

## BUCKINGHAM TOWNSHIP

### Planning Commission

### December 5, 2007

Revised agenda posted 12/04/07 4:30 p.m. *This agenda contains the tentative scheduling of items. The information on this page may be modified up to 4:00 p.m. on the meeting day. We try to keep the information as current as possible but we cannot control individual system responses. If you have a particular concern about a scheduled project, please feel free to call us up to 4:30 p.m. for verification.*

[Click Here](#) to view legend and map of proposed developments.

#### 7:30 PM – Call to Order

1. Consideration of Approving Planning Commission Meeting Minutes of November 7, 2007.
2. **SA 2007-05 “First Baptist of Wycombe Church”** 4147 Township Line Road, TMP# 6-24-11 & 6-24-7, 3.49 acres, VC-1 Zoning, Lot Line Change. Review expiration date February 5, 2008.
3. Consideration of a Modification to the Zoning Ordinance. Copy was emailed to members on 12/4/07
4. **SA 2001-16 “Victoria Park”** Smith Road & New Hope Road, TMP# 6-23-8, 116+ Acres, AG-1 Zoning, 81 Lots, Revised Preliminary of Major Subdivision. Review expiration date December 31, 2007.-  
*TABLED from 11/07/07 meeting.*
5. **SA 2001-04A “Estates at Sugar Mill**, Sugar Bottom and Mozart Roads, 103.24 AC, TMP 6-17-61, AG-1 Revised Final Plan dated “Last Revised 9/12/07”, Review expiration date January 11, 2008. *TABLED from 11/07/07 meeting.*
6. **SA 2006-05 “Lindenmeyr Tract (aka Sotter Hill)”**, 2855 Ash Mill Road, TMP#6-14-63, 29.25 Acres, AG-2 Zoning, Five (5) Lot Subdivision w/one existing lot. Review expiration date June 30, 2008.
7. **SA 2007-01 “McKernan Tract”**, Durham Road & New Hope Road, TMP# 6-18-91-2, 16.35 Acres, AG-1 Zoning, 3 lots, Revised Preliminary Plan of Major Subdivision. Review expiration date February 19, 2008.  
*TABLED from 11/07/07 meeting.*

**Buckingham Township Planning Commission**  
**Approved Meeting Minutes**

The regular meeting of the Buckingham Township Planning Commission was held **Wednesday, December 5, 2007** in the Township Building, 4613 Hughesian Drive, Buckingham, Pennsylvania.

Present:	Andrea Mehling	Chairperson
	Patrick Fowles	Vice-Chairman
	Rebecca Fink	Member
	Ann Sutphin	Member
	Tom Baldwin	Member
	Glynnis Stone-Tihansky	Member
	Marc Sandberg	Member
	Daniel Gray	Township Engineer
	Lynn Bush	Bucks County Planning Commission

Ms. Mehling called the regular meeting to order at 7:35 p.m.

**1. Consideration of Approving Planning Commission Meeting Minutes of November 7, 2007.**

Mr. Fowles made a motion, seconded by Dr. Sandberg to approve the minutes of November 7, 2007. The motion carried unanimously.

Ms. Mehling announced that the Township had received word from the counsel for Victoria Park and Estates at Sugar Mill that they would not be in attendance and so the items would be removed from the agenda. Ms. Mehling acknowledged receipt of a letter from Mr. and Mrs. Wicen dated December 5, 2007 regarding Estates at Sugar Mill to be included with the minutes.

Mr. George Michel, representing the New Hope and Smith Road residents commented that he was not surprised by the applicants' lack of attendance.

**1. SA 2007-05 "First Baptist of Wycombe Church" 4147 Township Line Road, TMP# 6-24-11 & 6-24-7, 3.49 acres, VC-1 Zoning, Preliminary/Final Plan of Lot Line Change. Review expiration date February 5, 2008**

Representing First Baptist of Wycombe Church was Mr. Ray Neats, church and Board of Trustees member. Mr. Neats explained that the church did not have plans for development and was proposing the lot line change for the following reasons: 1) to deal with future problems with septic system replacement, 2) if the church encountered financial hardship, they would be in a position to sell off the parcel number 11 and still have the back field to handle septic issues and 3) to be able to handle roof water management in a better way.

