Bruce Godfriaux and unanimously carried, to recommend to the Supervisors that an extension to December 13, 2005 be granted.

Golden Meadows Phase II Subdivision has made a formal request for a time extension for an indefinite period. Bruce Godfriaux has secluded himself from discussion or action on this extension request.

Developer's engineer has submitted with the request information concerning ongoing negotiations with the PA Fish and Boat Commission and DEP because of the possible existence of breeding habitats for the Eastern Spadefoot Toad.

Our Solicitor advised the Planning Commission to recommend rejection of this plan to the Supervisors due to a lack of progress in resolving the many outstanding issues, in particular, the developer's indication that resolution with the PA Fish and Boat Commission would more than likely involve realignment of roads and reconfiguration of lots. However, after discussion, a Motion made by Mike Radcliffe, seconded by Carolyn Donio and carried in a vote of 4 yes, 1 no, and 1 recusal that the Planning Commission recommend to the Supervisors a sixty day extension, being the final extension to be recommended.

Andrew Kent, PLS of Kent Surveyors & Engineers remitted to the Township a sketch of 3 lots fronting on Sally Ann Furnace Road. The lots are referred to as Svoboda property and do not meet the depth to width ratio requirements of Section 5.5104 of the SALDO. Although Mr. Kent is unable to attend the October meeting, he has requested that the Planning Commission give an opinion as to whether it would waive the requirements of Section 5.5104. The Planning Commission has determined that a formal opinion will require the submission of a sketch plan.

Jill Smith suggested Tuesday, October 18, 2005, for the next zoning workshop. Dick Meier asked that Monday, Tuesday, Wednesday or Thursday of the week of October 18 be considered to maximize PC attendance. A finalized date for the next zoning workshop will be issued within a week.

The Planning Commission is required to review the Agricultural Security District Areas within the Township. An Agricultural Security Area Map has been provided setting forth those Ag Security Areas desiring to be removed from the program, those in existence for less than 7 years, those in existence for more than 7 years and those outside the Township boundary or regulated by an adjacent Township. The Planning Commission has 45 days to review applications and report the potential effect of the proposal and modified proposals upon local government's planning policies and objectives. Failure of the Planning Commission to report its findings indicates a deemed approval of a proposed addition to the security area. The Planning Commission will provide its recommendation at the November 1, 2005 meeting.

On a Motion made by Mike Radcliffe, seconded by Joe Vangeri and unanimously carried, the meeting adjourned at 10:15 p.m.

Respectfully submitted,

Carolyn J. Donio, Secretary