

**PLANNING COMMISSION
MINUTES
February 26, 2004
AGENDA MINUTES**

The West Brandywine Township Planning Commission meeting was called to order at 7:35 p.m., John Cassels led the members in the pledge of allegiance. Those members in attendance were; John Cassels, John Conti, Anita Ferenz, Kim Hoopes and Steven Jakatt. Joseph Boldaz arrived at 7:40 p.m. John Cassels asked for acceptance of the minutes for the January 26, 2004 meeting, Kim Hoopes motioned to accept the minutes with any corrections to be given to the Secretary within one week, Steven Jakatt seconded the motion with all members in favor.

Public Comment – The Elliot Building Group to discuss “The Ridings of Hibernia”. Representative for the Elliot group Marc Jonas, we are talking about a 118-acre tract that is bounded by Hibernia Road & Rt 82 to the East. The zoning is R2. We have a plan that was approved in 1989 for this property. We have appeared before the BOS last October in regards to the plan that was approved and modify it to bring it up to date and move forward with a final approval. The BOS had raised a number of issues and we are in the process of responding to those. We are here to give to an overview and answer any preliminary questions you may have and come back after you have digested all the information for a question and answer. (slides were then shown) In 1989 the property was zoned R2 and is R2 today, proposed was twenty thousand square foot lots, for a total of ninety-eight lots. There was a little less than fifty acres of open space at that time. We are before you to ask that we might move from this prior plan to a final plan updated to deal with some of the issues that were raised by the BOS, then to move forward with a new plan based upon the existing zoning. We are still proposing twenty thousand square feet for lots, from the ninety lots we are proposing ninety-one. The amount of roads has been reduced from eighty one hundred to seventy four hundred and from fifty acres of open space to sixty-three acres of open space. At the BOS meeting in October, the following issues were raised. Stormwater, we were asked to look at the calculations under the new ordinance in terms of open space, passive versus active, to examine sanitary sewage plans on the type of sanitary sewage treatment that might be provided. To look at the grading requirements of the ordinance, evaluate landscaping to take a look at the site analysis calculations to identify waivers and to look at storm water management. We have been looking at stormwater management in terms of the new requirements. We have been looking at sewage plans, grading, landscaping, site analyses, and waivers. We have been told about your ACT 209 studies, traffic impact fee. We have proposed to the BOS a voluntary impact fee that we are willing to contribute to the Township as part of this proposal. John Cassels, how is this different from a new submission. The difference is the procedural process, we would like to take an approved plan that is fifteen years old and instead of going into a new preliminary plan approval, we would like to piggy back on the approved preliminary plan approved in 1989. Its to go from a previously approved preliminary plan to a final plan and upgrade and update the requirements and questions raised by the BOS and Planning Board to show that we are in compliance. We want to go from a previously approved preliminary plan to a final plan and not resubmit from the beginning. The waivers are listed on the plans. Because the plan is so old it has lapsed. It’s more of a practical request than a legal position. Proposed grading of the site was presented by a slide show. The original plan had seven basins, (basins were shown on the slides). We have combined two basins into one, and maintained three basins. For infiltration, there will be on lot seepage beds for each house to collect water from drainage spouts. The reason for that, if you infiltrate within basins they have a tendency to pick up road grime or ciders and salt on the roads. Another reason you have wet lands. (shown on slide) Maintenance on the individual houses, it could be the responsibility of the homeowner or it can become a HomeOwner Association that will become part of the plan. If we can not infiltrate two-year increase of run off or 50 % of the run off then we would be requesting a waiver to bring ten down to the two. We feel we can meet the Storm Water Management requirements. Until we get into

the design and do required testing for infiltration we will not know if we can meet the requirements. We would like to come back next month to answer any questions you may have. Steven Jakatt, I would like to make a comment the same comment made at the BOS meeting. This plan was approved by the Township, I have heard it's the worst plan ever submitted. I don't see any change. John Conti commented most of the open space is wet lands. With no further comments Marc Jonas thanked the Board and commented they would see the Board next month.

First item under old business; Schnatz & Rohrer Landscaping Inc. – Preliminary/Final Land Development Plan (00-05-SCHROH) prepared by Berger & Hayes – Industrial Storage Building for Vehicles concerning Landscaping Business. Clock started Thursday May 25, 2000 and continues until Saturday, April 3, 2004. No representation was present. John Cassels asked for a motion. Steven Jakatt motioned to table the plan, Kim Hoopes seconded the motion with all members in favor.

Brandamore Golf Course - Preliminary/Final Land Development Plan (00-10-BDMGOLF) Golf Course/Club House/Maintenance Building. Prepared by R.K.R. Hess Associates, Inc. Clock started Tuesday November 21, 2000. Letter was received from the applicant granting the Township an open-ended extension of time. No representation was present. John Cassels asked for a motion. Steven Jakatt motioned to table the plan and Kim Hoopes seconded the motion with all members in favor.

Hide Away Farms - Preliminary Subdivision & Land Development Plan, (By-Right) (01-02-HAFARMS) Hide Away Farms, property located at Special School Road. Prepared by Nave, Newell & Stampfl, Ltd. – 47 Lots in West Brandywine Township. Clock started Thursday June 28, 2001 and continues until Tuesday September 25, 2001. Remains open, nothing new to discuss.

Catania – Preliminary Subdivision Plan (02-05-CTANA) prepared by Edward B. Walsh & Associates, Inc. – 21 Lots in West Brandywine Township. Location: North side of Hurley Road. Clock started Thursday June 27, 2002 and continues until Wednesday April 14, 2004. No representation was present. John Cassels asked for a motion. John Conti motioned to table the plan and Steven Jakatt seconded the motion with all members in favor.