Ms. Mehling commented that there was missing information and the plan needed to be cleaned up. Mr. Neats responded that they had received the Knight Engineering letter the day before. Mr. Neats asked for the normal procedure and Mrs. Mehling explained that the church engineer

needed to review the Knight Engineering letter. Mr. Neats explained that they would comply with the majority of the issues raised and that those for which they would not comply were dealing with development (which they were not doing). Mr. Gray suggested submitting a letter with waiver requests. Mr. Gray summarized that he did not think there were issues of concern for the Planning Commission. Ms. Manicone commented that 50 ft perimeter buffer had to be shown on the plan.

*Mr. Baldwin made a motion, seconded by Ms. Tihansky to approve SA 2007-05 "First Baptist of Wycombe Church" 4147 Township Line Road, TMP# 6-24-11 & 6-24-7, 3.49 acres, VC-1 Zoning, Preliminary/Final Plan of Lot Line Change with the conditions that the applicant make the recommended landscaping changes, comply with all issues raised in the Knight Engineering review letter and submit a waiver request letter. The motion carried unanimously.*

**2. Consideration of a Modification to the Zoning Ordinance. Copy was emailed to members on 12/4/07.**

Planning Commission consensus was that they had not had ample time to review the proposed ordinance and they did not feel comfortable making a recommendation. Mr. Rowan explained that the ordinance would go before the Bucks County Planning Commission (BCPC) in January and wanted to give the Township Planning Commission (PC) opportunity to review it and submit any changes. Mrs. Bush noted that the deadline to provide the BCPC with the draft of the ordinance was December 21, 2007. Mr. Rowan was in attendance and provided an overview of the ordinance. Mr. Rowan summarized that the changes focused on three aspects of Transferable Development Rights (TDRs) program. They could not be used if 1) there was not sufficient capacity to dispose of wastewater through spray irrigation (cannot go to stream discharge), 2) the tract did not have enough water to support the additional units and 3) if they increased congestion beyond a reasonable level. Mr. Rowan explained that counterpoint to the TDR argument is that TDRs are a tool for land preservation and some did not want to limit use of the tool. Mr. Rowan added that the other change was a time restriction on conditional use approvals in order to limit the ability of applicants to freeze the zoning by applying for a conditional use.

Mr. Fowles questioned the urgency for review of the ordinance. Mr. Rowan responded that Victoria Park and Estates at Sugar Mill were coming forward and if there were a resubmission on either or both of the plans they would be subject to the new zoning.

Discussion followed about advertising requirements. After discussion, consensus was to hold a special work session meeting on December 12, 2007 at 7:00pm in the Holicong Room to discuss the ordinance. The Planning Commission will provide overall thoughts, make a recommendation and suggest any wording changes.

The following public comments were made:

Mr. George Michel, Pineville, asked the Planning Commission to support the proposed ordinance so that developers could no longer take advantage of the loopholes in the TDR ordinance. He urged Buckingham Township to tackle sustainable development in the same way they have achieved open space preservation.

Ms. Lori Wicen, Mozart Road, neighbors to Estates of Sugar Mill, commented that she and her husband had already been approached to sell their 100 acres if the Estates of Sugar Mill were to get stream discharge.

Mr. Paul Martissa, Mechanicsville, expressed support for the amendments to the zoning ordinance and asked for advertising when the PC was working on the Comprehensive Plan.

Mr. Joel Nace, Mechanicsville, representing Buckingham Residents Against Reckless Development, expressed support for the zoning ordinance amendments.

Ms. Mehling asked how many TDRs were in existence to which Ms. Bush explained that any property with over 25 acres in the agricultural security district had TDRs. She explained that the formula to determine TDRs was the area of the site multiplied by 0.56. Mr. Baldwin requested that the calculation be done for consideration at the work session.

