

SOLEBURY TOWNSHIP PLANNING COMMISSION

Monday, March 23, 2026 – 7 PM

Solebury Township Hall/Virtual – Hybrid Meeting

MEETING MINUTES

Attendance: Peter Brussock, Leslie Wright Marino, Dan Fest, John J. DeAndrea, Adrian Max, Curtis J. Genner, Jr., P.E., Township Engineer, Mark L. Freed, Esq., Township Solicitor, Zachary Zubris, Director of Planning & Zoning, and John Ives, Planning & Zoning Administrator, Mark Roth, Bowman Engineering (via Zoom), Pankaj Jobanputra (PJ), Simone Collins LA (via Zoom), Erin Gross, Thomas Comitta Associates, Inc (via Zoom).

Absent: Lia Mandaglio, Gretchen Rice

I. Call to Order

The Solebury Township Planning Commission meeting was called to order at 7:00 PM.

II. Election of Officers

a. Appointment of Temporary Chair

Mark Freed asked for a temporary chair nomination to oversee the election process.

b. Election of Chair

A motion was made to appoint Peter Brussock as Chair. The motion was seconded and approved.

c. Election of Vice-Chair

A motion was made to appoint Lesley Wright Marino as Vice-Chair. The motion was seconded and approved.

III. Approval of Meeting Minutes – April 28, 2025 and November 24, 2025

Upon a motion made by Adrian Max and seconded by Dan Fest, the meeting minutes from April 28, 2025 and November 24, 2025, unanimously approved.

IV. Old Business

a. Initial Review: Draft Warehouse and Data Center Ordinance Amendment(s)

The Planning Commission conducted an initial review of draft ordinance amendments related to warehouse and data center uses. Erin Gross, Thomas Comitta Associates, Inc., presented an overview of the highlights of the ordinance.

Discussion highlights included:

- **Use Definition and Scope:**
Clarification of how warehouse and data center uses are defined and whether distinctions are needed between distribution facilities, fulfillment centers, and data infrastructure.
- **Permitted vs. Conditional Use:**
Consideration of whether such uses should be permitted by right in certain districts or require conditional use approval to allow greater oversight.
- **Traffic and Infrastructure Impacts:**
Discussion of potential impacts on local roadways, including truck traffic, delivery patterns, and access management.
- **Intensity and Scale:**
Concerns regarding building size, height, and overall intensity relative to the Township's rural character.
- **Environmental Considerations:**
Potential impacts related to stormwater management, impervious coverage, and land disturbance.
- **Data Center-Specific Impacts:**
Discussion included energy demand, backup generation, noise from equipment (including cooling systems), and visual impacts.
- **Buffering and Screening:**
Consideration of enhanced buffering, landscaping, and setbacks to mitigate impacts on adjacent properties.
- **Consistency with Township Planning Goals:**
General discussion of alignment with the Township's Comprehensive Plan and long-term land use vision.

Members indicated that additional refinement and clarification of the draft ordinance may be warranted prior to further consideration. No formal action was taken.

b. & c. Revised Preliminary/Final Land Development and Conditional Use Applications of Shire York Holdings, LLC (6538 Lower York Road – Tax Map Parcel #41-022-142)

The Planning Commission reviewed the revised land development and conditional use applications concurrently. The applicant team provided an updated overview of the project with emphasis on the latest revisions based upon the township and township consultant review comments.

Discussion Summary:

Extensive conversation was provided by the applicant, committee members, township and applicant consultants, and members of the public that included:

Parking and Traffic:

- A condition from the Zoning Hearing Board reflected a limitation of 60 parking spaces for events held at the facility.
- Concerns were raised regarding the revised plan showing 76 parking spaces and whether that conflicts with the Zoning Hearing Board decision.
- Additional concerns were expressed that traffic studies relied on assumptions rather than pickleball-specific data, and that peak demand could exceed projected volumes.