Costa Homes Inc. – Preliminary Subdivision Plan (02-09-COSTA), prepared by ProTract Engineering, Inc. Property Location; Swinehart Road & Beaver Creek Road, proposed Lots, 26. Clock started Thursday, July 25, 2002 and continues until Monday, March 15, 2004. Representatives present were Paul Yivisaker, from Riley Riper Hollin & Colegreco and Brian Horner, Protract Engineering. The property concerned is two tax parcels divided by Swinehart Road, bordered on the north by Beaver Creek Road and Beaver Creek. It's a split zoned R1 and R2. R1 is the one and half acre designation, R2 is the 1-acre designation. Proposed are fourteen homes on the 29.9-acre side and with ten homes on the 8-acre side. Property is heavily wooded; wetlands are on the northern right hand border. There are no encroachments proposed. On site sewer with public water is proposed. We have applied for a Conditional Use Hearing. We are seeking preliminary approval and final recommendation approval from this Board. We have addressed all the comments from Mr. MacCombies review letter dated February 24, 2004. We are seeking waivers from the following. Section 167-44 C, Length of Cul-de-sac, proposed is a length of one thousand twenty five feet, Section 167-47 use of concrete curbs, use of rolled curbs versus stand up curbs. We are proposing rolled curbs. Section 167-57B (2), installation of capped sewers, we have proposed on site sewers and have received approval from the Health Department for on site sewer. Section 167-62D, open space, active recreation. Section 167-65C, vegetation replacement. We are complying with all the zoning requirements, but we are asking for some relieve from the subdivision land development requirement. The engineers letter has two issues, the on-site sewer, where we have received approval from the Chester County Health Department. We believe we have satisfied the requirements under the sewage facilities act with respect to the on lot sewer. The other issue is the landscaping. Dark green shows the vegetation on the plan (referenced plan) the light green shows the proposed vegetation to be removed. Significant vegetation was left around the entire border. Where we are taking the vegetation away we have plantings. We have made a significant contribution in terms of the numbers of plantings in respect to the zoning. We are providing for building area trees, road frontage and tract boundary trees; in addition we propose fifty vegetation replacement trees. That's a

total of two hundred eighty three deciduous trees, one hundred seventeen evergreen trees, and eight hundred thirty three shrubs. If all the vegetation replacements trees which is a subdivision ordinance requirement were provided the totals would be four hundred sixty seven deciduous trees, hundred seventeen evergreen, and twelve hundred shrubs. What we are proposing of all the plantings is sixty percent of the deciduous trees, hundred percent of the evergreens and seventy percent of the shrubs. Based on the trees that are remaining there is some fourteen acres of woods on the site. With that number of trees we feel that adequate landscaping for the site can be obtained. Steven Jakatt asked how they would compensate the Township for trees and shrubs not planted. Paul Yivisaker stated they were seeking a waiver not a fee in instead of. John Conti, the Township has started a tree bank, where we will work with some of the landscaping business and there will be free trees for the residents of the Township. It's something the Board would like you to consider.

Paul Yivisaker, waiver requests were made to the BOS. One of Mr. MacCombies concerns, was for the approval for the on site disposal fields from the Chester County Health Department. We did receive that approval. Mr. MacCombie has made a request for adequate room to accommodate primary and replacement on-site disposal field sites we have identified all the primaries and received the approvals. On certain instances we identified secondaries where necessary. Once we received the Chester County Health approval letter we felt we satisfied both the ordinance and the regulations.

Paul Yivisaker, at one time there was significant opportunity for higher density on this property. It's less dense than the property could have been. John Cassels, in protecting Beaver Creek, that there are two sand mounds on the east-end side, it's more reason to stick with the cap sewer line in the road. Those sand mounds only last a number of years. Paul Yivisaker, the two lots with sand mounds have secondary sites.

Street names were submitted to the Township. Roads - we asked for a waiver of approximately hundred forty feet along the road between Beaver Creek and road "B". The ordinance states if the grade is over 7% an upright curb is required. There is a length of about hundred and forty feet, which represents 5% of the total road system. Because there's a drop away from Beaver Creek Road it was necessary to have a steeper approach into the subdivision. The rolled curb can handle the flow, the preference seems to be for the rolled curb and we would like to use this throughout the subdivision. Proposed is a four-foot widening of Beaver Creek Road, which would bring the paving up to eighteen feet from current fourteen feet. The proposal is just for the widening. Paul Yivisaker, the plans are engineered to the specifications of your Township Engineer. I have no issues with the engineering. If there are issues with the waivers we suggest you make a recommendation subject to these things being done, that's what we would prefer here this evening.

Reference, lots 15, 16, and 17: There was a strong feeling from the Planning Board about the open space should extend to provide access along Beaver Creek. Previously we had a riparian access right up to the property line. We have now pulled the lot lines back, so the open space does continue through the areas designated as a conservation easement to make the Homeowner aware that they can't do anything in there.

John Conti so the lot line still extends into that conservation easement area. Brian Horner responded it does and easements would be put on the deeds. John Conti responded the homeowner will not read their deed. They will do whatever they want to in that area and no one will ever know. I would have liked to have seen one lot eliminated and make that part of the open space. If that can't be done I want to see how that area will be protected. Putting a note on the plan means nothing. Paul Yivisaker, we would be happy to do a conservation easement and dedicate it to Brandywine Conservancy if they would like to take dedication of it. John Conti, that is something I would prefer.

Kim Hoopes, I would not be in favor of waiving the cap sewer. The other waivers I do not have a problem with.