Ms. Shelly Weis asked what a TDR represented to which Ms. Bush responded that it was one house.

**3. SA 2001-16 “Victoria Park” Smith Road & New Hope Road, TMP# 6-23-8, 116+ Acres, AG-1 Zoning, 81 Lots, Revised Preliminary Plan of Major Subdivision. Review expiration date December 31, 2007.– TABLED from 11/07/07 meeting.**

*Mr. Fowles made a motion, seconded by Ms. Mehling to table discussion of SA 2001-16 “Victoria Park” Smith Road & New Hope Road, TMP# 6-23-8, 116+ Acres, AG-1 Zoning, 81 Lots, Revised Preliminary Plan of Major Subdivision on basis that applicant did not attend the meeting. The motion carried unanimously.*

**4. SA 2001-04A “Estates at Sugar Mill, Sugar Bottom and Mozart Roads, TMP 6-17-61 103.24 AC, AG-1 Zoning, 24 Lots, Revised Final Plan dated “Last Revised 9/12/07”, Review expiration date January 11, 2008. TABLED from 11/07/07 meeting.**

*Mr. Fowles made a motion, seconded by Ms. Mehling to table discussion of SA 2001-04A “Estates at Sugar Mill, Sugar Bottom and Mozart Roads, TMP 6-17-61 103.24 AC, AG-1 Zoning, 24 Lots, Revised Final Plan dated “Last Revised 9/12/07.” The motion carried unanimously.*

**5. SA 2006-05 “Lindenmeyr Tract (aka Sotter Hill)”, 2855 Ash Mill Road, TMP#6-14-63, 29.25 Acres, AG-2 Zoning, 5 Lots, Revised Preliminary Plan of a Major Subdivision. Review expiration date June 30, 2008.**

Representing the applicant were Ms. Kim Freimuth, Attorney, Fox Rothschild, LLP, Matthew L. Williams, Project Engineer and Henry Lindenmeyr.

Discussion of November 30, 2007 Knight Engineering Review Letter

Ms. Freimuth explained that the applicant would comply with all issues raised in the letter other than the following that were discussed:

5. Ms. Manicone questioned whether the system had been redesigned to protect the trees to which Mr. Williams responded that it had not been redesigned to reflect what he and she had discussed. Ms. Manicone explained that the Township had run into problems at Surrey Hill with a similar drip irrigation system. Ms. Manicone explained that if the applicant could maintain the zones as discussed and they will honor the agreement during construction, then they would not have to consider the trees disturbed. Mr. Gray noted that the problem with Surrey Hill was that the plan did not accurately reflect the trees. Mr. Gray requested a detailed system for each of the lots shown on the plan. Ms. Freimuth responded that the next submission would show the revised drip irrigation system.
51. To be included in the waiver request letter. Mr. Gray asked the applicant to provide more information in the waiver letter.
80. To be presented to and discussed with the Board of Supervisors.
85. Ms. Freimuth explained that the existing trees were removed by Texas Eastern because they were within the easement area. The applicant was asking for them to be removed from the calculation because they did not remove the trees and they did not ask for them to be removed. Ms. Manicone commented that when in an easement, technically the trees cannot be protected so the question is whether Mr. Lindenmeyr count those trees or not in the inventory. PC consensus was that it was a legal matter to be considered by the Board of Supervisors and the Township Solicitor. Mr. Lindenmeyr noted that 46 trees were removed. Ms. Bush suggested taking the utility area out of the base site calculations. Mr. Williams said it would not help because it was caliper inches and not area that was considered.
- 95&96. To be added to the waiver list. The PC agreed that it was basically a long driveway.
106. Mr. Gray explained that they would need a temporary construction easement and that it could be discussed if the neighbor were unwilling to give the easement.
125. The applicant will make a partial waiver request asking to have the 2:1 slopes remain but provide a timber guardrail. Mr. Gray cautioned that the applicant needed to consider whether a timber guide rail met the Pennsylvania Department of Transportation (PennDOT) standards and if it did not, they would have to request a waiver. Ms. Fink recommended the use of boulders though Mr. Gray did not think they would meet PennDOT standards.