Environmental Impacts:

- Overall comments emphasized impacts to wetlands, riparian buffers, and floodplain areas.
- Concerns were raised about potential disturbance within sensitive environmental areas, including requests to modify a driveway within a riparian zone.
- Discussion included potential pollutant runoff from increased vehicle traffic, including oils and sediments entering nearby waterways.

Comprehensive Plan Consistency:

- Comments referenced Township Comprehensive Plan goals to preserve natural resources and restore wetlands.
- Questions were raised regarding whether the proposed development aligns with these goals.

Design and Scale:

- Concerns were raised about the size of the proposed building relative to surrounding residential properties.
- Comparisons were made to neighboring structures, noting the significantly larger footprint of the proposed facility.

Trail Easement:

- The applicant agreed to provide an easement or dedication for a future Township trail.
- The exact location and design of the trail will be determined in coordination with Township staff and the Board of Supervisors.

Fire Safety:

- Discussion included emergency vehicle access, turning radius requirements, and potential need for fire suppression systems.
- It was noted that final design must demonstrate compliance with applicable fire code requirements.

The applicant presented a PowerPoint of the project that outlined the social, recreational, and overall benefits of the project.

Edward Wild, Esquire provided a letter that noted concerns involving the ZHB decision, compliance with the TNC guidelines, driveway width and traffic trips, and buffering and screening.

Kenneth Mintz focused on the proposed trail easement, emphasizing that alignment and placement should be carefully considered and noted potential impacts to adjacent properties depending on final trail location. In addition, Mr. Mintz spoke of concerns about the traffic volumes and trips, and noise emanating from the pickleball facility.

Action on Items IV.b and IV.c

A motion was made by Amishi Joshi Castelli and seconded by Peter Brussock to recommend Preliminary/Final Land Development and Conditional Use approval with requested waivers to Shire York Holdings, LLC, located at 6538 Lower York Road (TMP #41-022-142) conditioned upon the four Township consultant review letters that include:

- ***Wynn Associates, Inc., dated January 20, 2026***
- ***Solebury Township Zoning Officer, dated January 20, 2026***
- ***Bowman, dated January 20, 2026***
- ***Simone Collins Landscape Architecture, dated January 19, 2026***

Other conditions of approval:

- ***Comply with the Solebury Township Parks and Recreation Board recommendation regarding future trail,***
- ***Additional waiver as recommended by Simone Collins Landscape Architecture related to requirements for building landscaping according to Section 520.1(I),***
- ***Incorporate the PowerPoint presentation provided by the Applicant into the Environmental Impact Assessment as an exhibit, and***
- ***Provide additional pedestrian awareness/crossing and turning signage at the intersection of Shire Drive and Route 202.***

The motion carried 6-0

V. New Business

a. Orchard Meadows Estates Preliminary/Final Minor Subdivision Plan (6633 School Lane – Tax Map Parcel #41-013-096-005)

The applicant presented a two-lot minor subdivision proposal.

Proposal Overview:

- Division of approximately 10 acres into:
 - Lot 1 (~3.5 acres) – home under construction
 - Lot 2 (~6.5 acres) – future residential lot

Discussion Summary:

The applicant and the applicant's engineer and attorney provided comments on the submitted application. Items included the following:

Subdivision Approach:

- The applicant previously explored a three-lot subdivision but revised the proposal to two lots to simplify the review process.

Driveway Design:

- Two separate driveways were proposed rather than a shared driveway.
- The applicant cited long-term maintenance conflicts associated with shared driveways.
- The Township traffic engineer noted that site distance must be demonstrated and that multiple driveways increase potential conflict points.
- The applicant indicated site distance compliance would be demonstrated on revised plans.

Stormwater Management:

- A bio-retention basin is proposed for Lot 2.
- The applicant indicated intent to request waivers from certain stormwater ordinance requirements (e.g., pipe size, materials, structural features).
- Discussion emphasized the need to meet ordinance intent for rate, volume, and water quality control.