Steven Jakatt, I am not in favor of the waiver for capped sewers, or vegetation and I do acknowledge the applicant has improved the plan.

Paul Yivisaker, I am looking for preliminary approval even if it's conditional. We are trying to move on to the BOS. They need some input from you, its no good if we just go there and the Planning Commission didn't want to do anything. It's better if you give an official recommendation. Steven Jakatt, we will.

John Cassels asked the applicant for an extension of time. Paul Yivisaker, what type of an extension of time. Paul Yivisaker asked Mr. Rambo if he could be on the BOS agenda next week to discuss the waivers, Mr. Rambo responded, yes. Paul Yivisaker, assuming we have some resolution with the BOS we can come back to the Planning Board for Preliminary/Final. We will have our recommendation for waivers from the BOS what else is there for us to do. John Cassels, final engineering, you submitted a preliminary plan it was not submitted preliminary/final.

Paul Yivisaker agreed to give the Board a thirty-day extension of time.

John Cassels asked for a motion. John Conti motioned to table the plan pending a written extension of time, Steven Jakatt seconded the motion with all members in favor.

City of Coatesville Golf Training Facility – Preliminary Land Development (03-01-CCGTF) – Proposed Municipal Golf Facility – Prepared by Carroll Engineering Corporation. Proposed Municipal Golf Facility, located at Pratts Dam Road and Route 340. Clock started Thursday, May 22, 2003 and continues until Tuesday, March 16, 2004. Representative present was Marc Jonas, this application began as a conditional use application in 2002, a zoning permit had been applied for in 2003. As part of the zoning permit the city of Coatesville has agreed to contribute one hundred percent of both the design and installation cost for signalization at 340 & 82 intersection. The city will submit a permit application to PennDot. Cartway will be increased from eighteen to twenty-two feet for Pratts Dam Road beginning at the intersection of 82 & 340, providing sufficient right of way and constructing a right turn lane. Storm water pipes will be installed along Pratts Dam Road. The city will place a second primary stormwater management basin on part of the property identified as the future lot. The city will oversize both basins to accommodate maximum storm water capacity. Both storm water management basins will be aerated and the city will use its best efforts to effect a plan of one hundred percent capture. Ground water; the city will seek a request of withdraw from the appropriate agencies from the west branch of the Brandywine. There will be On-site water withdraws, the city will retain a hydro-geologist which we have done. The city will establish well protection measures. The City will use organic materials for pesticides and herbicides to the extent as such materials are available and subject to certain cost limitations. These materials will meet EPA requirements and the Department of Agriculture. Lighting was agreed upon. City will provide security, traffic control, and advance notice of all special events. The City will be the second response for emergencies at the golf center. As to taxes, if the property within the Township on which the facility is developed if it receives real estate tax exemption during the period of that exemption the city will pay to the Township an amount equal to the amount of exempted taxes as payment instead of taxes. The City will investigate drip irrigation as an alternative sewage disposal method.

The Township acknowledges ordinary septic systems unacceptable, so that they are not spray irrigation based. The Township approves the conveyance of sanitary sewerage to an approved sewage treatment center. Screening & buffering, the City will comply with a twenty-foot planted buffer.

The Coatesville Golf Training Facility is a golf practice facility intended to train children & adults in the game of golf. This facility will consist of a practice range on top of the hill in the middle of the property. A par three golf course around the perimeter and also a smaller chip and putt golf course by the practice range. There is also a short game area in the maintenance building in the training facility building and a practice green. We are in receipt of Mr. MacCombies review letter and plan on meeting with him to discuss the review.

There is a proposed parking lot consisting of one hundred and ten parking spaces by the training facility, ten parking spaces by the maintenance building for a total of one hundred and twenty. We feel there is enough parking for the facility.

On the site plan there is a table determining that only ninety-one parking spaces would be needed and is stated as follows: Ten spaces for the maintenance building, thirty spaces for the driving range, for the chip & putt course, eighteen spaces, nine-hole course, nine spaces, training facility twenty-four spaces. What we propose is one hundred and twenty spaces and we feel that is adequate. We will comply with an additional handicap parking space. We will touch base with Mr. MacCombie concerning section 200-83B in reference to the note on the plan concerning long term management for the woodland areas and riparian buffers on site. There is a note on the plan stating after construction the existing vegetation that's going to remain on site will not be touched and will be left in its natural state. There will be approximately 3.6 acres of tree clearing on the site.

John Cassels, you have a sixteen page review letter from Mr. MacCombie we would like to see clean review letters before making recommendations. Are there any major issues that should be discussed. Marc Jonas, there are two components of the lighting issue. One was a plan that would show cross sections to show the relative height of the light standards versus the trees. I met with the Township Manager and we will be working on a plan showing the light standards versus the trees. The other issue was going through another lighting test. We are willing to consider that request. Some of the residents that were concerned about lighting were actually on site as opposed to being at their homes during the lighting test and that defeated part of the purpose. People should be at their houses. Steven Jakatt, we were told the lighting test would be a few days, it was one hour. We would like a couple of nights for a few hours, also the light intensity was changed in the middle while Planning Commission members were moving around the Township to get different views. If you come up with a plan, say that for night "A" would be for "X" intensity, night "B" for "Y" intensity, that would work. There needs to be a communicative plan. In your hydrogeologic report you listed that your anticipated gallonage was ninety-three thousand gallons a day for irrigation, I think that is low for about fifty percent. I would like to see how you came up with that number.

An extension of time was requested of the applicant.

John Cassels then asked for a motion. John Conti motioned to table the plan pending an extension of time and addressing Mr. MacCombie review letter dated February 24, 2004. Steven Jakatt seconded the motion with all members in favor.

