

# BUCKINGHAM TOWNSHIP

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PLANNING COMMISSION

AGENDA

AUGUST 2, 2023

Call to Order 7:30 p.m.

1. Consideration of approving draft Planning Commission minutes of May 3, 2023.
2. **PLAN HAS BEEN WITHDRAWN BY THE APPLICANT**  
Consideration of recommending Preliminary Approval of the ~~“Proposed Warehouse—Digirolamo Tract”~~ Land Development & Lot Line Change Plan dated May 17, 2023, Township File LD 2023-01, Tax Map Parcels #06-004-017-001, 06-004-016 & 06-004-012-001, 4344 Cold Spring Creamery Road, 3 Lots, 150,000 sq. ft. warehouse building, located in the PI-2 Zoning District, with an initial review period expiration date of September 5, 2023.
3. **APPLICANT REQUESTED TO BE REMOVED FROM THIS MEETING AGENDA AND TO TENTATIVELY BE RESCHEDULED ON THE SEPTEMBER 6, 2023 PLANNING COMMISSION MEETING AGENDA**  
Consideration of recommending Preliminary Approval of the ~~“Hyundai Dealership and Biotechnology Research Lab”~~ Land Development Plan dated Rev. June 23, 2023, Township File LD 2023-02, Tax Map Parcels #06-004-002 and 06-004-003, 876 N. Easton Road, 2 Lots, 48,930 sq. ft. new building area, located in the PC-1 Zoning District, with an initial review period expiration date of October 3, 2023.
4. Consideration of recommending Preliminary/Final Approval of the “Walsh Tract” Minor Subdivision Plan dated Rev. July 13, 2023, Township File SA 2019-01, Tax Map Parcel #06-021-053-001, 5087 Lower Mountain Road, 2 Lot Subdivision, 5.340 Acres, located in the AG-1 Zoning District, with an extended review period expiration date of October 1, 2023.

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

The regular meeting of the Buckingham Township Planning Commission was held August 2, 2023 in the Township Building, 4613 Hughesian Drive, Buckingham, Pennsylvania.

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

Not Present: Rebecca Fink                      Member

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

**Consideration of approving the draft Planning Commission minutes of the May 3, 2023 meeting.**

*Mr. Fowles made a motion, seconded by Mrs. Mehling, to approve, as most recently presented, the draft Planning Commission meeting minutes of the May 3, 2023 meeting. The motion carried unanimously.*

**Consideration of recommending Preliminary/Final Approval of the “Walsh Tract” Minor Subdivision Plan dated Rev. July 13, 2023, Township File SA 2019-01, Tax Map Parcel #06-021-053-001, 5087 Lower Mountain Road, 2 Lot Subdivision, 5.340 Acres, located in the AG-1 Zoning District, with an extended review period expiration date of October 1, 2023.**

Steve Rovner, Esq. and Mr. Jonathan Ringenbach, Pennoni, were present to discuss the revised preliminary/final plan.

Mr. Rovner said since coming before the Planning Commission last month, they revised the plan to address review letter comments, and are back to discuss the changes and get to the next step.

Mr. Rovner reminded the Planning Commission this plan subdivides an existing lot into two conforming lots, with the new lot identified as Lot #1, and the existing lot identified as Lot #2.

**Landscape Review Consultants – July 19, 2023 Review**

Mr. Ringenbach displayed the proposed landscaping plan on the screen, and explained they have conducted multiple site visits over the years since the original plan was submitted, and have made revisions for current conditions. He said the Landscape Review Consultant provided comments which they acknowledge and will comply, including swapping out certain species to the recommendations. He said the tree protection fencing comments are all “will comply”, and they

agree to either pull back the trees located under the PECO wires or use supplemental suitable plantings underneath the wires. Ms. Manicone explained her concern is that the trees need to be set back away from the wires to avoid PECO having to trim them. Mr. Ringenbach confirmed that is a “will comply”.

Mrs. Mehling asked to discuss the “do not support” items in Knight Engineering’s July 31, 2023 review letter.

