

NEW HANOVER TOWNSHIP
PLANNING COMMISSION
ORGANIZATION AND REGULAR MEETING
JANUARY 11, 2012

The New Hanover Township Planning Commission held its organization and regular monthly meeting on January 11, 2012 in the New Hanover Township Municipal Building, 2943 North Charlotte Street, Gilbertsville, PA 19525. Vice-Chairman Susan Smith led in a Salute to the Flag and called the meeting to order at 6:30 PM.

ROLL CALL -

Present – Susan Smith
Robert Thomas
Philip Agliano

Absent – Richard Mulstay
Kenneth Hansell

Also present were Township Solicitor Paul Bauer, Township Engineer David Leh, Planning Consultant Adam Supplee, Township Manager Edward Wagner and Administrative Assistant Eileen Pogany.

TEMPORARY CHAIR – Edward Wagner served as temporary chair and called for nominations for position of Chairperson.

SELECTION OF OFFICERS – 2012

Nominations for Chairperson – Robert Thomas **nominated** Richard Mulstay as chairperson. There being no further nominations, the nominations were closed and Richard Mulstay was **elected by vote of 3-0**.

Nominations for Vice-Chairperson – Philip Agliano **nominated** Susan Smith for vice-chairperson. Robert Thomas **seconded** the motion. There being no further nominations, the nominations were closed and Susan Smith was **elected by vote of 3-0**.

Nominations for Secretary – Robert Thomas **nominated** Kenneth Hansell for secretary. Susan Smith **seconded** the motion. There being no further nominations, the nominations were closed and Kenneth Hansell was **elected by vote of 3-0**.

2012 Meeting Dates and Times – Susan Smith **moved** to approve the 2012 meeting dates for the second Wednesday of each month beginning at 6:30pm as follows: February 8, March 14, April 11, May 9, June 13, July 11, August 8, September 12, October 10, November 14 and December 12, 2012. Robert Thomas **seconded** the motion and it **carried 3-0**.

Vice Chairperson Susan Smith presided over the remainder of the meeting. Audrey Stengle-Leister stated that she would be taking a stenographic record of the meeting.

TOWNSHIP BUSINESS

WORK ITEMS - None

MINUTES – Meeting minutes of the September 14, 2011 meeting were tabled until the next meeting, February 8, 2012, due to attendees at that meeting being absent.

Mr. Wagner introduced and welcomed Mr. David Leh, P.E. of Gilmore Associates who has been appointed to serve as consulting engineer for the Township for year 2012.

BUSINESS FOR DISCUSSION OR ACTION:

N.H.T.P.C. No. 771 Gibraltar Rock Layfield Road – Mr. Steven Harris and Mr. Larry Silvi were present representing Gibraltar Rock with Mr. Harris stating that Gibraltar Rock has submitted full revised plans to address Township Consultant's comments, will add truck turn-around sketch, will move and relocate driveway off Big Road/Rt. 73, will add additional berm for homes along Big Road, will widen Hoffmansville and Church roads, will show bike paths and size storm water pipes. He also addressed the comments of the Township's professional consultants review letters.

Comments in response to review letters include but are not limited to:

