

**EAST MARLBOROUGH TOWSHIP
PLANNING COMMISSION
MINUTES OF SEPTEMBER 30, 2008**

Mark Benzel, chairperson called the meeting to order at 7:30 pm in the township building. Additional commissioners present were Susan Beach, MaryNell Ferry, Christine Kimmel and Pat Montague. There was a quorum present.

1. The Minutes of July 29, 2008 were approved (no quorum present at August meeting). Motion Commissioner Montague, 2nd Commissioner Kimmel.

Minutes of August 26, 2008 were approved. Motion Commissioner Ferry, 2nd Commissioner Benzel.

2. Public Comment Period—no report.

3. Glenelg Subdivision- Lot Consolidation- Present: Engineer. Engineer reported that the Special Exception needed to consolidate the lots was received. Commissioner Beach noted there were no problems last time this consolidation was discussed and she did not see any problems this time. The Commission concurred.

A motion by Commissioner Beach to recommend final approval subject to compliance with outstanding issues in J. Hatfield's most recent review letter and any other consultants' letters Motion also recommended approval of waivers listed in J. Hatfield's letter.. Commissioner Ferry 2nd. Approved

4. Whitewing Farm-South – Subdivision- Present: Engineer and Owner's son.. Commissioner Benzel discussed the Board of Supervisors' August meeting and the issues raised at that meeting with this subdivision. Engineer explained the outstanding issues raised by the supervisors and how Applicant intended to resolve them.

The Apartment language on the plan was discussed at length. Note 17 on the plan states that the B&B use is prohibited and future owner must decide if the barn will be converted into a house or used exclusively as a barn. Applicant believes this note adequately addresses the issue.

The limitation of the existing neighborhood road for construction traffic was discussed. The Engineer advised that there will be notes in the construction sequencing of the plans requiring the contractor to use the lane on the Applicant's property not on the neighborhood extension road. Additionally, the times of construction shall be limited between 8 am to 4 pm, Monday through Friday. Applicant believe this issue is now adequately resolved.

The Engineer informed the Commission that all neighbors have received a draft of the proposed construction easement for the extension of the neighborhood road. The neighbors present confirmed this.

The Engineer noted that water service is being brought down Merrick Lane and that there is a requirement for a fire hydrant to be added along the Lane. Applicant believes this adequately addresses the issues of water service to the property.

Commissioner Benzel noted that the Glackin letter had some comments that must be addressed. Commissioner Beach asked about the street trees. Applicant responded that the street trees are shown on the plan and that eight existing trees will be moved to save them.

Neighbors along Merrick Lane were present. They were concerned about how long construction would take for the property. They also expressed concerns about how they will get to their driveways once the bulb is removed. The Applicant explained the general time frame for construction and the restriction on the time during the day when construction could take place. The Engineer further explained that asphalt extensions would be put in place immediately after the bulb was removed.

Another neighbor expressed concern about the ownership of the ground underneath the bulb. Commissioner Benzel explained that the Township right-of-way would remain in place. The neighbor then asked about utility boxes which are currently along the lane which will not appear in the middle of their yards. Commissioner Benzel suggested contacting the utility companies when the utilities are extended to the subdivision to see if these boxes could be relocated. A motion by Commissioner Ferry to recommend approval subject to satisfying all consultant review letters including the August 25, 2008 letter from J. Hatfield, the August 22, 2008 letter from Glackin and the August 19, 2008 letter from URS. Motion also included recommendation to grant the three waivers requested by Applicant. Commissioner Beach 2nd. Approved.

5. New Bolton Center- Present: Paul Steege, Architect and Justin Ruby, Project Engineer. Mr. Steege discussed the master plan being developed for the New Bolton Center and the land development that was being proposed in this application. The first stage of the development is to add an isolation barn for animals who require isolation from the general population and a chemical tissue digester. Applicant explained that grant monies for these projects have just been received by the state.

The isolation barn is a hospital barn which will provide 16 stalls for colic animals and 14 stalls for other animals requiring isolation. The chemical digester is a building not previously located on the property. Prior to this, deceased animals were removed from the premises.

Applicant is proposing to relocate a service road currently located in the path of the new buildings. The service road is to be placed along the property line with the neighboring property currently being used as pasture land. Mr. Steege noted that current zoning on the adjoining property prevents it from being developed as the building envelope is too small to build in without a variance. Mr. Steege also noted that there is no room for buffering on the New Bolton property with the new location of the service road.

Mr. Ruby discussed the stormwater detention basin with regard to the new buildings. The current basin was designed to be oversized but now must be expanded to accommodate this new development. The Applicant is also proposing adding a bioswale and rain garden as part of the

new development. Mr Steege noted that this swale will help the neighboring pasture property which is currently boggy much of the time.

A discussion of the J. Hatfield letter of 9/29/08 ensued focusing on Comment 4- how the use of the property is defined. Applicant explained this impacts buffering requirements. Applicant explained that they view themselves as a research facility but the Hatfield letter raises the issue of whether or not the facility was an educational institution. Commissioner Benzel asked if this issue ever came up with the Township in the past. Applicant stated that it had not been raised.

Commissioner Benzel asked about lighting of the parking areas and buildings. Applicant explained that it desired to keep the rural feel of the property and lighting would be as minimal as permitted under the ordinances.

Commissioner Benzel asked if anyone had approached the neighboring property owner regarding the development. It was unclear if the neighbor was approached.

The Commission discussed the Applicant's request for a Preliminary/Final Plan approval. The majority of Commissioners were uncomfortable with granting such approval given the uncertainty of the definition of the use and how such classification would impact the development.

A motion was made by Commissioner Kimmel that recommended preliminary approval subject to the Board of Supervisors and Township Solicitor determining that the use is not an educational use (A-1). Planning Commission stated that it believes that the use is closer to an A-2 use. Motion also based upon compliance with all conditions of consultants' letters. No approval is recommended if Board determines the use is an A-1 use and Commission would then require the Applicant to return to it with a revised plan. Commissioner Beach 2nd. Approved..

6. Ordinance Amendments- Commissioner Benzel gave an update on the ordinance amendments that the Commission was asked to comment upon, including the landscaping ordinance and its impact on properties along Route 1 and the fence ordinance. Also Commissioner Benzel gave a summary of the status of the Stevens Property and the use of it for school athletic fields.

7. General Comments- the Commission discussed the status of the property along Route 82 next to the Veterinary facility. A question was raised as to the status of the house in the front of the property and the Commission's understanding that that building was to be demolished after the two houses in the rear of the property were built.

Next meeting is October ____, 2008
Meeting Adjourned at 9:50 pm

Respectfully submitted,

Christine S. Kimmel, Vice-Chair