

# BUCKINGHAM TOWNSHIP

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**PLANNING COMMISSION**

**AGENDA**

**JANUARY 6, 2021**

**Call to Order 7:30 p.m.**

1. Annual Reorganization of Planning Commission
  - Appoint Chairman
  - Appoint Vice-Chairman
2. Consideration of approving draft Planning Commission minutes of September 2, 2020.
3. Consideration of recommending Preliminary Approval of the "**McKee Development**" Major Subdivision Plan dated "Revised 12/11/20", Township File SA 2020-01, Tax Map Parcels 6-18-76 and 6-18-79, located along Durham Road / Creek Road / Lower Mountain Road, proposing a Living Community of 42 Units: 12 single family homes, 18 townhomes, 12 twin homes, total parcel size 79.17 acres, located in the AG-1 Zoning District, with an initial 90-day review period expiration date of April 6, 2021.

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

The regular meeting of the Buckingham Township Planning Commission was held January 6, 2021 electronically via the Zoom application due to the current State and Federal regulations in place from the COVID-19 pandemic.

Present:	Andrea Mehling	Chairperson
	Patrick Fowles	Vice Chairperson
	Rebecca Fink	Member
	Dr. Marc Sandberg	Member
	Louis Spadafora	Member
	Glenn Thomson	Member
	Erling Salvesen, Jr.	Member
	Dan Gray	Township Engineer
	Louis Rosanova	Bucks County Planning Commission

Mrs. Mehling called the regular meeting to order at 7:30 p.m.

**Annual Reorganization of Planning Commission**

- Appoint Chairman
- Appoint Vice-Chairman

Mr. Fowles made a motion, seconded by Mrs. Fink, to appoint Andrea Mehling as Chairman. The motion carried unanimously.

Mrs. Mehling made a motion, seconded by Mr. Spadafora, to appoint Patrick Fowles as Vice-Chairman. The motion carried unanimously.

**Consideration of recommending Preliminary Approval of the “McKee Development” Major Subdivision Plan dated “Revised 12/11/20”, Township File SA 2020-01, Tax Map Parcels 6-18-76 and 6-18-79, located along Durham Road / Creek Road / Lower Mountain Road, proposing a Living Community of 42 Units: 12 single family homes, 18 townhomes, 12 twin homes, total parcel size 79.17 acres, located in the AG-1 Zoning District, with an initial 90-day review period expiration date of April 6, 2021.**

Ed Murphy, Esquire, Mr. Greg Glitzer and Ms. Sharon Dotts of Gilmore & Associates, were present along with Mr. Kevin McLaughlin from The McKee Group.

Mr. Murphy said the concept of this plan was previously reviewed by the Planning Commission and Board of Supervisors, the plan was revised according to comments received, and submitted as a Preliminary Plan to the township. He said Mr. Glitzer and Ms. Dotts will present what the new plan proposes, with the intent to let everyone process the review letters received, and then return to the Planning Commission in the future with specific responses to the review letters.

Mrs. Mehling noted that many residents were present, and all comments and questions would be held until after the presentation.

Mr. Glitzer displayed an overview of the sketch plan and explained the directions on the plan and pointed out the perimeter roads.

Mr. Glitzer said since the last sketch was submitted there was time dedicated to soil testing for spray irrigation feasibility and well testing. He said that wastewater and water supply can be supported onsite. Mr. Glitzer explained there are 42 units, containing a mix of singles, townhomes and twins, and this meets the by-right yield of the site as a B14 use in the zoning ordinance. Mr. Glitzer said the area along Route 413 is open space, with half of it active farming, in accordance with the zoning obligations.

Mr. Glitzer discussed the history of the project, stating it began in 2016 as a sketch plan with 63 singles along Route 413, based on using TDR's (Transferable Development Rights) to increase density of the site. He said that desktop reviews of soil capabilities for spray irrigation indicated the area along Creek Road would possibly work. However, when the soil was actually studied, it was not suitable, and then the area along Route 413 was studied and found suitable. The plan then was revised accordingly, and the density dropped to 42 units as allowed in basic zoning without the use of TDR's, and the site was designed in a more compact fashion, following a review comment received from Knight Engineering.

Mr. Glitzer said the sketch plan was further revised to enclose the village greens by roadways, and meet solar orientation requirements, per review comments.

Mr. Glitzer said the current plan shows two access points, one off Lower Mountain Road and the other off Creek Road. The plan has four open space and stormwater management facility areas including two large village greens that may be detailed with something like a gazebo or community orchard.