Joanne O. Speers - Final Subdivision Plan (03-03-SPEERS) – Proposed Three Lot Subdivision – Prepared by E.B. Walsh & Associates, Inc., located at Rt. 82 and Germany Hollow Rd. Clock started Thursday, August 28, 2003 and continues until Tuesday, March 24, 2004. Representative present was Andrew Eberwein who stated they were still waiting to hear from DEP. John Cassels asked for a motion. Joseph Boldaz motioned to reject the plan based on an incomplete review from DEP unless an extension of time is received. John Conti seconded the motion with all members in favor. Andrew Eberwein stated Joanne O. Speers would submit a letter of extension.

Ellen N. Eckert - Final Subdivision Plan (04-01-ECKERT) – Proposed two lot subdivision – Prepared by Stapleton & Leisey, located at 132 Lafayette Road. Clock started Thursday, January 22, 2004 and continues until Saturday, March 20, 2004. Representative present was Charlie Newlin executor of the estate for Ellen N. Eckert. Charlie Newlin, the review letter from Mr. MacCombie is clean there does not seem to be any other issues. Steven Jakatt motioned to recommend approval of the Final Subdivision Plan for the Estate of Ellen N. Eckert to the Board of Supervisor, Kim Hoopes seconded the motion with all members in favor.

Coatesville Area Regional Catholic School – Preliminary Subdivision & Land Development (04-02-CARS)– Proposed Coatesville Catholic Regional Elementary School – Prepared by EB Walsh & Associates Inc., located at Beaver Creek Road & Route 82. Clock started Tuesday February 26, 2004 and continues until Tuesday May 25, 2004. Representative present was Andrew Eberwein, Evan Mills Environmental has just completed the hydrological and soil testing for our on lot disposal, sewerage for this project and eventually the sewage disposed of from the proposed new St. Peters Parish. Proposed is the building of a package treatment plant to handle the sewage and it will be dripped back in this area (plans were referenced). It will be dripped irrigated and it will handle both the school & the parish projects. There will be access off of route 82, we will building a left hand turn

lane, widening out the road so busses and people coming in heading south on route 82 will be out of the traffic lane and will be able to make the movement to the right. We will apply for a PennDot Permit as will move through the process. The sewage modules have been sent to DEP. Entering into the site, parking is located up around route 82. That will be shielded from route 82 through berming and extension landscaping according to the Ordinance. Drop off of children for the school will be separate from that parking lot. We can stack thirteen buses, which is our capacity that we think we max out at this school. The bus drop off area is restricted for buses. Parents and people with their cars will not be allowed in there. Extensive sidewalks are going along there, the kids will be dropped off, they also have to be discharged and collected at the front door. There is a loop in the back, primary for fire emergency access and also to get access to the fields in the back. We are proposing a soccer field, alternately there will be a track around that field. We plan for this to go in later. We are also proposing one baseball field as time goes on. As the school gets full we will add more fields. We are proposing to comply with all the ordinance requirements. We got a special exception for the project, we received a variance to allow us to use public water, and our zoning is in order. There are no waivers submitted at this time. John Cassels asked for a motion. Steven Jakatt motioned to table the plan, Kim Hoopes seconded the motion with all members in favor.

Balderston Family LTD Partnership/Swinehart Realty Associates LP – Preliminary Subdivision Plan (04-03-CULSWH), prepared by DL Howell Associates, located at Culbertson Run & Swinehart Road. Proposed 115 Single Family Dwellings. Clock started Thursday, February 26, 2004 and continues until Tuesday May 25, 2004. Representative present was Greg Poff who stated a review letter was not received at yet. Our main purpose was discussing the special study for the sewer handling of both projects. We provided a copy of the special study to the Township. It's the mechanism by which your ACT 537 plan will allow the sewer treatment or three new projects and the abandonment of the Kimberwick Waste Water Treatment Plant. The special study was submitted in December of 2003, we met with staff and worked out some technical issues and then submitted for your review a red line version of that study that indicates staff comments and the details of the study.

Greg Poff, we are developing three projects around route 322 corridor and the Culbertson Road and Swinehart intersection. The largest and the southern most is the Swinehart plan. It consists of one hundred and fifteen single-family homes with a large area of open space. The majority of open space would be used for wastewater treatment plant, sub-surface disposal. Effluent would get to that through a series of force main and gravity lines. It would include the Janiec property on the north side of route 322 along with the Beaver Creek project. It will take the effluent from the existing Kimberwick plant that will flow all by gravity to a low point either on our property or if the Township requires easements to allow a pump station down on Culbertson Run Road. It would then be pumped by one of those two routes either up Culbertson Run Road or around Swinehart to a point where it can flow to the wastewater treatment plant. Testing is being done on the soils to determine the capacity of effluent disposal on the Swinehart Tract. Pledged to the Township, if we have the capacity we will accept all the capacity of Kimberwick and that will enable Kimberwick to be converted to a park type use. We have land not only in Swinehart but also at the Culbertson Village plant to try to accommodate all those needs. If the soils will not permit the capacity for the Township on these, there may need to be some disposal, it will not be as extensive as it is at Swinehart today. The testing indicates the capacity of all the effluent on Swinehart and then we have some extra area on Culbertson if needed. We had discussed pumping everything to Coatesville, Pennsylvania American has some issues with the Coatesville plant, and capacity looked like it would not be available for some time. At this time I will answer any questions you may have on the special study. Being the Board had no time to review the special study, questions would be held until next meeting.

