

Wallace Township Planning Commission
Working Session
September 24, 2008

Attending PC Members

Barbara D'Angelo
John Frommeyer
Janet Grashof
Jim Mackrell
Skip McGrew
Bill Moore
Ken Nicely

EAC Members:

Jeff Colley
Mark Eschbacher
Tish Molloy
Maryanne Zeiders

Also Attending

Robert Lonsdorf, Brandywine Conservancy
Craig Kologie, Township Engineer
Anne Hutchinson, Natural Lands Trust

Meeting was called to order at 7:30pm.

Old Business

- **PC Minutes.** Because of technical issues, Barbara has not been able to review the minutes from the last two meetings, so adoption of the minutes was tabled for the next meeting.
 - Skip felt that the minutes need not record the issues discussions of the PC but only note the action taken. Barb prefers more context but will review for a middle ground.
- PC members need to appoint a vice-chair, since Bill Moore has resigned that position. Barb nominated Janet Grashof. Skip seconded. All voted in favor.

Subdivision Review

Popjoy

- Bill asked whether the PC had received an extension for this subdivision
- With regard to the applicants effort to get an additional (7th) lot in Wallace, Bill inquired as to whether the soils map has already been amended, or if they were still in the process of trying to remap. Craig stated they were in the process, but indications were that it would be successful.

Greenfield CU

- The PC has been given one copy of the Conditional Use filing to be shared. The information is also supposed to be made available on Mr. Greenfield's website shortly after each hearing has concluded.

Smith tract – minor subdivision

- All issues on letter are settled except the driveway easement and conservation easement. Documents are signed and just need to be recorded. Waivers requested:
 - Shared drive dimension standards. Ordinance requires 12' width for 3 dwellings and they have 9'. Waiver required for dimensions and number of dwellings on the drive.
 - Little Conestoga Rd. access – requests a waiver to keep drive rural except for PaDot requirement for the 1st 25'. PaDOT has agreed.
 - Stormwater management control – waiver for amount of disturbance
 - Vegetation/landscaping buffer – since the property is agricultural, a waiver is requested for landscape requirements. A neighbor has sent a letter stating that additional buffering and landscaping is not desired. They prefer to have the same view they have now of the open agricultural land.
- **Motion:** Janet moved to recommend for approval Smith subdivision with 4 waiver requests and following conditions:
 - Conservation easement signed & recorded
 - Driveway easement signed & recorded
 - Monuments & pins in before building begins
 - Historical Commission sign-off
- **Jim seconded the motion. Bill Moore abstained from voting due to his position as a Supervisor. All voted in favor.**

New business

- Skip has promised to send out an electronic copy of ordinances but he would like to apply the new PCCC amendment before sending. He has it only in adobe – needs to get it into Word. He will work on these two issues and send out the file as soon as he can.
- Skip will also send out electronic copies of the withdrawn Woodlands ordinances. No one seems to have the electronic version of the “as adopted” but he will try to track it down.
- Skip noted that the PCCC ordinance has been challenged. He will circulate the challenge to PC members.
- **Review of the Valhalla substantive challenges**, with focus on tree removal and timber harvesting
 - Resident Mr. Bender discussed with the Planning Commission the different aspects of a document issued by Penn State and provided to the PC by Rob Jones that talked about challenges to timber harvesting and woodlands preservation ordinances.
 - Relative to section G (pg6) of Addendum A – challenge to “any purpose”; what is the basis for 10-tree limitation – beyond which a timber harvesting plan is required? Objections are to the actual numbers but the numbers are meant to be guidelines that would act as either a trigger to a Timber Harvesting application or a review process.

- The ordinance purpose was to prevent a developer getting around the replacement requirement by harvesting the trees before applying for a plan
 - Issue – what is the basis for the 3-yr provision? Is it enforceable?
 - Woodlands classification – are the criteria reasonable enough to survive the test of whether or not it is reasonable and/or arbitrary?
 - Skip recommends that timber harvesting definitions be added to the ordinances
 - Add as an exception – “activities or uses otherwise requiring a building permit”.
 - Delete phrase “for any purpose” in 1st line.
 - Need a better definition of invasives and a list of species.
 - Are there other things in the mechanics of the ordinance that do not pass the reasonable test?
 - Barb pointed out that Jay Heim’s forester approved the plan as reasonable so there was no reason for the PC to assume otherwise.
 - Other factors mentioned in PaState study
 - fee structures – Skip – fee is set by resolution.
 - Timeliness of process – recommend changing the timing from 90/60 days to 60/30 days.
 - Qualifications of the reviewer. Ordinance stipulates only “township” review. Wallace township currently is covered with its zoning engineers because they have a forester on staff. PC recommends no change to ordinance on this issue.
 - Woodlands classification
 - Vulnerable to objectivity challenge. Depends on existence of maps that classify based on aerial GIS maps. Map determines the amount of canopy. There are no standards from which to base a challenge.
 - Skip recommends deleting Reference to Habitat corridors map
 - Class 1 – defined by level of resource protection they provide. Will have to depend on identifiable features and land characteristics rather than the size and types of trees. But will still restrict the amount of canopy that can be removed.
 - Mark – how does one measure % of canopy coverage? Professional forester can tell but twp. zoning officer might not be able to do this.
- Skip will do the rewrite. Will work with Robert to bring in characteristics noted in the “spreadsheet” to help define parameters that define woodland classification.
 - Skip also recommends the PC take out reference that map is addendum to zoning ordinance. He points out that the map is useful as a planning guide but the PC should not have to go through ordinance revision any time the map is updated.
 - Robert is thinking about how to confirm the amount of remaining “high-value” forest. Ordinance attempts to restrict “high grading”.
 - Barb expressed her opinion that the ordinance actually promotes sustainable forestry. She pointed out that Anne wrote a letter re: harvesting provisions,

suggesting a simpler ordinance that requires participation in the Stewardship program. Anne noted that the PA State document says about the same thing.

Meeting adjourned at 10:30pm