Applicant agreed to comply with many of the comments mentioned in the review letters with some comments and exceptions, including but not limited to: berms previously approved at a 2:1 slope, Church Road resident letter confirms that there is no ponding of water on their property due to grading done by GR, the applicant will comply with PennDOT regulations regarding curbing along State roads Rt. 663 and Rt. 73, applicant intends to provide sidewalk at Rt. 73 entrance/exit and will request a partial waiver for providing sidewalks, applicant asked to delineate and label parcels which will be consolidated at some point, applicant stated that two deeds did not mention frontage and center line of Hoffmansville Road was used as property line at those sites, Mr. Harris stated that there is no development proposed on the north side of Hoffmansville Road, agreed that no storage of stone would be located in the easement and will revise plan to remove location at the western edge of lot #3 currently showing two storage areas and one concrete bay, agreed to include a provision/easement making the main driveway accessible for all three lots, will correct the location of #23 to properly show the parcel owned by the Arch Diocese of Philadelphia, applicant intends to do additional survey work and has provided large iron posts with approximately three inch circumference in place of concrete monuments, will comply with all storm water management requirements, plan on providing a unified storm water management plan for the ready mix and concrete plants, will provide cross easements for both storm water and access, will record all conditions on the final plan, need to clarify right-of-way dedication along Church and Big Roads, propose to record deeds of dedication at time of recording to eliminate any confusion with tax parcel numbers, must show all stream crossings, culvert extension plans and erosion control measures for Church and Hoffmansville Roads, will show existing features surrounding the site, will provide stop sign at proposed driveway intersection with Big Road, will update the traffic study and will obtain PennDOT Highway Occupancy permit, must provide additional details regarding routing of

trucks to/from the plant to verify travel patterns and potential impacts to area roadways including turning template, sight line distances must be provided at driveway, will investigate need for left-turn lane, will provide signage along Hoffmansville road indicating "No Quarry Trucks", will provide bicycle trail along Hoffmansville Road along with curb ramps, and will submit a Township driveway permit, will comply with Township's Impact Fee Ordinance requirement. Need a determination whether **Township's** storm water management requirements apply. Mr. Harris will address parking space requirements, Township requires additional information regarding ultimate use and ownership of the site after completion of quarry operating, must provide information regarding operational machinery and associated noise levels, need public to be made aware of how any possible complaints will be monitored, all improvements must comply with minimum setback and open space requirements, no building height can exceed 35 feet, final plan must show how dust and fumes will be controlled at all times, applicant must indicate how odors, especially from asphalt plant, will be controlled, buffer yard requirements must be discussed with Planner Supplee, natural resource protections standards must be met, will add note regarding replacing of plant material, will need to provide sketch of bike trail width and location showing connection to Township's bikeway network, need to agree upon fee-in-lieu-of recreational land, street lighting will be provided at driveway and around building and parking area per note on plan, need to address whether homes located on site can be occupied as rentals, will comply with landscape items cited by Planner Supplee, and will discuss substitution of Sweetgum trees with Planner Supplee. Air quality and NPDES permits are needed with Planner Supplee asking if odor control is addressed in DEP regulations.

Gilmore and Associates defers review of placement of the asphalt and concrete plants and the proposed storage and parking lot layout and related requirements for compliance with all zoning requirements

Will provide deeds of consolidation and exhibits will be provided to Mr. Paul Bauer and Mr. David Leh.

In response to Public Works Director's concerns, will address concerns regarding cedar trees along Hoffmansville Road, existing culvert on Church Road south of Rt. 73, and widening of intersection at Church Road and Hoffmansville intersection. Need to determine if fencing is permitted in the ultimate right-of-way of Rt. 73 and if PennDOT will permit a bike path along the roadway. Mr. Harris stated that well locations on adjoining properties will be shown on plan but that they were not able to locate septic systems.

With regard to the comments in the January 5, 2012 McMahon letter, Mr. Harris stated that the applicant will be performing an additional Traffic Impact Study due to the changes since the previous study, that additional details regarding the routing of trucks to and from the plant as required in Section 812.5 of the Subdivision and Land Development Ordinance will be provided including a detail with a clear corner sight triangle per Section 818.1 to verify that there are no sight distance restrictions from vegetation at westbound Hoffmansville approach to Layfield Road, will investigate potential to provide left-turn phasing for the southbound S.R. 663 approach to Swamp Pike.

Planners were advised that trees which are to be removed may not qualify as woodland, but further field investigation is necessary. As long as the trees to be removed quantity does not exceed the permitted removal amounts, they do not require replacing. Overburden storage will remain on property until reclamation is complete, chain link fence proposed is aluminum mesh and will not require maintenance, Mr. Harris stated that anyone requesting notification of

blasting within 500 feet of the site will be notified and cell phones should be turned off during blasting, traffic will also be stopped during blasting for a maximum of five minutes.