Mr. Poff, to give an overview of the plan, this has been going on for two years, the plan is laid out (referenced plan) north on the top, Culbertson Run Road & Swinehart Road. Cross Creek neighborhood is to the north and Raleigh Drive and Berkley Drive along the East Side. There is one hundred and fifteen homes on just under one half acre lots. The large areas of open spaces are going to be used for sub surface disposal. There is an open space trail network going through the project that is held away from the lot lines to allow for open space with landscape buffers between the back to back areas. Two points of access on this end (referenced map) one on Culbertson and

one on Swinehart and there is a connection to Raleigh Drive. Over the past two years we have gone through a Conditional Use process and this is the product of all that input from the Township, public and ourselves.

Joseph Boldaz, there is concern from the public concerning Raleigh Drive, you have some sort of a circle in there, I am not convinced that would prevent people from rushing out Raleigh Drive to route 322. I don't think its going to slow anyone down at five o'clock in the morning flying past Raleigh Drive to get back into West Brandywine Township. I think you would need other calming devices at that interface other than what you have. Greg Poff, our original plan always held area for that but we never connected it. Through the Conditional Use process the connection was required. There are mechanisms for traffic calming that slows traffic. I don't know if that would solve the volume problems. I think that's more for the Township to determine. We can connect it or not, I am very flexible there. John Cassels, what is the maintenance plan for the open areas. Greg Poff, in these types of communities we create an open space management plan, it sets aside areas for different types of maintenance. The sewer plant would be dedicated to the Township.

John Cassels, we see the area between the back yard along Swinehart. I assume your going to put perimeter buffering along the road. What about the area between the road and the back yard. Would individuals mow right out to Swinehart Road or will you leave this open as meadow. Greg Poff, we have not gotten to that point, this may be for disposal and that would be maintained by the Township and mowed. We can address that when we get a better feel on exactly what's going where.

John Conti is the trail network going to be tied in. Greg Poff, through the process there was the questions whether you should have large areas of open space or little areas of open space everywhere. We ended up with large areas of open space. We have created avenues so we can link areas of open space throughout the plan. We have a little of both worlds. You have the Kay property to the south, and you have other land in the north. You have a lot of green space to connect to. It can be part of the network but there will be some active recreation and trails in this community.

Steven Jakatt, I have a letter from DEP stating they have evidence that liquid hazardous waste was applied to the site some time in the past. Greg Poff, hazardous waste is a term that should not have been used. There was disposal of wastewater many years ago. We have done a phase one and two, and nothing has come back of any concern. We have provided all that documentation to the Township.

John Cassels opened discussion to public and asked for one or two representatives to express the communities concerns. We will listen to any concerns the public may have if not brought up by those individuals. Susanne Tucker, 8 Berkley Drive; the connect through onto Raleigh Drive, are you aware there is a park that is heavily used right into the fall by children. You have a narrow road, with the proposed connect you will have cars flying. Being a through street, the danger to the children is increased many folds. There are no sidewalks, children going to there cars or to the park, even when games at the park aren't in progress, whether walking to busses, they have to go on the street. With just those of us in the community using the road, we know each other, there is a lot of respect and we go at a slower speed. With two hundred some more cars, not too mentioned the developments on the other side, it's a danger to our neighborhood and to those who come to use the park. One of our residents had contacted the Natural Land Trust, and it had this statistic. Among children killed in vehicle accidents thirty-nine percent were on foot or bicycle at the time of the accident. From what I understand the push to have that cut through was to be able to get ambulances and fire trucks to that new development quicker. I think we are the ones who are going to need those ambulances for our children. I think we are paying a high price for a convenient cut through. Because of the heavy usage of route 322, if you just had the original emphasis that you had on the initial plan for Culbertson & Swinehart it would encourage the people to go down Swinehart to Reeceville and empty out where the fire company is. That would be fewer cars going from that point up route 322. It would reduce some of that volume. Safety of the children is our great concern.

Jim Mitchell , 19 Gloucester Drive; Mr. Poff you said you were flexible on this, who's idea is this to have the cut through. Mr. Poff, rather than address that, a possible solution is to suggest to the Township, rather than a full

access, meet the needs of emergency access by putting a gate on that can be used by emergency vehicles but it would allow no through traffic. As I mentioned I am completely flexible on this issue. Mr. Poff stated a traffic impact report has been submitted.

Jim Mitchell, aren't you concerned about making your own community a cut through neighborhood for commuters that live north and west of the proposed development. Mr. Poff, it is a concern and I don't disagree with any of the concerns voiced this evening. Jim Mitchell, Gloucester Drive is approximately a nineteen foot and five inch wide road being about half a mile long no curbs or sidewalks. With rush hour traffic heading west on route 322 and backed up toward Croppers, people will be cutting onto Gloucester Drive. This is impacting East Brandywine Township residents. Will minutes be provided to East Brandywine Township. Mr. Poff, plans have been submitted to East Brandywine Township. Planning Board noted minutes are public record. Jim Mitchell, if this is planning to go through, who is responsible for traffic calming. Steven Jakatt, we will have an answer for you next month. Bob Schuller, Raleigh Drive, are you looking for East Brandywine to service for emergencies, mileage using the cut through versus coming up 322 is about even. We are East Brandywine residents and your impacting us. Is this proposed development going to be responsible for the impact on 322. Why not put in a traffic light. You are coming into our Township now, we are already having the tax payer pay for items of putting lights up on various intersections because of developers. Your putting up one hundred fifteen homes, there will be a minimum of two hundred and thirty cars that will impact us greatly.

