

NEW FREEDOM BOROUGH PLANNING COMMISSION
September 18, 2023

Meeting was called to order by T. Ruby at 6:09pm.

Members present: T. Ruby, M. Hopkins, R. Ross
Also present: W. Portner, Zoning Officer
B. Portner, Administrative Assistant

Minutes: Motion by M. Hopkins, 2nd by R. Ross to approve the minutes of June 19, 2023. Motion Carried.

NEW BUSINESS:

P.C. CASE NO. 07-23

ANNE MARIE McGLAUGHLIN – 24 S CHARLES STREET – VARIANCE REQUEST OF - §225-501.F TO ALLOW A PIG AS A FAMILY PET:

Anne Marie McGlaughlin was called to present her variance request. She described the breed (KuneKune) of the pig she was planning to get. She said that they reach 150 – 250 pounds. She explained that she planned on having it house trained and letting it outside minimally in their fenced in side yard with her two dogs. She also stated that they are not a rooting breed and mostly graze.

T. Ruby said that she had research them as well and the males can reach 400lbs. with females reaching 350lbs.

Anne Marie stated that is when they are fed a mostly meat diet which she did not plan on doing.

T. Ruby asked about the fenced in area she planned on using.

Anne Marie said it was a small area in the side yard where she lets her dogs out.

T. Ruby read the 5 requirements to be met for a variance.

Decision:

Motion by R. Ross to Not recommend approval, 2nd by M. Hopkins. All in favor. Motion carried.

P.C. CASE NO. 08-23
VFW POST #7012 – PRELIMINARY/FINAL LAND DEVELOPMENT
PLAN FOR VFW @ WETHERSFIELD PARK:

Waiver Requests:

1. §194-503.A & C – Roadway widening along Constitution Avenue.
2. §194-502.L – Two (2) access points for projects with more than 225 trips per day.
3. §194-510.A – Sidewalks along Constitution Avenue.
4. §194-511.A – Curbs and shoulders along Constitution Avenue.
5. §194.521.D – Grading to create steep slope within 25' of property line.
6. §194.305.A.4 – Traffic Impact Study.

WAREHAUS comments addressed:

Zoning Comments:

1. §225-304.I.1 – Complied
2. §225-516.B.2 – Complied

SALDO Comments:

1. §194-302.D.4.n – Add a note within the General Notes indicating any deed restrictions or covenants. - J. George claims there are no deed restrictions in the lease.
2. §194-305.A.3 – Provide vehicle turning templates for delivery trucks at the intersection of streets and access drives including internal circulation within the off-street parking area. Confirm what size delivery trucks will be delivering to the site. – Complied
3. §194-305.A.6 – Provide Bond Estimate for review. Financial Security will be required prior to plan recording. A Bond Estimate was provided. However, based on current pricing, the costs associated with the following items appear to be low and should be revised: Stone Sub Base, Manholes, End walls, Pipes (15", 18", 24", 15" RCP), Stormwater/BMP. Facility #1, Grease Interceptor, 1.5" PVC Force Main, 6" PVC Pipe, Water Meter Pit, Clear/Grub, Stockpile Topsoil, Sediment Basin & Appurtenances, Rock Construction Entrance and Compost Stock Washout. Please revise and resubmit the Estimate for review. The Engineer should consult publications such as RS Means or PennDOT's ECMS website, or recent costs from other projects to get current unit prices. – Still Outstanding. Will Comply.
4. §194-305.A.6 – A Joint Access Easement Agreement shall be provided identifying the operation and maintenance of the shared access drive. – It is stated in the lease that the Borough will maintain the access drive.

Stormwater Management Comments:

1. Provide a Stormwater Management Operation and Maintenance Agreement. The Agreement should list the Applicant or its Successors as the persons responsible for the long-term operation and maintenance of the facilities. A Stormwater Exhibit shall accompany the Agreement identifying all stormwater facilities and storm sewer conveyance systems and be submitted for review. Please provide a Stormwater Exhibit to accompany the executed Agreement along with recording information – Still Outstanding. – Will clarify with Warehaus and Comply.

General Comments:

1. Provide calculations on how the projected sewer flows were determined. Based on the use and number of parking spaces being proposed, the flows appear to be low. Provide supporting documentation. While the Sewage Facilities Planning Module Mailer was provided showing the flow, the actual calculation has not been provided showing how the flow was calculated. Furthermore, provide a copy of the approved DEP Planning Module. – Working with the Borough WWTP. Will Comply.
2. Provide an Available Capacity Letter from the New Freedom Borough Treatment Plant indicating no overloads exist or are projected within the next five (5) years for the sewer flows associated with the project. – Waiting for the letter from the Borough WWTP. Will Comply.
3. Provide an Operation and Maintenance Agreement for the On-Lot Grinder Pump. The Agreement should list the Applicant or its Successors as the persons responsible for the long-term operation and maintenance of the facility. A Sanitary Sewer Exhibit shall accompany the Agreement identifying the on-lot grinder pump and private lateral system and be submitted for review. No Agreement was provided with the submittal. Please provide a Sanitary Sewer Exhibit to accompany the executed Agreement along with recording information. – This is addressed in the Lease Agreement. Complied
4. Provide a copy of NPDES Permit once approved by YCCD. – This is still under review. Will Comply.
5. The PNDI Receipt included as part of the Sewer Planning Module indicated a potential impact. The Applicant shall provide a copy of the clearance letter from the appropriate agency. A response was provided stating that a qualified bog turtle surveyor has visited the site but at the time of resubmission, this individual's name does not show on the provided PNDI, nor any negative bog turtle sightings report/statement, nor formal clearance from USFWS have been included with the resubmission. – J. George said this has been resolved. Waiting on written confirmation.
6. Add a note within the General Notes that All Deliveries to the facility shall be made via box trucks only. Deliveries made via tractor trailers are prohibited. If tractor trailer deliveries are anticipated, the Turning Exhibit shall be updated accordingly. – J. George feels it is not needed as there is no Ordinance requiring this.

7. Upon completing a site visit, it was found there is a significant steep slope along the northern side of the access drive with little to no recovery area. Due to the use proposed, please revise the plans to include a guardrail from the curve in the access drive down to the Constitution Avenue intersection. – A. Bobby stated that they will most likely install a guardrail.

Public Comment: None

Discussion: None

Decision:

M. Hopkins motioned to recommend approval of Waivers by Council.

2nd by R. Ross. All in favor. Motion carried.

R. Ross motioned to recommend conditional approval withal outstanding comments be addressed.

2nd by M. Hopkins. All in favor. Motion carried.

Adjournment:

Motion to adjourn by M. Hopkins, 2nd by R. Ross. All in favor. Meeting adjourned at 6:50pm.