

**CALL TO ORDER**

Mr. O' Leary called the meeting to order at 7:38 p.m. and stated it was open to the public in compliance with Public Law 1975, Chapter 231, Sections 4 & 13.

**FLAG SALUTE**

**ROLL CALL:           Members Present:** Luthman, Corcoran, Leuthe, Taylor, Van Sickle, Aikens, Allison, O'Leary.

**Members Excused:** Hughes, Cutler.

**Members Absent:** Didyk.

Also Present:           Ursula Leo, Esq.  
Nevitt Duveneck, PE  
David Banisch, PP

**MINUTES:** September 18, 2014

A motion to approve the minutes of the September 18, 2014 meeting with the noted corrections was made by Mr. Luthman. It was seconded by Mrs. Aikens and passed with a roll call vote.

Ayes: Luthman, Leuthe, Van Sickle, Aikens, Allison, O'Leary.

Mr. O'Leary advised the public that the Board would discuss the building height issue prior to hearing the applications.

Mr. Banisch went over his report dated 12/17/14 and discussed the recently amended definitions of "building height." He said an additional 5 feet of height in the Ridgeline area would not be noticed that much. He said the ordinance requires anyone building in the ridgeline area must come before the Board for a review of the plans.

Mr. Taylor felt that since the measurements are taken at average grade and average height, the Board is giving more than the 35 foot height. Mr. Taylor felt there is no need to make any further changes to this ordinance. Mr. Luthman agreed.

The Board agreed to leave the ordinance as it is.

**COMPLETENESS / HEARINGS / CONCEPT:**1.) 56 Sunset Inn Road, LLC B: 9 L:18.03 PSP14-4 ( Deemed Complete 10/23/14)

Mr. Corcoran stepped down from the Board for this matter because it involves a use variance.

Ms. Debra Nicholson Esq. said she was representing the applicant. Also present were Mr. Jason Dunn, PP; Mr. Len Wesling, Applicant; Mr. Jason Wesling, Applicant's Son; Mr. Owen Dykstra, PE; and Richard Wilson, Architect. Ms. Leo disclosed that Mr. Wilson was a longtime family friend and had designed her house however, that would not affect her responsibilities to the Board.

Ms. Nicholson presented photos of an alternate landscape and sign plan and turning movement plan which was marked and entered as exhibit A-1.

Ms. Nicholson said the farm surrounding the proposed restaurant will supply the food. Mr. Luthman asked if the surrounding farm is in farmland preservation to which Ms. Nicholson said yes. Mr. Luthman felt if the applicant had been compensated for the development rights already. Ms. Nicholson felt this type of business is a way to keep the farm in the family for generations to come. Ms. Nicholson listed the produce that is grown on the farm.

Ms. Nicholson passed out a proposed menu for the restaurant which was marked and entered as exhibit A-2. She said the excess vegetables will be donated to local food pantries. This type of business will encourage tourism. She said there will be historical farm equipment on display. The restaurant will sell local jams, jellies and honey.

Mr. Jason Dunn, PP was sworn in by Ms. Leo. The Board accepted him as an expert. Mr. Dunn went over the existing site conditions and the proposed improvements. He presented an aerial photo of the site which was marked and entered as exhibit A-3. He explained that the lot is 1 acre in size surrounded by a split rail fence. He said the farmhouse has been there since 1934. He contacted Mr. Wayne McCabe, local historian, who indicated that there was no known architectural significance to the house. Mr. Dunn said they are proposing about 1000 square feet of retail space in the restaurant. He noted there are wetlands across the street so they obtained a D.E.P. permit to work in the transition area.

Mr. Dunn presented a color rendering of the building plan renovations dated 4-16-2014 which was marked and entered as exhibit A-4. He explained the proposed changes to the building. The restaurant will have a fireplace, 50 seats, farm stand retail space inside and retail space on the porch. The main entrance will be in the rear of the building. The proposed addition will have the same earth tone color scheme. Mr. Dunn explained exhibit A-4 to the Board.

Mr. Banisch asked for a condition of approval that at least 50% of the produce used in connection with the restaurant comes from the adjoining farm. Ms. Leo said this was a reasonable condition and could be added to the resolution. Mr. Luthman asked if the adjacent farm was preserved to which Mr. Dunn said yes. Mr. Luthman felt these are two separate lots that are being tied together by the application. Ms. Leo said she will be able to draft a condition that will marry the use to the issue of having two separate lots involved in any type of approval of the use.

Mr. Banisch asked if the applicant would be applying for a liquor license. Ms. Nicholson said they will not try to secure a liquor license however there is a provision for farm to table restaurants to sell local wine or crafted beer.

Mr. Luthman asked about the amount of retail space being sought. Mr. Dunn said it is 1,400 square feet.

Mr. Len Wesling, owner was sworn in by Ms. Leo. Mr. Wesling said he purchased the farm after it was preserved. He explained that he makes his living in historic renovation, not farming. He wants to start the restaurant for his son. He wants to be able to sustain the farm with this project. He felt the farm was perfect for this type of operation.

Mr. Luthman felt that the neighboring homeowners have a right to reside without a restaurant next door.

Mr. Dunn presented a color rendering of the site with an updated zoning chart with a revision date of 10-16-14 which was marked and entered as exhibit A-5. Mr. Dunn explained the site map and the traffic movement. He said the driveway is wider than the ordinance requires. He noted they will need a new septic system. The soils have been tested and are acceptable. Mr. Dunn explained the topography of the site. He said the proposed restaurant sits on a hill and no further drainage will be needed. He explained the lighting and landscaping. The light fixtures will be Dark Sky compliant. He said the surrounding trees will block the light from the neighbors.