They will be shooting down Gloucester Drive to go into their developments. We have a couple intersections with no stop signs that will have to be given up. If you moved that property out, and added width I suggest you bring a road down hundred fifty foot maybe two hundred make a big "U" go back up and out. Our development was based on nice private area, with kids and everything else. We have one of the worst sewage areas in the Township. What are you going to do about sewers. Are you designing this large enough to take care of our development. Mr. Poff replied no.

Nina Cataginus, 25 Raleigh Drive, I have to say you are not one of my favorite people. I bought my home nine years ago, the biggest reason for buying the house was because I'm on the cul-de-sac. Are you making sure your surveyor is not putting that thorough way right through my property. I will also have to hire a surveyor to make sure that you are not coming onto my property. Property values, I currently look out my window and I look into a park, its pretty emotional, when you see all the farm land just going away, now you are proposing one hundred and fifteen homes behind my property, what about the buffer. If I have to look out and see one hundred and fifteen homes as opposed to seeing farm land to me its upsetting. Traffic issues, nine years ago, driving down 322 and hitting route 30 was not bad. Now with the new development coming into play and people driving through Raleigh and Berkley its going to take a lot longer. So again sir you are not one of my favorite people. I want to say to all of you, election time will be coming around. The Board stated they were appointed not elected and were not paid for their services. Nina Cataginus, I ask you to think about it, if this were a developer coming into your neighborhood how would you feel about it, especially the children, and safety issues. All of a sudden we have to put up a gate to allow emergency vehicles to come through. That's ludicrous and we can't do it.

Theresa Condron, 21 Raleigh Drive, we purchased our home a year ago, when looking for a home we looked for one thing, a quiet neighborhood, a cul-de-sac and established neighborhood. Putting this cut through in will change our property values taking a established twenty year old neighborhood and turning it into something different, please listen to us and take our concerns into consideration and don't let this happen. Listen to the people who live there.

John Cassels asked for a show of hands of people who agreed with what was being said. John Cassels, do we have any comments or concerns that are any different. Tom from Berkley Drive, people making a left when driving west of route 322, we have had numerous accidents at the intersection of 322 and Gloucester and 322 and Raleigh, our own babysitter was almost killed there at that spot. Stephen Jakatt noted the area in reference was in East Brandywine Township. Randy Giles, addressed the Board, Mr. Poff says he is flexible with this, are you flexible to say this is not allowed due to the safety and concerns of the parents.

Mr. Poff, the Conditional Use that I am operating under is based on two and half years of process and hearings that mandate the connection. I am required to show that at this point. I encourage you to continue. I would like to applaud you, normally these things are screaming, yelling and everything else. You have acted very humane and it's appreciated. I will continue to be flexible, I am aware of your concern that's why it was not originally shown. Fifty years from now that road may be beneficial. I am sure the Township will consider your concerns. John Cassels, there are a lot of hands showing, is there anything different that already has not been said. Resident, you are proposing a gate for emergency access only, are they going to get out to use a key to get through the gate. Mr. Poff, there are a number of engineering solutions. There are gates called, knocked down gates, a fire truck could push this over, they could be locked and somebody would have to get out. Mary Dodds, 31 Ponds End Drive, I actually work for a builder. Is the road a requirement for emergency vehicles only. Mr. Poff, it's a full access.

Mark Brogan, 28 Raleigh Drive, my property is deeded as a cul-de-sac. I would like your definition of a cul-de-sac. Steven Jakatt, if you want a definition of a cul-de-sac we have subdivision and zoning ordinances you are welcome to come to the Township and read them verbatim. Mark Brogan presented the Board with a petition. Joseph Boldaz, one question for the audience, concerning the cut through, can I have a show of hands for those of you who live in East Brandywine Township and then West Brandywine Township.

John Cassels, I would like to thank everyone for coming out and commenting this is how it's supposed to work. Don Uhl, 10 Wythe Drive, as far as the Township of West Brandywine, who patrols our neighborhood. Board noted West Brandywine. Don Uhl, I have been here almost ten years and I have only seen a West Brandywine Township police car twice in those years. John Conti, you probably didn't need it. John Conti, I do not take criticism of the police force kindly. I think we have a good police force, they are always on patrol and we never have complaints about them. To throw that in, it had nothing to do with the conversation. Don Uhl, as a matter of fact it does, I have been here for ten years now and two time I have had the privilege of seeing a West Brandywine Township car patrolling. Steven Jakatt your comment works against you, a cut through would allow West Brandywine Police department to get to your neighborhood easier.

Tom Kallmeyre, 21 Berkley Drive, we don't want to get into a situation where police officers have to sit in our driveways to monitor traffic through the neighborhood. I would like to ask your feelings on the cut through. John Conti, I don't agree with the cut through, and I don't agree with that development. As a matter of fact I didn't agree with most of the developments that you all live in. I have been here forty some years and I have watched almost every farm in the area go, believe me they will all go. You have sat here tonight and seen how many developments have been put before us in just one meeting. We did go through two years of Conditional Use, we had experts telling us it was a safety matter. When someone tells us it's a safety matter, we have to listen, if something happens it's on us. There are many ways to have that gate there and have access for emergency vehicles only.

Resident, we are looking for a guarantee, what's to stop someone from saying, lets take out the gated access for emergency vehicles and lets open that up for thorough traffic. John Conti, a guarantee is something that should be considered.

Resident, this has been a marvelous planning experience for many of us. To be face to face with people who give their time up with the way this Board has given their time. The things that you do are over whelming me right now. To think that so much of our property and what is going on in our area falls on you. The way you have things set up and your regard to open space, I am very impressed and it's a privilege to be here today.

