

**MEETING MINUTES  
JANUARY 14, 2020  
7:00 p.m.**

A Meeting of the New Britain Township Planning Commission was held on January 14, 2020, at the Township Administration Building, 207 Park Avenue, New Britain Township, PA beginning at 7:00 p.m. In attendance were: Members Marco Tustanowsky, Alfred Tocci, Theresa Rizzo Grimes, Stephanie Shortall, Gregory Hood and Michelle Martin. Absent from the meeting was Deborah Rendon. Township Zoning Officer Kelsey Harris, Craig Kennard, P.E. and Justin Roberts, P.E., of Gilmore & Associates, Township Engineers, were also in attendance.

**I. Reorganization**

**1. Appointment of Temporary Chair:** Upon nomination by Ms. Shortall, seconded by Mr. Tocci, and unanimously carried, Mr. Hood was appointed as Temporary Chair.

**2. Nomination of Chair:** Upon nomination by Ms. Shortall, seconded by Mr. Tocci, Mr. Tustanowsky was nominated as Chair. No other nominations were presented.

**3. Appointment of Chair:**

**MOTION: A motion was made by Mr. Tocci, seconded by Ms. Martin, and unanimously carried, to close nominations and appoint Mr. Tustanowsky as Chair.**

**4. Nomination of Vice Chair:** Upon nomination by Mr. Tustanowsky, seconded by Mr. Tocci, Ms. Shortall was nominated as Vice Chair. No other nominations were presented.

**5. Appointment of Vice Chair:**

**MOTION: A motion was made by Ms. Martin, seconded by Mr. Tocci, and unanimously carried, to close the nominations and appoint Ms. Shortall as Vice Chair.**

**6. Nomination of Secretary:** Upon nomination by Mr. Tustanowsky, seconded by Ms. Shortall, Mr. Tocci was nominated as Secretary. No other nominations were presented.

**7. Appointment of Secretary:**

**MOTION: A motion was made by Ms. Martin, seconded by Ms. Shortall, and unanimously carried, to close the nominations and appoint Mr. Tocci as Secretary.**

**II. Public Meeting**

**1. Approval of Minutes:**

**1.1 Minutes of November 12, 2019 Planning Commission Meeting:**

**MOTION: Upon motion of Mr. Tocci, seconded by Ms. Shortall, the November 12, 2019 Minutes were approved as written. Ms. Martin abstained.**

## **2. Mill Ridge Subdivision (Formerly the Lands of Assal) Preliminary/Final Plan Review, TMP# 26-003-003 (New Britain Township), TMP# 15-034-142 (Hilltown Township)**

**2.1** John VanLuvanee, Esquire of Eastburn and Gray, John Tessler, P.E. of Boucher & James, and Richard Carroll of Hallmark Homes Group, Inc. were in attendance to present the proposed revisions and seek recommendation of approval for the Preliminary Plan of a 12-lot residential subdivision and land development. Mr. VanLuvanee gave a brief description of the property stating that 29 acres are within New Britain Township and 25 acres are within Hilltown Township and the acreage located in Hilltown Township is currently landlocked. There are 4 proposed lots in Hilltown Township and 8 proposed lots in New Britain Township. The site is located at the corner of Curley Mill Road and Limekiln Pike. Each lot will be supplied with individual on-lot wells and public sewer connections. The open space and stormwater management facilities will be governed by a Homeowner's Association, but the road and cul-de-sac will be dedicated to New Britain Township. Hilltown Township's Board of Supervisors granted Preliminary Plan Approval deferring dedication of the road to New Britain Township. Hilltown Township is deferring final approval until New Britain Township grants approval of the plan. Mr. VanLuvanee referred to a waiver request letter dated January 14, 2020 which adds 2 additional waiver requests from the previous waiver request letter dated January 8, 2020, both letters were prepared by Boucher & James, engineering firm representing Hallmark Homes. Specifically, items #10 and #12 were added to the newest waiver request letter. Mr. VanLuvanee deferred to Mr. Kennard for discussion of outstanding technical comments of the Township Engineer's review.

Mr. Kennard referred to a letter issued by Gilmore & Associates dated January 9, 2020 as being the most recent formal review. Gilmore & Associates is in favor of recommending the requested waivers be approved as long as the conditions of the letter are complied with. Mr. Kennard explained some of the details regarding the possibility for needing off-site stormwater easements and other technicalities that would need to be addressed at later stages of development. Mr. Kennard stated that the Applicant is proposing a significant reduction of current stormwater runoff by exceeding the requirement by approximately 20-22%. Mr. Tustanowsky asked if this was attributed to the enlarged basins on the revised plans. Mr. Kennard explained that zoning issues have been worked out with self-restricted deed restrictions of impervious coverage which also aids the stormwater runoff problems.

Mr. Kennard stated that approval should be conditional upon Hilltown Township's final approval and complying with the comments on the January 9, 2020 Gilmore & Associate's review letter. The layout of the plan will not change, and the Applicant will only need to address the technical comments and any additional fees in-lieu of, which can be discussed with Township staff. Mr. VanLuvanee stated that they would be happy to discuss any other comments if the Members had questions, otherwise he had no further comments to make.

