

APPROVED

**SPRINGETTSBURY TOWNSHIP
PLANNING COMMISSION
FEBRUARY 19, 2015**

MEMBERS IN

ATTENDANCE: Mark Robertson, Vice Chairman
Mark Swomley
Charles Wurster
Charles Stuhre

ALSO IN

ATTENDANCE: Trisha Lang, Director of Community Development
John Luciani, First Capital Engineering
Christopher King, Solicitor
Sue Sipe, Stenographer

NOT PRESENT: Alan Maciejewski, Chairman

1. CALL TO ORDER:

A. Pledge of Allegiance

Vice Chairman Robertson called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance.

2. ACTION ON THE MINUTES

A. DECEMBER 18, 2014

MR. STUHRE MOVED FOR APPROVAL OF THE MEETING MINUTES OF DECEMBER 18, 2014 AS PRESENTED. MR. WUESTER SECONDED. MOTION UNANIMOUSLY CARRIED.

A. JANUARY 15, 2015

MR. STUHRE MOVED FOR APPROVAL OF THE MEETING MINUTES OF JANUARY 15, 2015 AS AMENDED. MR. SWOMLEY SECONDED. MOTION UNANIMOUSLY CARRIED.

3. BRIEFING ITEMS – None

4. ACTION ITEMS

A. LD-14-06 Candlewood Suites Hotel

James Snyder, Snyder, Secary & Assoc.

Josh Hoffman, Snyder, Secary & Assoc.

Mr. Luciani reviewed outstanding items, noting the applicant met with Staff. He indicated the traffic issue regarding the driveway at Aesys is still unresolved. Staff is requesting that it be evaluated by PennDOT.

It was noted a letter was received from Attorney King, Township Solicitor reporting his review of the recorded documents and prints on previous projects relating to the right of way and extension of Saturn

Way. In his legal opinion the 50 ft. wide future street right of way is legally binding on Lot #3 and only the Board of Supervisors can authorize removal of the 50 ft. wide future street right of way.

Discussion was held regarding the access easement across the Aesys property as it relates to the 190x120 ft. area. Reference was made to the original deed between Donnelly and Diehl in 1986 that established the easements. It was agreed that the easement runs with the land as recorded on the plan.

It was noted the level of service as it relates to the traffic situation on the Aesys driveway was rated "F" by the County which was disputed by the applicant. Mr. Snyder reiterated that in the peak AM hour they estimated that with the proposed development an additional 4 vehicles would be making a left turn at the Aesys driveway, with 6 estimated in the PM peak. He noted on Sunday the driveway is blocked and there is no traffic using the Aesys driveway.

It was noted at the last meeting there was discussion about the modification of the cul-de-sac. The offer by the applicant was to create an easement over the parking area and provide notes about the responsibility of that property owner to make repairs as necessary. There was also concern that it had to be paved to street design standards within the parking lot. Mr. Snyder stated they modified the plan to reflect that. He noted the proposal was to eliminate the cul-de-sac into Lot 4 however, the concern was the turnaround for emergency vehicles. Consequently, they have provided a pathway through their site by way of the public access easement, in order that emergency vehicles and municipal vehicles can circulate and get back out. Based on the concern about any potential damage to their property, they added a stipulation on the plan that indemnifies the Township from any damage which would be on the property owner.

MR. SWOMLEY MOVED TO HOLD AN EXECUTIVE SESSION TO DISCUSS THE LEGAL IMPLICATIONS OF THE APPLICATION. SECONDED BY MR. WURSTER. MOTION UNANIMOUSLY PASSED. (6:30 PM)

The meeting reconvened at 7:00 PM.

VICE CHAIRMAN ROBERTSON CALLED FOR A MOTION.

MR. WURSTER MOVED WITH REFERENCE TO LAND DEVELOPMENT PLAN LD-14-06, CANDLEWOOD SUITES HOTEL, TO RECOMMEND APPROVAL OF SALDO ARTICLE IV SECTION 289-13.A PLAN SCALE, AND TO DENY SALDO ARTICLE VI SECTION 289-41A-3 PROVISION OF A TURNAROUND FOR CUL-DE-SAC/LOOP STREETS, WITH THE UNDERSTANDING THAT TOWNSHIP BELIEVES THE CUL-DE-SAC IS AN IMPORTANT ITEM AS PART OF THIS PLAN. SECONDED BY MR. STUHRE. MOTION UNANIMOUSLY PASSED.

MR. WURSTER MOVED WITH REFERENCE TO LAND DEVELOPMENT *PRELIMINARY* PLAN LD-14-06, CANDLEWOOD SUITES HOTEL, TO RECOMMEND ACTION OF THE CONDITIONS AS FOLLOWS:

- **APPROVAL OF ITEMS 1 THROUGH 6 AS IDENTIFIED ON THE PLAN SUMMARY.**
- **WITH REFERENCE TO ITEM 7 - GIVEN THE DENIAL RECOMMENDATION ABOVE, THE REINSTATEMENT OF THE CUL-DE-SAC IS HEREBY AMENDED TO MAKE PROVISION FOR THE RETAINAGE OF THE CUL-DE-SAC.**
- **THE PLAN SHALL BE SUBJECT TO THE RECEIPT AND SATISFACTORY REVIEW OF AN AGREEMENT BETWEEN ALL PROPERTY OWNERS THAT SHARE THE EASEMENT AS IDENTIFIED ON THE DEED, THAT WILL PROVIDE FOR THE UNMITIGATED ACCESS AND MAINTAINANCE OF SAID EASEMENT FOR AS LONG AS THE PLAN IS IN EFFECT.**
- **SUBJECT TO THE RECEIPT AND SATISFACTORY REVIEW OF A PENNDOT HIGHWAY OCCUPANCY PERMIT FOR THE ACCESS KNOWN AS THE AESYS DRIVEWAY.**

SECONDED BY STURHE. MOTION UNANIMOUSLY PASSED.

WAIVER RECOMMENDATIONS - None

5. OLD BUSINESS

A. Review of Delay of Demolition Regulations

Ms. Lang referred to Steve Smith's visit last month to discuss the list of 100 Historic Properties and the importance of the resources on that list. The proposal is consideration of instituting a 90 day delay to allow for documentation of the historic resource and for owners to seek options to the demolition. Ms. Lang noted the Ordinance also covers demolition by neglect and a process that would approve a demolition permit through the conditional use process. She noted the Planning Commission could choose to only approve the 90 day review or retain any of the other section, i.e., demolition by neglect or the section that addresses how to get a conditional use approval and what is required. She indicated those are separated within the document by color.

The following items were discussed:

- The minimal requirements in the property maintenance code and the difficulty with enforcement.
- Notification of property owners on the list. Ms. Lang stated Mr. Smith will be sending a mailing to all present occupants/owners on the list.
- Adoption of the Ordinance may affect property owners' rights.
- How to manage houses/buildings that are historically essential so that they are never destroyed in spite of the homeowner's wishes.
- Allowing homeowners who do not wish their property to be on the list the ability to opt out.
- Consideration of a system whereby the Historical Committee could enter into an agreement to buy the historical property and allow the owner to live there until they are deceased.
- Possibility of creating two lists - the first would be homeowners voluntarily on the list conceding to the final contents of the Ordinance and another list would be homeowners who do not want to be on the list but have property identified as being a historic resource.

The Planning Commission indicated additional time is needed for review of the proposal.

6. NEW BUSINESS – None

7. ADJOURNMENT

VICE CHAIRMAN ROBERTSON ADJOURNED THE MEETING AT 7:35 P.M.

Respectfully submitted,

Secretary

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