

Meeting Minutes of October 2008 Planning Commission Meeting

The West Brandywine Township Planning Commission meeting of October 23, 2008 was called to order at 7:35 p.m. Anita Ferenz led the members in the pledge of allegiance. Members in attendance were John Cassels, Chuck Dobson, Anita Ferenz, Steve Jakatt and Bob Schini. John Conti and Kim Hoopes were absent.

Action on Minutes of Previous Meetings

Acceptance of September 25, 2008 minutes. Steve Jakatt motioned to accept the minutes of September 25, 2008. There is one correction; the last sentence reads, "It is one of the most extension ones he has ever seen." I believe that word is supposed to be "extensive". John Cassels seconded the motion. All members who were in attendance at the September meeting voted in favor of the motion to accept the minutes.

Correspondence/Communications (information to note or discuss under plan reviews)

There is a workshop for the Governor's Center for Local Government Services Training Program Planning Series in Chester County - December 4, 2008. If someone wants to go, let Donna know.

There was a review of correspondence by Planning Commission members. Everything is developer related. There was nothing in the correspondence that would not be discussed during Old Business.

Public Comments (Individuals requesting to be put on the agenda)

Old Business

Brandywine Meadows (GenTerra Corporation), 49-lot Preliminary Subdivision Plan (BM-GC/07/27/06PSP) prepared by Bursich Associates, Inc located on the north side of Highspire Road. Clock starts on Thursday, July 27, 2006 and continues until Friday, January 16, 2009. They are currently working on addressing issues regarding storm water. There were no representatives in attendance. Steve Jakatt motioned to table. Chuck Dobson seconded the motion. All members in attendance voted aye.

Beaver Creek, Beaver Creek Realty Associates LP, Preliminary Land Development Plan (BC/060607/PLDP), prepared by Nave Newell, located Horseshoe Pike across from Highspire Road. Clock starts on Thursday, June 28, 2007 and continues until Thursday, February 5, 2009. Beaver Creek is 256 apartments. Ron Rambo stated that Beaver Creek Realty Associates LP is currently talking to the Municipal Authority with regards to the sewer. There were no representatives in attendance. Steve Jakatt motioned to table. John Cassels seconded the motion. All members in attendance voted aye.

Brandywine Manor (Eck Property) Harlan Corporation - 10 Lot Preliminary Subdivision Plan (BM(Eck)/080307/PSP), prepared by Edward B. Walsh & Associates, Inc, located on Germany Hollow Road. Clock started Thursday, August 23, 2007 and continues until Monday, December 29, 2008. There were no representatives in attendance. Ron Rambo stated they have submitted revised plans and have officially withdrawn

their request to have a cul-de-sac waiver. They are putting in a proper length cul-de-sac, modifying lots and finishing their perc tests. John Cassels motioned to table. Steve Jakatt seconded the motion. All members in attendance voted aye.

Pulte Homes of Pennsylvania, L.P./Del Webb at Applecross – An Active Age Community -- Final Subdivision and Land Development Plan (PHAAC03/01/07FSP), prepared by Horizon Engineering Associates, LLC, located on East Reeceville Road. Clock starts on Tuesday, December 18, 2007 and continues until Thursday, January 15, 2009. There were no representatives in attendance. Ron Rambo stated they are in the process of working with the Conservation District and issues regarding stormwater management. Chuck Dobson motioned to table. Steve Jakatt seconded the motion. All members in attendance voted aye.

Herbert J. & Helen M. Mosteller Minor Subdivision and Land Development – (Mosteller/070808/MSDLDP), prepared by Berger & Hayes – Stapleton & Leisey, located 507 Hibernia Road, Coatesville, PA. Clock starts on Thursday, July 24, 2008 and continues until Tuesday, January 20, 2009. There were no representatives in attendance. Ron Rambo stated they are in the process of addressing the Engineer's comments. Bob Schini motioned to table. John Cassels seconded the motion. All members in attendance voted aye.

Cycle Max – Preliminary Title Plan – Proposed Self Storage – (CYCLEMAX072208LDP), prepared by DL Howell Civil Engineering & Land Planning, located at 1816 Horseshoe Pike, Honey Brook, PA. Clock starts on Thursday, July 24, 2008 and continues until Tuesday, January 20, 2009. Ron Rambo stated they are addressing the Engineer's comments and the Conservation District. Chuck Dobson asked whatever became of the parcel issue? Ron Rambo responded that it is a single parcel. Bob Schini motioned to table. Steve Jakatt seconded the motion. All members in attendance voted aye.

New Business

Sketch Plan Submissions

Conditional Use Hearing Submissions

Public Comments (individuals not requesting to be on agenda)

General Discussion by Planning Commission

Steve Jakatt mentioned that Brandywine Meadows will have been on the docket in January for 2 ½ years. At what point do we finally say it has been too long? Ron Rambo stated that as long as they are actively pursuing the engineer's comments it is difficult to say no to a request for an extension.

Regarding the official map of Honey Brook Township (letter dated September 25, 2008) – Is Honey Brook going to share their official map with us? Ron Rambo stated we have the map here for review.

John Cassels advised that the Planning Commission met to look at different sections around the Township to look at lighting, etc. We did not see a huge problem. We did see some point sources that were pretty bright. Bob Schini noted other properties when you were on them looked possibly too bright, but when you get away, you don't see them. John Cassels stated the big issue is whether something is needed in place to protect the rights of neighbors. Steve Jakatt thought the real issue is do we recommend to take the ordinance out of subdivision and put it in zoning? Are we willing to recommend that? Bob Schini asked if there is any protection under the nuisance ordinance? What recourse is there? Ron Rambo stated that an individual has the right to enforce the ordinance. How does an individual enforce seeing how it is not an ordinance? Ron Rambo stated that they enforce the section of the ordinance. It is in the Township code not the ordinance. The individual can take the issue to court. Chuck Dobson said if the ordinance is silent on individual residential uses, then the Township has nothing to enforce. Unless there are ascertainable rules that can quantify and enforce in individual residential use then the Township is stuck in a position where they really don't have anything to enforce so therefore there is no recourse. Nothing will be decided tonight. The long term of the Township's _____ that's the goal. Discussion continued with members of the planning commission, Josef Obernier and Ron Rambo regarding lighting.

Meeting Reminders

The Board of Supervisors meeting is changed to Wednesday, November 5, 2008 at 7:30 pm.

Adjournment

At 8:50 p.m. Steve Jakatt motioned to adjourn the meeting. John Cassels seconded the motion. All members in attendance voted aye.

Donna Jones
Planning Commission Secretary