

APPROVED

September 5, 2007
Salford, Pennsylvania

Planning Commission Agenda
Hershey Meadows – Final Plan Review
Winner – Zoning Hearing Application
THP/Normandie Golf Course

The regular September meeting of the Upper Salford Township Planning Commission was brought to order at 7:30 pm by Chairman Giannini. Also present were Messrs. Raisner, Sacks, McMaster, Nase, Township Engineer, Mike Reinert and Township Solicitor, Stephen Imms.

Jim Hershey approached the Planning Commission with a final plan for the **Hershey Meadows Subdivision**, located off of Sumneytown Pike, Old Sumneytown Pike and Thompson Road. The Township Engineer's letter dated August 22, 2007 was reviewed.

In response to Item #1, the applicant provided the Township Engineer with a revised plan, showing an amended 50 foot access strip for the flag lot.

The waiver request for item #3, requesting relief from the site analysis map showing features within 400 feet, was acceptable; however the waiver request in item #4 for the wetland delineation report was not accepted and a full wetland delineation report would be required.

The reference in item #5 to lot 6 should actually be lots 6A and 6B. Both lots will be combined with the lands owned by H. Peter & Mary Hershey.

Other waivers not acceptable were for items #11, #12, and #13. In item #11, partial buffering on lots 3 and 5, as previously submitted on the preliminary plan, had been removed and the applicant was requesting a full waiver for buffer planting. Item #12 was a waiver request for canopy trees and item #13 was a waiver request for the posting of financial securities. It was recommended that all three waiver requests be denied.

Questions and comments from the public included:

- Ralph Mancinelli from Shady Lane asked for clarification of what road widening included, to which the requirements of the ordinance were explained to him.

On a motion made by Mr. Nase and seconded by Mr. McMaster, the Planning Commission approved the final plan for the Hershey Subdivision, identified as Plan No. 04004, dated February 2, 2006, revised August 2, 2007, with the following conditions:

- **Compliance to the Township Engineer's letter dated August 22, 2007, with the correction to item #5 amending Lot 6 to read Lots 6A and 6B.**

Approval of the following waivers:

- **Partial waiver for Section 401.B – existing features within 400 feet**
- **Section 608.E.2.d and Section 612.H – Landscaping of detention basins.**

Denial of the following waivers:

- **Section 401.B.2 – wetland delineation report**
- **Section 612.E. – perimeter buffer plantings**
- **Section 612.G.2 – one canopy tree per 10,000 square feet.**
- **Section 701.B & 702 – Posting of financial securities for improvements**

The vote carried four to one with Mr. Raisner voting nay.

The Planning Commission reviewed a Zoning Hearing application for Mr. & Mrs. Charles Winner who are seeking variances to Sections 301.14.a, 304.5.b.ii, iii & iv, 304.7.b and 601.13.d of the Township Zoning Ordinance. The nature of the variances requested relate to allowing 2 horses on 2.38 acres, a pasture fence on the property line, a 6' fence for a riding ring in the front yard and relief of the barn height requirements. The validity of the reference to section 301.14.a was questioned, however, the Planning Commission did not wish to present testimony at the hearing.

The THP offer for the Normandie Golf Course was discussed among the Planning Commission members.

Comments and concerns of the Planning Commission included:

- A concern addressed by all was when the agreement would be available for review.
- The Planning Commission members were advised to comment on the proposal based on the plan provided to them; however, they preferred not to make a recommendation to the Board of Supervisors before reviewing the agreement.
- Clarification was asked with regard to additional zoning issues not on the plan, questioning if those issues would be covered under a blanket stipulation or should the Planning Commission look for them when reviewing the plan.
- The Township Engineer explained his calculations to reach the total 165 homes.
- Environmental concerns included water usage for the golf course, riparian corridors interference, steep slope and woodland disturbance, impervious coverage exceeded. The Planning Commission felt the plan should show these features.
- Ownership of the club house by THP and the golf course land by the Township were clarified.
- Effect on the Indian Valley Regional Comprehensive Plan was questioned.
- There was concern as to what precedence approval of this development would set.
- Plan should show proposed road improvements.
- It was decided that Clinton Cleaver from DEP should attend a joint meeting to discuss and explain the 537 plan further.

Comments from the Public included:

- Don Parker from Lower Salford asked what would be done if THP went out of business during the 35 years there were to run the golf course. It was explained that someone else would take over the operation and would be responsible for the same requirements as THP. Mr. Parker also stated his concern with the water usage for the golf course and felt it was understated by THP. From information he acquired from individuals involved in the Lederach Golf Course, the usage can go up to a million gallons a day.

- Mary Larson asked why Upper Salford is in litigation with THP and wondered why the Planning Commission could not look at the black line contract before it's agreed to. It was explained to her that the Planning Commission would be given the opportunity to review the contract; however, the Planning Commission is only advisory to the Board. The Township Solicitor briefly explained why the township was involved in litigation with THP with regard to the land use appeal filed after the denial of the conditional use hearing.
- Mark Hosterman questioned the strategy of starting with a conditional use application prior to submitting a subdivision/land development application. He asked if plans would be available for review. He also asked if a copy of the Ordinance in effect at the time of the conditional use submission could also be viewed. He was told both were available in the Township office. He stated he felt it was important that the Township residents be given an opportunity to view the completed agreement prior to any action being taken by the Board. Mr. Hosterman asked if the Township received a fiscal impact analysis regarding what the estimated tax revenue would be as well as the added expenses to the Township and school district. He was advised that the township Ordinance does not require that type of analysis. Mr. Hosterman also asked if a golf course marketing analysis was submitted and suggested the township request one when told it was not. He also questioned whether the courts would favor the developer over the township should the appeal go to court for a decision.
- Carl Ifert thanked the Township and THP for the consideration of a golf course and development in the township. He felt most people do not want 4 acre lots due to the cost and time to maintain the property.
- Tom Brown urged the Supervisors to allow the Planning Commission sufficient time to review the plan after being given the necessary information requested. He did not feel we should let THP rush the review process.
- Gary Larson was concerned with the effect the THP development would have on the Township wells. He was also concerned that the Township could be removed from the Indian Valley Regional Planning District as well as the impact on the natural resources of the township. He did not think we should make a decision without all of the facts.

Mr. Imms explained that although we would ask THP for the information requested by the Planning Commission, he could not guarantee they would provide it. He urged the Planning Commission to review the plan with what they had in front of them and indicate all of the deficiencies they came across.

On a motion made by Mr. Sacks and seconded by Mr. Raisner, the minutes of the August 1, 2007 meeting stood unanimously approved as written.

The meeting adjourned at 9:40 pm.

Respectfully Submitted,

Susan Rosato
Assistant Secretary