Mr. Murphy summarized that it has been 18 months since they have had a public conversation about the merit of the plan. He said it changed from 2016 when orientation of the community was along Route 413, and not in 2020 the goal is to meet the requirements of the township ordinances. Mr. Murphy said he realizes that while the neighbors may not want the units located where they are, due to soil profiles and other ordinance requirements there are limitations as to how the development can be laid out on these parcels.

Mr. Murphy asked Mr. Glitzer to specify to what extent the water and wastewater capacity has been studied in the area along Route 413 to handle the units. Mr. Glitzer said there has been soil testing for spray irrigation areas, planning module with hydro modeling for the spray field, and production wells have been monitored intensely.

Mr. Murphy said they will study the reviews received from Knight Engineering, the Landscape Review Consultants and the Bucks County Planning Commission, make appropriate revisions and submit revised plans afterwards.

Mr. Murphy said that traffic comments were included in Knight Engineering's review, and he shared those with Matt Hammond of TPD (Traffic Planning and Design, Inc.) for his response. He said that the review included a comment regarding degradation in the Level of Service (LOS) at the intersection of Lower Mountain Road at Route 413, which is offsite, however the comment is acknowledged and TPD will review it accordingly. Mrs. Mehling added that the residents had shared concerns regarding increased traffic onto Creek and Lower Mountain Roads and the

inability of the roadways to handle the number of vehicles safely. Mr. Murphy said that will also be studied by TPD.

Mrs. Fink said that due to concerns regarding adding traffic to Creek and Lower Mountain Roads, she asked if it was possible to study accessing the site only from Route 413. Mr. Glitzer said it may be possible to snake a road across the site to Route 413. Mr. Murphy said they had previously considered that option and thought it would be an ordinance violation for interrupting contiguous areas of open space or farming. Mr. Glitzer said that was when they had designed a road going back to a rear spray field, however if the road hugs the property line, it may be possible. Mr. Glitzer said he didn't want to create optimism if it didn't meet ordinances.

Ms. Manicone said as far as landscaping is concerned, if the access was through open space #1 on the plan and down towards Buckingham Springs over to Route 413 eliminating the two access points to Creek and Lower Mountain, they could then install the proper landscaping as required by ordinance, which is not shown on the existing plan.

Ms. Manicone noted there were two previous designs for the wastewater treatment and asked if there was any other area to move the lagoons so the farmland could be better used. Mr. Glitzer said they tried to take advantage of the area of existing farm outbuildings to preserve the viewscape, however they could look into options to reorient the lagoon upwards on the property in order to provide more consistent farmland.

Ms. Dotts wondered if a single access may be a concern for 42 lots. Mr. Gray said there are ways to have emergency access to a site that are not "roadways".

Mr. Fowles asked if they could adjust the lagoon locations and move the entire development onto the Route 413 side centered towards the right bottom corner, while keeping the area along Creek and Lower Mountain Roads farmland. He said the proposed traffic onto the two smaller roads is a tremendous problem.

Mr. Murphy said that they would take a look and see if they could relocate things, however relief from ordinances may be required.

Mrs. Mehling summarized that the main problems concern traffic onto Creek and Lower Mountain Roads and making sure all neighbors are properly buffered from the development.

Mr. Salvesen said he agreed with the request to bring a road to Route 413, as the intersection of Lower Mountain Road and Route 413 is very difficult to cross due to the curve in Route 413. He suggested leaving the Creek Road access for residents heading towards Doylestown or Warwick.

Ms. Manicone stated she would prefer the development moved to the Route 413 side, while knowing it would most likely be in a squared off shape not meeting ordinance requirements, but would provide potential for an open space area for a walking trail, a beautiful planted buffer along Buckingham Springs, and more.

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Mr. Fowles said by moving the lagoon, several trees may need to be removed, however a large rectangular farming field could be created. Ms. Manicone said she hasn't seen a tree inventory for the site and doesn't know the quality in that area, however it could be considered.

Mrs. Mehling asked the residents in attendance for their comments.

Dr. Barrie Barr, Creek Road, stated she is completely against the proposed plan for all the reasons discussed: traffic, flooding of roadways and creek. She requested the development be moved towards Route 413, keeping the Creek Road side as farmland, have one entry into the development and consider fewer dwellings. She said this would all make less impact onto the environment.

Mr. Jon Forest, Route 413, asked why the residents of Buckingham Springs were not notified of this development. Mr. Kevin McLaughlin, McKee Group, said a plan was posted in the clubhouse for the previous Board of Supervisors work session, and he agreed that they should reach out after his evening and provide them with the plan. Mr. McLaughlin agreed it made sense to be sure they know what is happening and have a chance to react.

Mr. Forest said he had no problem with the Route 413 access road, however an emergency access should also be provided elsewhere on the property.