John Cassels asked for a motion. Steven Jakatt motioned to table, Joseph Boldaz seconded the motion with all members in favor.

Culbertson Realty Associates LP – Culbertson Village Preliminary Subdivision Plan (04-04-CULVILLAGE), prepared by DL Howell Associates, located at Horseshoe Pike & Swinehart Road. Proposed 178 Townhouses. Clock started Thursday February 26, 2004 and continues until Tuesday May 25, 2004. Representative present was Greg Poff who stated the Culbertson Village was approved in the Conditional Use, also includes a commercial component primary where the Gordon property is located. This is not the subject of this application. We have delayed this to a latter phase. Shown on the plans before you know, is a connection out to Swinehart Road. This was added though the Conditional Use process to provide a second and eventually third means of access. We have not received any reviews as yet. Over the coming weeks we will be doing perc's in the basins to check how much can be infiltrated. John Cassels, this current configuration was one of the exhibits in the Conditional Use. We had talked about that pipe, and I thought we were going to stay away from that. It looks like you are building right on top of it. Mr. Poff, we were staying away from moving it. The pipe is still there and it will be covered up. John Cassels, going back to exhibit "A" which is our planning commission minutes we had discussed that pipe, and I thought your statement was not to build on top of it. Greg Poff, we will not build on top of it, there is road crossing it, but there are not homes on top of it. Joseph Boldaz does that pipe decrease in diameter as it crosses 322. Greg Poff, it increases. It's a twenty-four inch pipe under 322 and it's a six footer across our property.

Joseph Boldaz, what are you doing with that open hole. Greg Poff, we are not touching it, it will be engineered around. John Cassels the density went up. Greg Poff, we like to look at it on a whole, that's how the BOS ended up looking at it, we started with two hundred residential and sixty thousand feet of commercial. Our applications were hundred seventy eight residential and just over forty thousand of commercial was approved. The density is reduced. It used to be much more dense in the central core and its been spread out to provide more open area through out this community. John Cassels, relieve is requested for section 200-175 b 1 & 4. Increase the maximum density from three to 4.1 units. Greg Poff that is in the R3 district that was approved under the Conditional Use. There was a number of areas of latitude that the BOS could exercise in the process and those are listed with the complete Conditional Use order on the plans.

Cathy Keegan, 139 Culbertson Run Road, I am not looking forward to seeing some two-hundred some cars on Culbertson Run Road either. I don't allow my kids to get the mail now.

Where will the proposed pumping station on Culbertson Run Road be located. Greg Poff, its where Culbertson Run crosses Culbertson Run Road that's the general location. Mr. Rambo, it will be on your neighbor's side. Greg Poff, most of it will be under ground. Hopefully we will be getting more details and will have more answers.

Mary Dodds, 31 Ponds End Drive, I am at the cul-de-sac, when I look out my front door I now look at the pond. With the proposed development, I will be looking at the back of townhouses. My neighbor's property abuts the townhouses, the deck that they built will be right up with the decks of the townhouses. For two years I searched for a property, I never expected to walk out my door and be able to spit on a townhouse. John Conti, what did you expect to happen to that property. Mary Dodds, single family dwellings. Steven Jakatt, we have singles right now on 322 that people want to turn into doctors offices. Mary Dodds, he is not putting townhouses on 322 he is putting them in our yards. They are killing our look and enhancing there front. Of course people will live there, they will have a beautiful community of single homes. Its not doing anything for the people who are paying taxes now. Its defeating the enjoyment of our homes. Greg Poff, we will comply with the landscaping requirements and berming. The minimum setback in that district is only twenty feet and we are exceeding that, its back to the thirty-foot minimum. Mary Dodds, how do you get a buffer of a berm high enough in a thirty foot distance that we don't see the townhouses. Greg Poff, I am not saying you won't see the townhouses, I am saying we will comply with all the regulations to provide a satisfactory buffer. Mary Dodds, we want the majority of the landscaping not at the front entrance of the townhouses but at the property line where they abutt all of us, the community. What is the lighting going to be in the community. John Conti, they will have to comply with the lighting ordinance. Mary Dodds, will our yards now be lit up with lights shining in our windows. John Cassels, regulations specify point one candle for the perimeter of the property. Mary Dodds, who will regulate floodlights

on the back of the townhouses. John Cassels, I understand the Township will be purchasing light meters to measure the intensity of lights. John Conti, floodlights have to be aimed down, and can't be aimed out, there are restrictions. New construction has to comply with these regulations. Greg Poff, I am not sure how much lighting we have on the plan today, I can answer that next month. Kim Hoopes, you can assume there will be security lighting for the commercial section. Greg Poff, there is some lighting in a community of this nature. You have guest parking, and some areas that need some lighting. It will be done in a tasteful and non-disruptive manner. John Conti, are you assuming there will be more lighting being they are townhouses.

Mary Dodds, I came from a townhouse I know what the lighting is like. Is the sewer system being expanded for the capacity of Cross Creek being tapped into it. Greg Poff, we are providing an allowance for the number being used in the treatment portion of the plant. We are not providing disposal area, only treatment capacity. Eighty-five units are reserved for Township use. Mary Dodds, it's my understanding the homeowners in Cross Creek will be responsibly for the installation of the sewer pipes. Mr. Rambo, if public sewer were required there, yes. Mary Dodds, is the Culbertson Run Road the only location your thinking of. Greg Poff, if easements can be obtained that would permit that, we would find another point on our site and then pump around Cross Creek. The problem with doing that, it makes it more costly for the people in Cross Creek should they ever want to get into the system.

Greg Poff, the traffic study includes both submissions and they have also included any proposed development in surrounding communities. Proposed start dates, sometime next year for this one and Swinehart.

