

MINUTES
UPPER SAUCON TOWNSHIP PLANNING COMMISSION
Regular Meeting
Tuesday, June 5, 2018 – 6:30 p.m.
Township Municipal Building

Call to Order/Pledge of Allegiance

Ms. Falcone called the meeting to order at 6:30 p.m. with the reciting of the Pledge of Allegiance.

Members Present: **Samantha Falcone, Chair**
 Dennis Aranyos
 George Bloeser
 Bryan Macfarlane
 Antonio Roman

Staff Attending: **Trisha Lang, Secretary/Director of Community Development**
 Thomas Dinkelacker, Township Solicitor
 Kevin Chimics, Township Engineer

Minutes

The minutes of the May 1, 2018 meeting were reviewed and approved.

Subdivision and Land Development Reviews

Waivers associated with the Preliminary Subdivision/Lot Consolidation/Land Development Plan for TOA at Locust Valley #2017-09

The applicant was represented by Dave Biddison who summarized the current status of the project and recent discussions with Township staff regarding the two previously deferred waivers. When the Preliminary Plan was recommended for approval at the May 1, 2018 meeting it was anticipated that action on the deferred waivers would be accomplished as part of action on the Final Plan. However, after discussions with the developer, staff is able to recommend that the Commission make a recommendation at this time.

After clarification of the alternative proposed in lieu of full compliance with Section 510 Sidewalks and Section 507.B.1 Recreation Trails, the Commission unanimously recommended that the waivers be conditionally approved by the Board of Supervisors.

The conditions imposed include:

1. Gifting a 5.92 acre portion of the tract comprised of PIN#642333186703 (4.72 acres) and PIN#642333180696 (1.2 acres) to the Township.
2. Amendment of the currently proposed pedestrian walkway to provide a direct connection to the Liberty Bell Trail and,

3. Construction of an approximately 500' section of the Trail beginning at its intersection with the proposed entry road to the site from Old Bethlehem Pike in Springfield Township, Bucks County.

Mr. Duane Wetzel an adjoining property owner, addressed the Commission with concerns about the project including a disagreement about the location of their common boundary line. Mr. Biddison assured Mr. Wetzel that they would look into his concerns.

Wawa Preliminary/Final Land Development Plan #2017-05

The applicant was represented by Mr. Bill Reardon of Bohler Engineering as well as legal counsel Erich Schock of Fitzpatrick, Lentz, & Bubba. Mr. Reardon provided an overview of what has been happening with the project which was last before the Planning Commission at their February 6, 2018 meeting. Although there are some new waiver requests, the plan is the same, the access is the same, and the design is the same as it was during previous reviews. There was discussion about the status of the review/approval by PaDOT as well as the recently identified concerns regarding the intended vacation of Short Road. Mr. Bloeser questioned the applicant about the number of proposed fueling stations and asked for information on the impervious area proposed and the ability to provide adequate storm water management for the site.

The Commission members were not prepared to make a recommendation on approval of the project until the outstanding issues (PaDOT approval, Short Road vacation) have been resolved. The applicant was provided with a recommendation to move the project forward by addressing the outstanding review comments, the waterline issues, the stormwater volume issue, and the PaDOT HOP and Short Road vacation issues prior to returning for action by the Planning Commission.

Discussion

A. Proposed Zoning Ordinance Amendment Section 464 Non-Commercial Keeping of Livestock

The Commission continued their discussion of a proposal to consider allowing properties in the R-2 Suburban Residential Zoning District to keep chickens. This included review of an amendment to the existing language of Section 464 of the Township Zoning Ordinance and adoption of a specific set of regulations for qualifying lots in the R-2 Zone.

The Commission members considered and discussed at length each of the following:

- There are many parts of the Township that remain rural and where keeping livestock, including chickens, might be expected. These include the South Mountain Conservation Zone, the Agricultural Conservation Zone, the Open Space R Zone and the Rural Residential Zone – where keeping livestock, including chickens, is already permitted by right on lots of at least one (1) acre.
- There are 3,300+ separate parcels of land existing in the R-2 Zone. Almost 2/3 of these parcels (2218) are one (1) acre or less. The zone is intended to accommodate suburban residential development and has a minimum lot size of one (1) acre with both public

- sewer and water, 1.5 acres with either public sewer or public water, and two (2) acres if no public utilities are available.
- There are many municipalities in the State that accommodate keeping chickens on residential properties. Both Lower Milford and Lower Saucon Townships, located adjacent to Upper Saucon Township, permit chickens on properties with a minimum lot size of at least three (3) acres. Coopersburg Borough does not allow chickens anywhere. Springfield Township, Bucks County appears to require two (2) acres for "domestic poultry"
 - While there may be many residents who would take advantage of the ability to keep chickens on their property, only two residents have consistently attended each of the advertised meetings in support of the amendment. Those residents, Ms. Aschilman and Ms. Swauger were in attendance.
 - Prior versions of the zoning amendment called for a minimum lot size of at least 1.5 acres. Residents attending the September 2017 P&Z meeting felt that was too high. Staff reduced the minimum to one (1) acre which is consistent with the provisions in the more rural areas of the Township. Commission members generally believed this was insufficient acreage and discussed lot sizes more in keeping with the neighboring municipalities (2-3 acres).
 - There was a great deal of discussion about whether lot size or lot setbacks would be a more effective means of "buffering" neighboring properties from the impacts of a resident who wished to keep chickens. The setbacks in the ordinance could easily be increased or, a vegetative buffer or fencing could be required in order to provide an effective separation of adjacent residential uses. There was no clear consensus as to which of these options might best achieve the intended purpose.

As a result of the discussion described above, the Commission voted 3-2 not to recommend that the Zoning Ordinance be amended to permit keeping of chickens in the R-2 Suburban Residential Zoning District. Given that there was not a majority vote to open the R-2 Zone to keeping chickens, no vote was taken on the draft ordinance prepared for this purpose.

Adjournment

There being no further business, the meeting adjourned at 7:48 p.m. The next regular meeting is scheduled for July 3, 2018, at 6:30 p.m.

Respectfully submitted,

Patricia Lang,
Secretary