Ms. Freimuth summarized that for next time they would prepare an updated waiver list and revise the preliminary plan accordingly.

*Ms. Sutphin made a motion, seconded by Ms. Mehling to table discussion of SA 2006-05 "Lindenmeyr Tract (aka Sotter Hill)", 2855 Ash Mill Road, TMP#6-14-63, 29.25 Acres, AG-2 Zoning, 5 Lots, Revised Preliminary Plan of a Major Subdivision. The motion carried unanimously.*

**7. SA 2007-01 "McKernan Tract", Durham Road & New Hope Road, TMP# 6-18-91-2, 16.35 Acres, AG-1 Zoning, 3 lots, Revised Preliminary Plan of Major Subdivision. Review expiration date May 3, 2008. TABLED from 11/07/07 meeting.**

Representing the applicant were Mr. William Benner, Attorney, Kevin Wolf, Project Engineer and Joseph McKernan. Mr. Benner explained that there had been a site meeting on November 27, 2007 attended by representatives of the applicant, Ms. Carol Manicone, Mr. Daniel Gray and representatives from Anderson Engineering. Meeting minutes were prepared that address discussion items that were left open from the last Planning Commission meeting. He summarized that all parties were in agreement in terms of the grading issues. He explained that in terms of the Knight Engineering review letter all items were "will comply" or a Subdivision and Land Development Ordinance (SALDO) waiver or discussed and agreed upon at the November 27, 2007 meeting. Ms. Manicone confirmed that everything was accurate regarding the meeting. MS. Manicone recommended having a revised plan before going to the Board of Supervisors.

Mr. George Michel, Pineville, expressed support for the applicant's work.

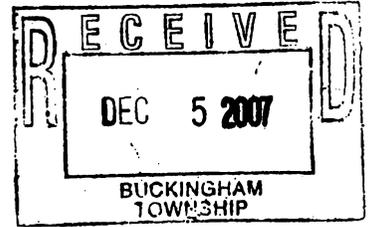
*Mr. Baldwin made a motion, seconded by Ms. Sutphin to approve SA 2007-01 "McKernan Tract", Durham Road & New Hope Road, TMP# 6-18-91-2, 16.35 Acres, AG-1 Zoning, 3 lots, Revised Preliminary Plan of Major Subdivision with the understanding that a revised plan and waiver list would be prepared prior to appearing before the Board of Supervisors and subject to Mr. Gray's review of the November 27, 2007 meeting minutes. The motion carried unanimously.*

The meeting minutes entitled, McKernan-Worthington Subdivision, New Hope Road at Durham Road, Buckingham Township site meeting held on Nov. 27, 2007 prepared by Kevin Wolf, are attached.

**Mr. Fowles made a motion, seconded by Mr. Baldwin to adjourn the meeting at 8:55p.m. The motion carried unanimously.**

*Minutes respectfully submitted by Suzanne Safran*

*Lori and Joseph Wicen  
3179 Mozart Road  
Furlong, PA 18925  
267-446-8580*



Buckingham Township Board of Supervisors  
Buckingham Township Planning Commission  
P.O. Box 413  
Buckingham, PA 18925  
*(Hand Delivered)*

December 5, 2007

RE: "Estates at Sugarmill", Revised Final Plan of Major Subdivision  
Township File: SA 2001-04A, Tax Parcel: 6-17-61

Dear Board of Supervisors and Members of Planning Commission:

Due to the noise that comes from the shooting range, Joseph and I respectfully request that the developer be required to plant extensive landscaping between the properties in order to provide sound attenuation. We would request at a minimum, that Mozart Road be lined with a decent size of evergreen trees, closely spaced, on the developer's side of the road. We also request that each home that is adjacent to our property line, be bordered with proper sound attenuation landscaping as recommended by Carol Manicone, township landscape consultant, in addition to the regular landscaping buffer requirements. A map is included with this letter highlighting the specific areas referenced.