Mr. Larry Silvi commented that Silvi has thirteen operations in two states and intend to fully comply with Township, DEP and PennDOT regulations. He stated that they expect to employ thirty to forty people and would like the Township to hold them accountable. He stated that he hopes residents concerns will diminish once the quarry is up and operating. He stated that the driveway on adjoining Lot 53 is located on the Gibraltar Rock property and that they will allow it to remain. Mr. Silvi added that they/Gibraltar Rock intend to fully comply with all Township codes and requirements.

Mr. Chris Mullaney, counsel to, and commenting on behalf of Ban the Quarry asked why the revised plan is still needing comments and is not in compliance. He stated that it is the first he's hearing about shutting down Hoffmansville Road while blasting is occurring and is concerned that it may be closed down longer than five minutes. He stated that he wants Silvi to comply.

Susan Rice of Stout Tacconelli stated that the scalehouse and overburden storage is proposed to be located in the LI District and does not think extractive operations are permitted in the LI District. She added that the open space boundary does not close and has been approved as closing; Mr. Harris will provide documentation to her. She added that area calculations do not add-up and that the 200' setback is not met; Mr. Harris stated that the 200' setback relates to residential property. She mentioned that the waiver letter of December 6, 2011 does not match the waiver notes listed on the plan and should be checked. Mr. Harris stated that he wants to prepare a plan for DEP which the township will agree to and that right-of-way, fencing and bikeways have not yet been agreed upon.

Paul Bauer stated that the Township will not make any commitments prior to a pre-application being submitted to the DEP. Mr. Harris stated that he will be submitting a revised plan to the Township addressing the comments discussed this evening and then will submit to DEP.

Lois Pettigrew agrees to hold Gibraltar Rock accountable and wants to know what recourse the Township has if plans are flawed and residents experience issues. She was advised that they will need to approach DEP to investigate complaints. Mr. Harris stated that the quarry will be proactive in avoiding issues to avoid wasting time addressing complaints. He added that quarry managers may live on the property and will be available 24 hours a day. It was mentioned that tire washers will be installed and are very efficient in removing dirt and dust from truck tires prior to them leaving the site.

Tony Mashintonio of 1968 Hoffmansville Road stated that he had done some research on the Silvi group and he is tired of the Township wasting dollars fighting the operation. He stated that he thinks America needs to stop enforcing so many regulations so that it can grow.

Richard Miller stated that he is in favor of the quarry and that upwind and downwind collection monitors will be installed to assure that dust and pollution are not a problem; reports will be submitted to the DEP and also to the Township.

Mr. Bauer advised the public that this plan has been before the Planning Commission for approximately one year and that prior to that time it was being reviewed by the Zoning Hearing Board. He added that reviews, comments and revisions required of the Planning Commission will help to assure a better plan when approval is granted.

Mr. Mashintonio also questioned the need for bike paths and asked for a raise of hands from the public of those who utilized public bikeways; approximately one-half of the audience raised their hands.

Mr. Michael Salerno of 151 Fawn Drive, Gilbertsville stated that it sounds like the issues are being addressed.

Planning Module Component 4A's - None

BUSINESS FOR ACTION ON 90 DAY TIME LIMITATION WAIVERS:

N.H.T.P.C #563	McGee	40 lots	1/6/12
N.H.T.P.C. #665	Zavitsansos	122 lots	1/5/12
N.H.T.P.C. #730	Bart Golf Course	135 lots	1/6/12
N.H.T.P.C. #754	Breinig	2 lots	1/16/12
N.H.T.P.C. # 767	Murianka	2 lots	1/24/12

Waiver requests were granted by the Board of Supervisors at their January 3, 2012 meeting.

NEW BUSINESS - None

ADJOURNMENT – Robert Thomas **moved** to adjourn at 8:30 P.M. and the meeting was declared adjourned.

Susan Smith, Vice Chairperson