Question was asked if townhouse owners would be allowed to put decks on the back bringing it even closer to the houses. Greg Poff, the setbacks cannot be infringed upon. The required setback for that district is only twenty feet, we are at thirty. There will be limitations on any exterior changes and will have to go through Township scrutiny. Greg Poff, there will be a homeowners association.

Dorsey Cataldo, 225 Creeks Bend Drive, can you tell me what the setback is in my area. Greg Poff, you are on the R3 side only, and the setback is fifty feet. Dorsey Cataldo, questioned the keeping of some of the established trees. Greg Poff, I can almost pledge to you, we go out of our way to save trees. I will send someone out there to look at the situation. Greg Poff asked if she could mark the trees in question.

Greg Poff, this special study is a very important part of our progress. We expected some discussion on it this evening. I hope to see some discussion on this next month. We received comments from the Chester County Planning Commission, and expect to hear from the Health Department shortly. We have a third project, we will not be coming in with it anytime soon, being the Beaver Creek submission. We worked out an agreement with the BOS through the Conditional Use Order to delay that one.

John Cassels asked for a motion. Steven Jakatt motioned to table the plan, Anita Ferenz seconded the motion with all members in favor.

Sketch plans, John Conti recused himself at 10:30 to present the sketch plan for property located at route 340 & 82. John Conti we will be coming in under the historic ordinance of the mixed-use development. We have the old Brandymore Inn building, and the barn that will be restored. This building here (reference dwg) is the stable, this will be moved. There is one new building proposed in the back. Entrance & exist will come in off of 340, as it stands that may change. The only thing that does not comply under Conditional Use, the BOS can wave it, there is a minimum of twenty-five percent increase of square footage of the Historic building unless the developer can show he is not harming the integrity of the building.

That's has been my business for about thirty-five years, I don't think I will be having a problem with that. I restore and reproduce eighteen-century buildings all over the county. We are confident that anything we add onto the historic buildings will improve the integrity of the building. This is the addition (referenced plan), this is two thousand nine hundred seventy six square feet. I have not designed anything as yet. This is very preliminary. Right now we are doing a bog turtle study. I may decide to do it in phases, we also may decide to put the new

building here (referenced plan) and move the stable here. We have tried to adhere to the Township ordinances. Not only is this an historic area, but it's a scenic view. All parking areas are in the back for the exception of one. We are asking some relief on the landscaping, besides the square footage. We do not want to hide any of the buildings. A lot of time and money will be spent restoring them. We would like to keep the landscaping in the back (referenced plan) rather than any in the front except for in front of the parking lot. The barn will be restored, the way we have it now we have an addition on the front and the back, I am not sure I will put the addition on the front. I would like to see this become a restaurant. We do not have any tenants as yet, we have someone interested in putting in a pharmacy, we had a mom' pizza inquiring, and a landscaper who would utilize the barn. We also have someone interested in putting in a Star Bucks. All the buildings have to be two story buildings because it's a historic area, they will all look eighteen-century. I think it will attract that type of client. It's going to be heavily restricted as far as the exterior, the lighting, signage and everything else. We want it to look like an eighteen-century village. The second floor may be used as rental space, depending on the sewage if we can get the capacity. I am not sure if I will doing the building, I will do the design. If it takes two years, I may be forced to sell it to someone else to do the building. I would like to do the building myself, to own it and lease it. It depends on a bank giving me enough money to do it. Kim Hoopes, if you decide to restore the building then sell it, are you saying these other buildings may not be built. John Conti, if done in phases we will do the main house and barn and the one building here (referenced plan) I might phase out this back section with this large parking lot and the one new building depending upon how it goes. It will probably be presented in two phases. I would like to see the parking areas in gravel, I would like to keep curves out of it. We would have to pave the roads going in, but I would like to do this in gravel and do something different as far as the edging around the curb line to keep in line with the eighteen century look. John Cassels, it would be nice to keep the uses in that same view. John Conti, there is a cabinet maker that might be interested. Lighting would be kept at a minimum. This sketch plan was presented to the BOS. Mr. MacCombie prepared this plan and being he is the Townships engineer we will need to choose another firm to draw up the plans. Once that is resolved we can start the Conditional Use Process. The Board thanked John Conti for his time.

Conditional Use Application – Costa Homes Inc. – to allow public water service outside the public water overlay district for a proposed single family residential development. The applicant is looking for a recommendation to the BOS to set up a Conditional Use Hearing date. John Cassels asked for a recommendation. Kim Hoopes recommended sending the Costa Homes application to the BOS so they can schedule a Conditional Use hearing date to allow public water service outside the public water overlay district for there proposed single family residential development on Swinehart and Beaver Creek Road, Steven Jakatt seconded the motion with all members in favor.

Public Comment – Resident, in reference to a lighting test for the City of Coatesville – We appreciate the planning commission, Ron & the BOS in this endeavor. We will continue to push for those light standards below the tree lines. If that means that the Coatesville economics of building the facility increases the number of light standards, then so be it. It's going to help our economics of where we live. Their front yard is my back yard.

General Discussion – Proposed Zoning Amendments- After a brief description of the proposed amendments, Ronald A. Rambo asked that the Planning Board have comments to the BOS at there next meeting.

Meeting reminders were read, the next Planning Commission Meeting is scheduled for Thursday, March 25, 2004.

John Cassels, requested a motion to adjourn. Steven Jakatt motioned to adjourn at 11:10 p.m., Kim Hoopes seconded the motion with all members in favor.

Joann C. Ranck
Planning Commission Secretary