We thank you for your continued support of our farming operations and shooting range business.

Sincerely,

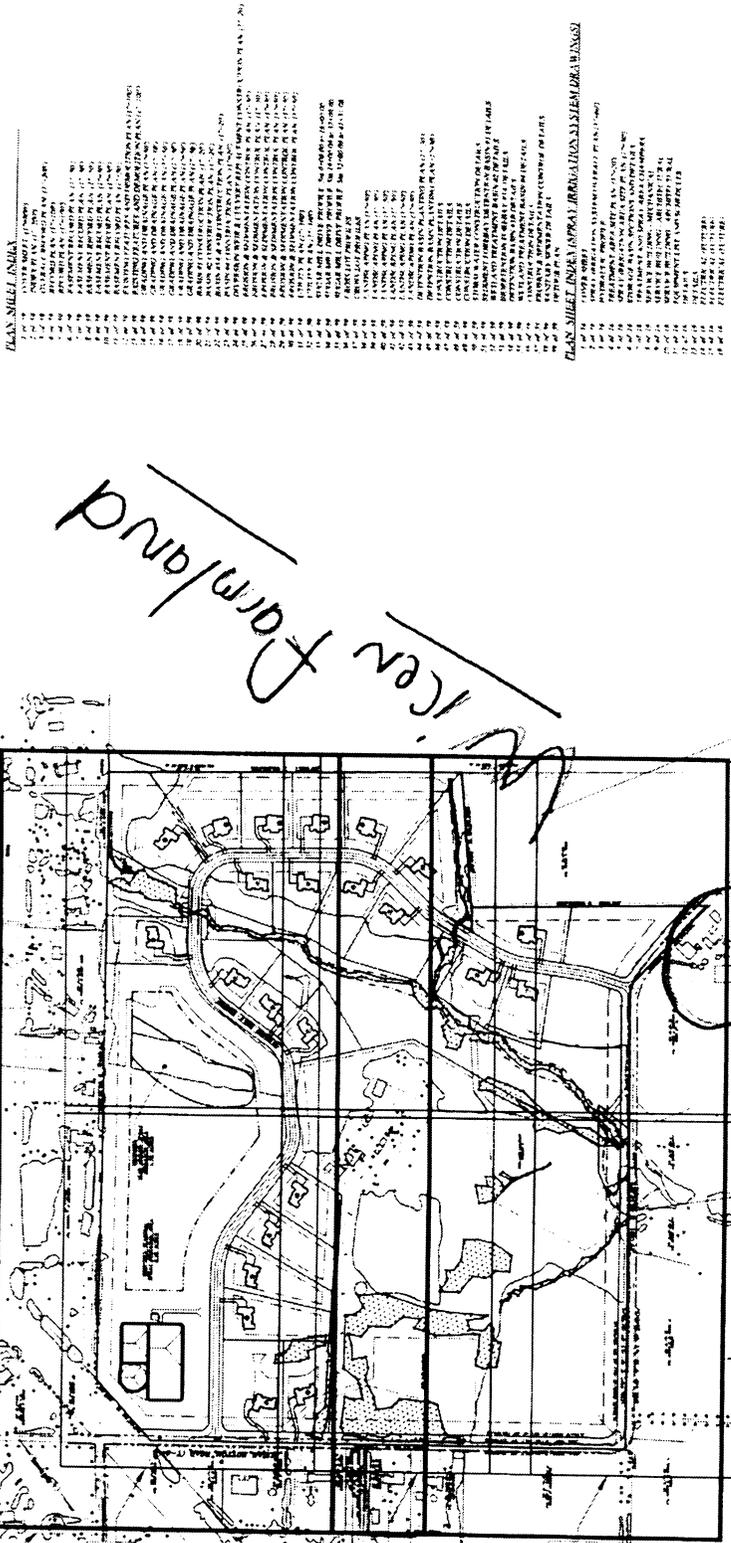
*Lori & Joseph*  
Lori and Joseph Wicen

cc: Township Consultants

*Request for extra Landscape Buffering  
to provide Sound Attenuation*

*Wicen Farmland*

*Wicen's Farm and  
Shooting  
Range*



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<b>INDEX PLAN</b> <b>ESTATES AT SUGARMILL</b> SUBDIVISION MAP, 100% COMPLETE, 10/15/07	
<b>GILMORE &amp; ASSOCIATES, INC.</b> PLANNING AND ARCHITECTURAL SERVICES	
SHEET NO. 101	TOTAL SHEETS 150
DATE 10/15/07	SCALE AS SHOWN
PROJECT NO. 07-001	DRAWING NO. 101
SHEET NO. 101	TOTAL SHEETS 150
DATE 10/15/07	SCALE AS SHOWN
PROJECT NO. 07-001	DRAWING NO. 101

LANDSCAPE PLAN, SHEET 101  
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 DATE: 10/15/07

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DRAFT  
**Meeting Minutes**  
**McKernan-Worthington Subdivision**  
**New Hope Road at Durham Road**  
**Buckingham Township**  
**Site meeting held on Nov. 27, 2007**

**Prepared by:** Kevin Wolf  
(215) 257-5711 Phone  
(215) 257-5766 Fax

**Attendees:** Joe McKernan  
Chance Worthington  
Carol Manicone, Landscape Review Consultants  
Dan Gray, Knight Engineering  
Amy MacAllister, Andersen Engineering  
Kevin Wolf, Andersen Engineering

**Discussion items:**

1. Easement Delineation – Proposed fence along the westerly side of the Conservation Easement is to be placed 1 foot inside of the easement limit, on the easterly side of the easement line. Concrete monuments will be installed where lot lines intersect easement lines. All other easement corners will be marked with iron pins.
2. Minimal grading will be permitted within the buffer areas, as long as an excessive amount of existing vegetation is not disturbed and as long as required landscaping can be installed without impeding drainage.
3. It was agreed that the existing vegetation across New Hope Road from the proposed driveway is sufficient to protect the existing house from excessive glare. If the homeowner complains, an additional rhododendron will be planted in the gap between the two existing bushes.