**Knight Engineering, Inc. – July 31, 2023 Review**  
**Development Concerns**

- 1.2 SALDO § 11.1.A. requires that before the Board of Supervisors shall cause its approval to be endorsed on the final plans of any subdivision and as a requirement for the approval thereof, the Applicant shall enter into a written agreement with the Township to guarantee the construction and installation of all improvements required by the SALDO.

Mr. Gray asked if it was the applicants’ intent to post escrow for the improvements prior to recording the plan, because notes throughout the plan imply the intent is to subdivide and have the future lot owner install improvements and post escrow. Mr. Rovner said they are requesting a waiver from the future purchaser of the lot being required to post escrow before construction. Mr. Gray said the request to waive SALDO § 11.1.A. had been removed from the most recent waiver letter, which raised the question. Mr. Rovner said this will be a request they make to the Board of Supervisors, not to the Planning Commission. Mr. Rovner explained the applicant still lives on the lot and is present in the township, so there will be more control than if it was someone that lives outside the area.

Mr. Gray explained the township has had bad experiences where the lots get sold, and the new lot owner comes in unaware of the expenses and requirements for improvements. Mr. Gray stressed they must be sure to include the waiver request in their next letter, and must specify whatever hardships they may have.

Mr. Fowles said he could not vote to recommend approval of the plan considering this waiver request. Mr. Thomson said he also felt uncomfortable.

Mr. Rovner said they would not be requesting the waiver, and agreed to revise the statement of intent on the plans to contain a consistent statement that all required improvement shall be installed prior to the recording of the Subdivision Plans or adequate financial security shall be provided for the proposed improvements.

- 2.1 SALDO § 9.7.A.13 and 2,5 SALDO § 9.18.A requiring the Applicant of a subdivision that abuts an existing street of inadequate width or substandard construction be widened and/or reconstructed to meet current SALDO requirements, and requiring curbs to be provided. Mr. Gray said they support the applicant’s request for relief of providing curbs as no other curbs exist along Holicong Road and Lower Mountain Road in the area of this development. Mr. Gray said his concern regards the existing roadside drainage facilities that do not appear to meet the Township’s requirements for roadside drainage. He explained the township typically requests swales along the

road frontage, however the existing lands of lot 2 have a dense row of hemlocks that would prohibit maintainable township roadside swales. Mr. Gray said the question for the Planning Commission is would they prefer to see maintainable roadside swales or the existing hemlocks. Ms. Manicone said the plantings are overwhelmed with climbing vines, wild grape vines and ivy all the way to the top of the trees, so it is difficult to see what is actually planted. She said the trees have been pruned by PECO, and are close to the road; she added they probably will not tolerate root level disturbance with soil work.

Mr. Fowles noted that having sat through a Board of Supervisors meeting recently when the issue of how well the township has dealt with the issue of stormwater runoff and Mr. Gray was complimented on being one of the prime movers in ensuring that by the detail in which he addresses stormwater issues, he finds it difficult to not say that bringing the drainage situation up to par is not more important than some hemlocks that may or not be healthy. Ms. Manicone added that hemlocks are not on the townships' recommended plant list as they are very subject to disease problems.

Mr. Rovner said there is no development happening along Holicong Road, it is all along Lower Mountain Road. He explained the existing house on Lot 2 is close to the corner as currently constructed, however if a swale was necessary, they may be able to install one on Lot 1. Mr. Gray said Lot 1 is not the concern as the grade runs away from the road, however when you get around the corner along Holicong Road, the swale is marginal. He said the ordinance requires improvement along the entire development road frontage, not just the new area. However, he said removal of the existing materials would drastically change the appearance. Mr. Rovner said there are no issues currently with the drainage and that nothing is being changed along Holicong Road.

Mr. Fowles asked if they would lose all of the hemlocks if they installed a swale on Lot 1. Dr. Sandberg asked if they removed the hemlocks could they plant the area with other foliage. Mr. Ringenbach said yes, they had already proposed landscaping, but they were not planning on the swale and would need to study that in more detail.