Mr. Forest said in the spirit of the Zoning Ordinance, he believes the treatment plant and lagoons should be moved towards the spray fields to provide a square or rectangular field that could easily be farmed.

Ms. Beth Ann Rinkus, Creek Road, said her main concerns are the number of cars that will be added to the local roadways, and if the entire development cannot be moved towards Route 413, then at least install the access to Route 413 only. She had concerns that paving over the property along Creek Road would create more flooding issues to an already easily flooded area. She also had concerns about groundwater for their wells and asked if the volume of groundwater to be removed in relation to existing wells would be studied; Mrs. Mehling said that would be required. Ms. Rinkus added that if the land were preserved, that would be best.

Ms. Lynn Maloney, Route 413, asked if there would be a landscaping buffer along Route 413 if the plan stays as is. Ms. Manicone said yes, a 50' deep buffer would be required along the perimeter, even if the development location is adjusted.

Ms. Maloney asked who will be maintaining the lagoon, adding that she is concerned about odors. Mr. Glitzer said the water and wastewater systems would be offered to the township to maintain, however they would not be under any obligation to take it. Mr. Glitzer said if the lagoon is functioning properly it is just like a farm pond, and is a preferred treatment within Buckingham Township.

Ms. Maloney asked if the development, including houses and the wastewater treatment, would decrease or increase the value of existing homes in the area as she plans to sell her property within a few years. Mrs. Mehling said that is unpredictable.

Ms. Christina Smolenak, Creek Road, asked for documentation on the wells that had been studied as part of this development. Mr. Glitzer said that is part of the public record and could be requested from the township.

Mr. Gray explained the process of placing monitoring wells around the production wells, which are evaluated to be sure there is no impact on adjacent neighbors. Mr. Gray said there are multi-layered approvals required including the township and the state, followed by a well protection agreement in case a problem arises. Mr. Gray said the well protection agreement provides the resident with assurance that the situation will be resolved.

Dr. Barr asked that the plan be flipped in order to protect the existing farmland along Creek Road. However, she asked that if the land is overdeveloped, what is the townships responsibility with regard to her property as far as erosion and storm drain runoff. Mr. Gray said as township engineer his job is to make sure the plans reduce impact of their impervious surface and construction activities. He added that the township cannot require the developer to fix a problem that existed prior to the development, but can request it. Mr. Gray said the township would be sure that the developer addresses their own issues.

Mr. Bob Smith, Route 413, asked about the relationship between wells, sprayfield, lagoons and wetland areas, and their distance from one another. Mr. Glitzer said the township has Water and Wastewater Specifications that are followed. Mr. Glitzer added they may not encroach upon wetlands.

Mr. Frank Ripp, Creek and Lower Mountain Roads, said he owns multiple properties in the area and agrees that Creek Road cannot handle more traffic. He urged that the plan be revised with the homes moved towards Route 413 so that the farmland view is protected from Creek and Lower Mountain Roads.

Ms. Rae Ann Barker, Route 413, asked about service vehicles, such as Amazon. She said these need to be considered in addition to the number of resident vehicles that would be added to the area.

Mr. Tim Qualli, Lower Mountain Road, asked if the plan is on two separate lots or will be rezoned into one lot? Mr. Glitzer said there are two contiguous tax parcels, with no rezoning of lots. Mr. Qualli asked if the recent studies were based on perc tests performed 2-3 years ago because they were done in the area currently proposed for houses. Mr. Glitzer said the tests had been updated since then with field work. Mr. Qualli said that he would request the updated geologic studies to study.

Mr. Murphy said that there were no surprises in the comments this evening as they have all been previously stated, however if everyone was openminded for an alternate look and were flexible, then maybe something could be worked out.

Mrs. Maggie Rash thanked everyone for coming to the meeting on Zoom and being diligent with the reviews, and encouraged them to stick with it.

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*Mr. Fowles made a motion to table recommending Preliminary Approval of the “McKee Development” Major Subdivision Plan dated “Revised 12/11/20”, Township File SA 2020-01, Tax Map Parcels 6-18-76 and 6-18-79, located along Durham Road / Creek Road / Lower Mountain Road, proposing a Living Community of 42 Units: 12 single family homes, 18 townhomes, 12 twin homes, total parcel size 79.17 acres, located in the AG-1 Zoning District, with an initial 90-day review period expiration date of April 6, 2021, Mrs. Mehling seconded the motion. The motion carried unanimously.*

*Mrs. Mehling made a motion, seconded by Mr. Fowles, to adjourn the Planning Commission meeting at 9:01 p.m. The motion carried unanimously.*

Minutes respectfully submitted by Lori Wicen.

Minutes approved by Planning Commission on February 3, 2021.