Carbonate Geology:

- The applicant submitted a geologic study indicating non-carbonate conditions on site.
- Township staff noted the property remains within the mapped carbonate overlay district.
- The applicant indicated intent to request waivers where necessary to allow infiltration consistent with site conditions.

Landscaping and Environmental Considerations:

- Significant existing vegetation, including mature hedgerows and tree lines, was noted.
- The applicant proposed preserving existing vegetation and supplementing where appropriate.
- A site visit was agreed upon between the applicant and landscape consultant to evaluate conditions and determine appropriate enhancements.

Agricultural Setback:

- The ordinance requires a 200-foot setback from active agricultural use.
- The current design provides approximately 156 feet.
- Discussion concluded that the issue must be resolved through:
 - Plan redesign, or
 - Zoning relief

Conditional Use – Soil Disturbance:

- The proposed disturbance exceeds 20%, requiring conditional use approval.
- The applicant referenced prior approvals with higher disturbance levels.
- The Planning Commission indicated that requests within the ordinance range may be supported if justified.

Public Improvements:

- Requirements for sidewalks, curbs, and drainage improvements were discussed.
- The applicant indicated intent to request waivers.
- Members noted that such improvements may not be appropriate given the rural character of the roadway.

Development Flexibility:

- The applicant expressed concern about designing a fixed house layout prior to identifying a buyer.
- Township representatives explained that plans must demonstrate feasibility but acknowledged the challenges of future changes requiring re-review.
- Discussion emphasized designing conservatively to allow flexibility while maintaining compliance.

No formal action was taken. The applicant will revise the plans and return for further review, anticipated in May.

b. Acceptance and Filing of Fountainhead at Solebury Application

The Planning Commission acknowledged receipt of the application. The application will be reviewed by Township staff and consultants and is scheduled for consideration at the April 27, 2026 meeting.

c. Approve 2025 Planning Commission Annual Report

A motion was made to approve the 2025 Planning Commission Annual Report, including acknowledgment of adding the training that was conducted during the year and anticipated training for the upcoming year. The report was *unanimously approved*.

d. Plumstead Township 2026 Comprehensive Plan Update

The Planning Commission discussed and approved the request to review the Plumstead Township Comprehensive Plan pursuant to Section 301.3 of the Pennsylvania Municipalities Planning Code. Committee members to provide comments (if any) within the 45-day review period and forward to the Board of Supervisors.

VI. Comprehensive Plan Update

An update was provided on the Solebury Township Comprehensive Plan.

- The effort reflects approximately two years of work
- The project is currently in the drafting and editing phase
- Completion is targeted for mid-year, though timing remains uncertain
- The Planning Commission is expected to review the draft during the public comment phase, likely in summer 2026

It was noted that Planning Commission input will be important given its experience with Township planning matters.

VII. Public Comment

No public comment was offered.

VIII. Adjournment

Upon a motion made by Peter Brussock and seconded by Dan Fest, the meeting was adjourned at 10:48 PM.

NEXT MEETING

The next Planning Commission meeting is scheduled for **April 27, 2026**.

Respectfully submitted,

John Ives
Planning Commission Administrator

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March 23, 2026

Via Hand Delivery

Peter Brussock, Chair
Solebury Township Planning Commission
Township Building
3092 Sungan Road
Solebury, PA 18963

**RE: 6538 Lower York Rd, Shire York Holdings, LLC
Preliminary Land Development/ Conditional Use**

Dear Mr. Brussock:

Our office represents Kenneth Mintz (“**Mintz**”), 2530 Reeder Road, New Hope, PA 18938, the adjoining property owner to the above captioned property. Mintz is opposed to the Shire York Holdings, LLC (“**Shire York**”) development plans for the property as proposed. We appeared before the Planning Commission and raised concerns at the April 28, 2025 and November 24, 2025 meetings and provided correspondence of those dates regarding the above applications. We issue this letter to restate concerns to the development plans, now last revised December 18, 2025.