Ms. Grimes questioned the existence of sidewalk only on one side of the street. Mr. VanLuvanee replied that the previous consensus from the Planning Commission and the Board of Supervisors was that there was no need for sidewalks on both sides because there is no thru traffic and it is a rural type community. Mr. Carroll stated that 50% of homeowners like sidewalk in front of their house and the other 50% do not. A development with a cul-de-sac typically does not have a need for sidewalks. Discussion was had between Members and Mr. Kennard that the Planning Commission was originally split on the issue of the need for sidewalks at the last presentation and the compromise was to provide a sidewalk on one side. Mr. VanLuvanee stated that the additional sidewalk would also add as much impervious surface as what would be proposed on a single building lot, estimating it to be approximately 6,500 sf of additional

impervious surface added to the site. Mr. Hood inquired about the letter issued by Hilltown Township asking for sidewalk on both sides in their section. Mr. Carroll explained that Hilltown Township has similar requirements, but because it's a cul-de-sac they agreed to terminate the sidewalk at lot 5 and install a crosswalk instead. Mr. Carroll also stated that Hallmark is more than willing to pay the required fees in-lieu of owed to Hilltown Township and New Britain Township. Mr. Kennard stated that Hilltown Township also stated in their letter that they would be agreeable to whatever New Britain Township decides regarding sidewalk installation.

Mr. Tustanowsky questioned how the sprinkler systems would work with on-lot wells. Mr. Carroll explained that 400-gallon tanks are installed in the basement for the sprinkler system and that they comply with the Township's Building Code. Ms. Grimes asked if streetlights will be installed throughout the community. Mr. Carroll responded that one streetlight will be installed at the entrance on Curley Mill Road and second one at the top of the cul-de-sac. In addition, each driveway will have a lamp post to identify individual homes. Ms. Grimes asked if the lamp posts are shielded lights. Mr. Carroll stated that they will be "dark sky" lights and on a sensor to automatically turn on and off at sunrise and sunset.

Mr. Tustanowsky asked the group for any final questions, concerns or discussion. No further questions were asked. No members of the public were present.

Mr. Kennard gave final recommendation that the Planning Commission make a motion to recommend Preliminary/Final Plan Approval to the Board of Supervisors and was in support of the requested waivers from the January 14, 2020 letter prepared by Boucher & James conditional upon the Applicant addressing the technical comments of the Gilmore & Associates formal review letter dated January 9, 2020 and conditional upon final approval from Hilltown Township.

There were no further questions or comments at this time.

**MOTION: Upon motion by Ms. Shortall, seconded by Mr. Tocci and carried 5-1, with Ms. Grimes opposed, the Planning Commission recommends the granting of Preliminary Final Land Development approval by the Board of Supervisors subject to the following: Compliance with the Gilmore & Associates review letter dated January 9, 2020; and final approval from Hilltown Township. The Commission is in support of the following requested waivers from the Subdivision and Land Development Ordinance; from §22-703.4.A(4) to permit the proposed lot depth to exceed three times its lot width for Lots 2 through 4 and 9 through 11; from §22-706.2.B & §22-705.3.A to permit the Applicant to only provide sidewalk on one side of the proposed cul-de-sac street and no sidewalk along Curley Mill Road, instead the Applicant agrees to provide an easement for the future installation of a bike path along the frontage of Lot 12; from §22-705.3C&G which requires a 24-foot cartway half-width road widening, full width mill and overlay, and underdrain, the Applicant proposes instead to install a swale and new road culverts along Curley Mill Road, along frontages of Lots 1 and 12, with a 5-foot shoulder to be paved to the Township's standards, to provide a mill and overlay of Curley Mill Road to match the current road cross section and width, and will remove the woody growth within existing rights-of-ways long Limekiln Pike, and to coordinate with the adjoining landowner to convey the 90-foot strip of land connecting to Limekiln Pike from the subdivision parcel; from §22-705.4.C to propose a 600 feet intersection distance where 800 feet is required; from §22-705.7.B which requires the Vertical Curve at the intersection of the cul-de-sac and Curley Mill Road to have minimum K value of 40, the intersection will be provided with a stop sign making this provision inappropriate for the curve; from §22-705.8.b to allow**

the cul-de-sac a length of 1,254 feet from the edge of the cartway to the center of the turnaround where 1,200 feet is permitted; from §22-706.1.B to permit a 5-foot shoulder in place of curbing along Curley Mill Road and only vegetation removal along Limekiln Pike where curbing would be required along both frontages; from §22-710.2.A to waive the requirements of fire hydrants since the site is too far from any source of water capable of providing adequate fire protection; from §22-710.4.A to waive the requirement of at least one emergency access being provided for the proposed cul-de-sac; from §22-712.10.C to allow Swales 1 and 2 to be less than 2% slope because of the current slope of existing road; from §22-714.A(1) to provide streetlights only at the intersection of Curley Mill Road and at the cul-de-sac and to provide lamp posts at each driveway in lieu of the required streetlights; from §22-712.11.A in the event that the Applicant is unable to obtain off-site stormwater easement to allow a reduction in the H1-H2 and H31-H30 culvert lengths to keep the culverts and structures within the Curley Mill Road Township right-of-way, where culverts are required to extend the full width of the right-of-way; and from the Stormwater Management Ordinance, §26-123.2C(5)(a) to permit the stormwater facilities to be designed in accordance with PA DEP Managed Release Concept design provisions which allows for reduced isolation distance to water tables.

**III. Public Comment.** There was no public comment at this time.

#### **IV. Adjournment**

**MOTION:** A motion was made by Ms. Shortall, seconded by Ms. Grimes, and unanimously carried to adjourn the January 14, 2020 meeting at 7:25 p.m.

Respectfully Submitted,

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Marco Tustanowsky, Chair

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Kelsey Harris, Zoning Officer