Mr. Dunn presented a lighting profile for the existing house to the north of the site which was marked and entered as exhibit A-6. He nearest home to the site is about 400 feet away and the trees would block the light from their view. Mr. Luthman advised Mr. Dunn that there is an approved major subdivision that is directly across the street. He also noted that the house across the street on the ridge will have the biggest impact since it will be looking down on the site.

Mr. Dunn presented a lighting profile for the existing house to the south east of the site which was marked and entered as exhibit A-7. Mr. Banisch noted that both houses are at a higher elevation than the proposed light source. Mr. Dunn said there will not be any direct light shining on the surrounding houses. Mr. Leuthe asked about the height of the proposed landscaping trees to which Mr. Dunn said they are about 8 to 10 feet. Mr. O'Leary asked that the applicant put the lights on a timer to which the applicant agreed. There was discussion on the proposed lighting and landscaping. Mr. Banisch felt it could be revisited during the final site plan application.

Mr. Duveneck suggested that the applicant not use wall lighting. He expressed a concern that the property will look like a glowing fishbowl from the houses at a higher elevation. Mr. Banisch

suggested the applicant use concealed lighting on the site. He also asked for a map of the surrounding properties to see if they are preserved farms or if they are still sub-dividable.

Mr. O'Leary asked if the applicant was proposing outdoor dining to which Mr. Wesling said yes. Mr. O'Leary advised the applicant to check the ordinance for the guidelines. Ms. Nicholson said there would be a maximum of 51 seats including the indoor and outdoor seating. Ms. Leo noted the septic would not allow any more seating.

Mr. O'Leary opened the meeting to the public. With nobody coming forward, the meeting was closed to the public.

Mr. Len Wesling explained the proposed operation to the Board. He said the farm produce would be used in the restaurant. He said they may need to purchase produce from outside farms if they run out of produce. He said they do not use pesticides. Mr. Banisch asked how many acres will be in vegetable production. Mr. Wesling said about 6 to 10 acres. Mr. Wesling described the proposed décor to the Board. He said they are planning on selling flowers however he will not be growing these on his farm. He will purchase them from New York and Pennsylvania. Mr. Wesling said they will grow about 3 or 4 acres of fruit trees as well. There was a lengthy discussion on the produce that will be sold in the restaurant. Mr. Wesling said they will can some of the produce to supply the restaurant in the non-growing season. Mr. Allison asked how much of the farm is dedicated to produce to which Mr. Wesling said about 50%.

There was a discussion on the retail sales portion of the proposed business. Mr. Banisch asked that the applicant define what will be included in the retail sales. Mr. Luthman expressed a concern that the retail sales portion will become more than food based products.

Mr. Wesling said the vegetable peelings will be composted. He said his barns and farm are clean and there is no odor coming off of it. The farm has a compost area at the far end of the farm and no odor is coming off of it.

Mr. Wesling said the proposed signs on the fence area will be posted during the growing season. He said that he will grow as much of the produce used in the restaurant will be grown on his property. If he needs additional produce he will get it from local farmers. If the restaurant cannot get the needed produce from local farmers then he will get it from a restaurant supplier. Ms. Nicholson said that 50% of the total products sold will be produced on the adjacent farm.

Mr. O'Leary asked that the applicant look at the township's sign and outdoor dining ordinances. He felt the agriculture tourism is not going to happen on the restaurant site and felt it needs to be tied to the restaurant site in some manner.

Mr. Taylor asked for a lighting plan that shows the light that will escape from the site.

The Board carried the application to the February 26, 2015 meeting date.

A motion to carry the hearing to the February 26, 2015 meeting date without further notice was made by Mr. Allison. It was seconded by Mr. Leuthe and passed with a roll call vote. Ayes: Luthman, Leuthe, Taylor, Van Sickle, Aikens, Allison, O'Leary.

2.) Fusco, Edward B:18 L:12.02 VAR14-1 (Deemed Incomplete 8/28/14)

Mr. Duveneck referenced his report dated 10/21/2014. His recommendation was that the application could be deemed complete with the requested waiver from checklist items 3A and 3D.

A motion to deem the application complete with the noted waivers was made by Mr. Leuthe. It was seconded by Ms. Van Sickle and passed with a roll call vote. Ayes: Luthman, Leuthe, Taylor, Van Sickle, Aikens, Allison, O'Leary.

**AUDIENCE:**

Mr. O'Leary opened the meeting to the public. With no public present, the meeting was closed to the public.

**OLD BUSINESS:**

1.) Sidewalks and Parking Lot

This matter is being carried until further notice.

**NEW BUSINESS:**

**RESOLUTIONS:** None.

**ORDINANCES:** None.

**ZONING REPORT:** None.

**BILLS:** List #11

Mr. Leuthe went over the bills list with the Board. A motion to approve Bills List #11 was made by Mr. Luthman. It was seconded by Ms. Van Sickle and passed with a roll call vote. Ayes: Luthman, Leuthe, Taylor Van Sickle, Aikens, Allison, O'Leary.

**CORRESPONDENCE:**

- 1.) From: SC Soil Conservation District  
Re: Siegel - 19 Monroe Road
- 2.) From: SC Soil Conservation District  
Re: Conveney Construction – Two Homes and Stormwater Basin
- 3.) From: SC Soil Conservation District  
Re: Beaver Run Valley – 2.2 Acres Roadway and Drainage
- 4.) From: SC Soil Conservation District  
Re: Cope – Single Family Home – Beaver Run Road

**ADJOURNMENT:**

With no further business to come before the Board, a motion to adjourn was made by Ms. Van Sickle. It was seconded by Mrs. Aikens and passed with everyone saying aye.

Respectfully submitted,

Stephanie Pizzulo