4. Required vs. existing sight distance information will be added to the plans. After the sight distance calculations are complete, a site meeting with Carol is to be scheduled. Cones or paint are to be placed in the road at the sight distance limits so that the trees that need to be removed can be identified.
5. The limits of disturbance are to be staked in the field so that the preferred trees to be transplanted can be identified. A determination can be made at that time regarding number of transplanted trees vs. new trees needed to comply with the landscaping requirements.
6. The township engineer will, in general, defer to the township landscape consultant with regard to landscaping requirements.
7. A diseased tree was identified along Durham Road and will be shown on the plan as “To be removed”.
8. Chunks of broken concrete lying along the west side of New Hope Road, which appear to have been illegally dumped, will be removed.

9. The existing ditch located at the westernmost corner of Basin 2 on Lot 3 will be stabilized with rip-rap and geotextile fabric. This work will be done by hand in order to protect the area from damage by machines.
10. Streets trees will be installed along the common driveway, in a random fashion to be approved by Carol.
11. Review letters for the Stormwater Management Report, the Erosion and Sedimentation Control report and the Floodplain Study are expected to leave the township engineer's office on or about November 30.
12. Dan suggested that the applicant's attorney should contact the township and request to be placed on the agenda for the Planning Commission meeting scheduled for December 5 at which time a conditional preliminary approval should be requested.

I believe that these minutes accurately reflect what transpired during the site meeting. If anyone has any additions or corrections, please advise me as soon as possible. Unless notified to the contrary, I will assume that all in attendance concur with the accuracy of these minutes.