Ms. Mehling asked Ms. Manicone if they were not discussing a swale, would she recommend the hemlocks be removed, and Ms. Manicone said no, she never recommended that as they are an existing condition. Ms. Manicone explained she recommended adding deciduous and flowering materials. She said if the hemlocks were removed, they would need to plan some evergreen materials. Mr. Rovner said they had meetings at the property with Ms. Manicone and had discussed saving some of the trees, buffer what is there, add canopies, and plant interior trees to subdivide the interior lots. He said to change the perimeter trees all around the corner property would be cost prohibitive.

Mrs. Mehling asked the Planning Commission their opinion on keeping the trees or grading the swale for stormwater. Mr. Thomson asked if the current conditions have handled the recent deluges of rain, and Mr. Rovner said it works. Mr. Thomson asked where the water drains to, and Mr. Rovner explained there is a line of trees through the back of the property, and he would think from topography that the rainwater would drain through the back. Mr. Gray confirmed the grade of field drops past the property line, that the stormwater goes along Holicong Road, through a field to a wetland area on a downstream property shown on the aerial plan. Mr. Gray said that there is no

analysis of existing conditions, but the hemlocks and other trees in the swale would help with the water. Mr. Gray said he has not received any comments from the township road department implying this is an area of concern, and has not heard of complaints from any of the neighbors.

Mr. Spadafora said from a non-technical perspective, if some of the roadside plantings die in 5 years the homeowner is not required to replant them, and as a planner, he thinks the swale should be there. Dr. Sandberg asked if something could be planted on the swale proactively, and Ms. Manicone said yes there are proper materials to accommodate utility lines and provide an evergreen buffer.

Mr. Gray recommended that part of this waiver request could be to give the Board of Supervisors information to make the determination when they review the plan; to request the engineer shows grading of the swale and tie down those details. Mr. Rovner agreed they could do a grading study, and added the hemlocks are 100 years old.

Mr. Fowles said his concern is that stormwater problems are top in the list of complaints people have before and after development. He said Buckingham Township has traditionally taken the more conservative route. Mr. Fowles said he would vote on the viewscape five years from now when the new plantings have grown up, and agreed it will look different, but nicer. He agreed the idea of getting scoping on this to make a better-informed decision is a good idea. Mrs. Mehling agreed.

- 2.5 SALDO § 3.3.C.2.r requiring subdivision plans be prepared to provide renderings of the proposed building and photographs of similar construction. Mr. Gray said he changed this to “will support” waiver since the future homeowner will decide what type of house to build. He could support this waiver now that they know there will be a financial security agreement in place.

Mr. Rosanova had no additional comments. .

Mrs. Mehling asked if anyone local was present and had comments, and Mr. Casey Prajzner, Mountain Top Road, said he had no comments.

*Mr. Fowles made a motion, seconded by Mrs. Mehling, to recommend preliminary/final approval of the “Walsh Tract” Minor Subdivision Plan dated Rev. July 13, 2023, Township File SA 2019-01, Tax Map Parcel #06-021-053-001, 5087 Lower Mountain Road, 2 Lot Subdivision, 5.340 Acres, located in the AG-1 Zoning District, with an extended review period expiration date of October 1, 2023, subject to the following conditions:*

*a. Applicant’s compliance with the Knight Engineering, Inc. review letter of July 31, 2023; noting that the applicant has agreed to revise the statement of intent to confirm that all plan improvements will be complete or appropriate financial security will be provided prior to the recording of the minor subdivision plan; also noting that while knowing that the swale may have a negative impact on existing hemlocks, the Planning Commission supported the installation of a roadside swale along the road frontages, however the applicant agreed to study the implementation of a roadside swale and bring supporting details, including photographs, to present to the Board of Supervisors for their final decision on the waiver request;*

- b. Applicant's compliance with the Castle Valley Consultant, Inc. review letter of July 18, 2023;*
- c. Applicant's compliance with the Landscape Review Consultants review letter of July 19, 2023;*
- d. The Planning Commission supports all waivers as requested in the July 13, 2023 Modification Request Letter.*

*The motion carried unanimously.*

*Mrs. Mehling made a motion, seconded by Mr. Spadafora, to adjourn the Planning Commission meeting at 8:24 p.m. The motion carried unanimously.*

Minutes respectfully submitted by Lori Wicen.

Minutes approved by Planning Commission on September 6, 2023.