These concerns continue to include the following:

The ZHB Decision. The Solebury Township Zoning Hearing Board (“**ZHB**”) granted variances that required that the plans and improvements be in accordance with the testimony, plans, and evidence presented to the ZHB (ZHB Decision, Condition (a)). The ZHB conditioned relief further upon there being no activities where the parking capacity of 60 spaces be exceeded (ZHB Decision, Condition (b)). Testimony before the ZHB claimed there would never be a need to exceed the sixty spaces proposed.¹ The pending plans propose 76 parking spaces. Other plan revisions relocated the pickleball building, reduced the number of pickleball courts, added an

¹January 10, 2024 Notes of Testimony, p.24 lines. 22-25; p. 55 (lines 2-6).

entertainment area, removed an existing building and proposed a different or modified access easement.

Respectfully, the PC should not recommend approval of plans or a conditional use violate ZHB imposed conditions accepted by the property owner. The plans remain inconsistent with the ZHB record and the required conditions. The property owner did not appeal, challenge, or seek to strike the conditions. The plans violate the ZHB conditions.

Mintz filed a land use appeal from the ZHB decision and requested that the granted variances be reversed. The Pennsylvania Commonwealth Court conducted oral argument on the pending ZHB appeal on February 3, 2026. A decision is expected shortly. Should the appeal be successful, the plans violate the Zoning Ordinance. Should the appeal be unsuccessful, the plans violate the ZHB imposed conditions, and thus are not in accord with the zoning requirements.

Compliance with the TNC Design Guidelines.

The Zoning Ordinance requires the property and all proposed buildings be designed in accordance with the TNC design criteria and guidelines. The architecture of the pickleball building was divulged or proposed, as Section 27-1601, *et. seq.* required. The plan rendering does not appear consistent with Traditional Neighborhood Commercial standards.

Driveway Width Increase and Traffic Trips

The application remains subject to needed outside agency permits, that include a PennDot Highway Occupancy Permit. The Planning Commission requested at the November 2025 meeting, that traffic generation calculations not be based upon tennis court projections, but rather that traffic calculations be based on actual pickleball use, preferably with actual pickleball traffic data as comparisons. To our knowledge, no additional trip calculations were provided. Pickleball games are typically shorter with a higher turnover rate, and up to several pickleball courts fit into the space of one tennis court, leading to significantly higher vehicle activity per acre, making the projected tennis court data calculations unreliable. The ITE Trip Generation Manual (Code 490) for tennis courts as a proxy, is generally, as the Planning Commission noted, an inaccurate barometer.

Buffer, Screening, and Possible Trail.

Mintz remains concerned about buffer planting waivers requested, including on the Aquetong Creek side of the property, abutting the Mintz property. The Mintz concerns include the potential discussion of a currently undefined future trail location that would substantially impact the Mintz property. There are no details shown. The site capacity calculations did not account for such disturbance and the Mintz home and exterior patio are within 20-30' from the creek. Potential trail users, not necessarily pickleball patrons, would be invasive and raise security concerns to the Mintz home. Few homeowners if any, would want that level of intrusion. Without details or plans, respectfully Mintz urges the PC not to support any trail.

Earlier Review Comments.

To the extent concerns from our April and November letters may remain unresolved. Mintz has received no assurances on those issues that include the lack of any specific sound mitigation to address the sound issues, consistent with the evidence advanced at the ZHB.

Sincerely,
Edward M. Wild
Edward M. Wild

EMW/bb

cc: Leslie Wright Marino, Vice Chair
Amishi Joshi Castelli, Member
John DeAndrea, Member
Dan Fest, Member
Adrian Max, Member
Gretchen Rice, Member
Lia Mandaglio, Alternate Member
John S. Francis, Supervisor Liaison
Mark L. Freed, Solicitor
Bryce McGuigan, Esquire