

**PLANNING COMMISSION RE-ORGANIZATIONAL MEETING  
THURSDAY, JANUARY 27, 2005**

The West Brandywine Township Planning Commission re-organizational meeting was called to order at 7:06 p.m., John Cassels led the members in the pledge of allegiance.

Those members in attendance were; John Cassels, Kim Hoopes, Steven Jakatt, Bob Schini, Joseph Boldaz and Anita Ferenz.

John Cassels asked for nominations for Chairman. Kim Hoopes nominated Bob Schini, Steven Jakatt seconded the motion. Steven Jakatt nominated Anita Ferenz, Bob Schini seconded the motion. Individual poll of the Board was then taken. Bob Schini voted for Anita Ferenz, Kim Hoopes voted for Bob Schini, Steven Jakatt voted for Bob Schini, Joseph Boldaz voted for Anita Ferenz, John Cassels, voted for Bob Schini. Bob Schini won the vote for Chairperson. Bob Schini thanked the Board.

John Cassels asked for nominations for Vice-Chairman. Bob Schini nominated Anita Ferenz, Joseph Boldaz seconded the motion. Steven Jakatt nominated Joseph Boldaz, Kim Hoopes seconded the motion. Individual poll of the Board was then taken. Joseph Boldaz voted for Anita Ferenz, Kim Hoopes voted for Joseph Boldaz, John Cassels voted for Joseph Boldaz, Steven Jakatt voted the Joseph Boldaz, Bob Schini, voted for Joseph Boldaz, Anita Ferenz voted for Joseph Boldaz. Joseph Boldaz won the vote for Vice-Chairperson. Joseph Boldaz thanked the Board.

Nomination for Planning Commission Secretary, Steven Jakatt nominated Joann C. Ranck, Kim Hoopes seconded the motion with all members in favor.

John Cassels requested a motion to adjourn the re-organizational meeting. Steven Jakatt motioned to adjourn at 7:13 p.m; Kim Hoopes seconded the motion with all members in favor.

The West Brandywine Township Planning Commission meeting was then called to order at 7:14 p.m., Bob Schini led the members in the pledge of allegiance.

Those members in attendance were; John Cassels, Kim Hoopes, Steven Jakatt, Bob Schini, Joseph Boldaz and Anita Ferenz. John Conti took his seat on the Board at 7:33 p.m.

Bob Schini asked for acceptance of the minutes for the December 21, 2004 meeting, Steven Jakatt motioned to accept the minutes and to submit any changes to the Planning Commission Secretary within one week. Kim Hoopes seconded the motion with all members in favor.

Public Comments: N/A

Bob Schini reviewed correspondence sent to the Board that was not related to the submission of any plans. Board members should contact the planning commission secretary in reference to any seminars they would like to attend concerning recent flyers. Caln Township zoning map correspondence was briefly discussed.

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 Friday, Tuesday, March 29, 2005. No representative was present. Bob Schini asked for a motion. Steven Jakatt motioned to table the Schnatz & Rohrer Landscaping Preliminary/Final Land Development Plan (00-05-SCHROH), John Cassels 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 representative was present. Bob Schini asked for a motion. Steven Jakatt motioned to table the plan and John Cassels 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.

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. Clock started Thursday, May 22, 2003 and continues until Wednesday, February 9, 2005. No representative was present. Bob Schini asked for a motion. Steven Jakatt motioned to reject the City of Coatesville Golf Training Facility – Preliminary Land Development (03-01-CCGTF) based on Mr. MacCombies review letter dated December 20, 2004 concerning the following issues. Zoning Ordinance, Section 207-107.E.9, Subdivision and Land Development Ordinance Section 167-64D, Section 167-65B(2), Sections 167-65C(1)(b) & (c), Section 167-65-B(3), Section 167-66.D.3h, Section 167-66D.3.f and Section 167-23C(3)(g). Erosion and Sedimentation Control; Section 167-25D(6), Storm Sewer Design; Section 167, 24C(2)(b)[7], Road Improvements, Section 167-67.C. Kim Hoopes seconded the motion will 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 Thursday, January 6, 2005. Scott Emerson was present who stated they have just received the review letter from Mr. MacCombies office and are in the process of review them and will be back next month for recommendation. Letter of extension has been received by the Township. Bob Schini asked for a motion. Joseph Boldaz motion to table the Balderston Family LTD Partnership/Swinehart Realty Associates LP – Preliminary Subdivision Plan, Steven Jakatt 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 Thursday, January 6, 2005. Scott Emerson was present who stated they have just received the review letter from Mr. MacCombies office and are in the process of reviewing them and will be back next month for recommendation. Letter of extension has been received by the Township. Bob Schini asked for a motion. Joseph Boldaz motion to table the Culbertson Realty Associates LP – Culbertson Village – Preliminary Subdivision Plan, Steven Jakatt seconded the motion with all members in favor.

St. Peter's Church – Preliminary Subdivision & Land Development Plan (04-06-PTCHURCH)– Proposed Catholic Church – Prepared by Nave Newell, Inc., located at Beaver Creek Road & Route 82. Clock started Thursday, March 25, 2004 and continues until Monday, March 4, 2005. Representative present was Greg Newell, who stated several weeks ago revised plans were submitted to the Township that addressed Mr. MacCombies review letter from late November 2004. There have been some changes to the landscaping and some technical issues have also been taken care of. The plans show

widening along our frontage at Beaver Creek Road; the primary area is where the Rectory is going. Pictures of landscaping abutting the adjoining property were taken. The area is dense as it stands but some areas required the addition of evergreens. This is shown on the plans. We are coordinating the cross easements between the Coatesville Catholic School and the Church. The Planning process is ongoing. It's our goal to come back to the Board and talk about preliminary approval. The PennDot application is being handled by the school

Joseph Boldaz, the sewerage from the church, will that go into the drip irrigation system for the school. Greg Newell, that's correct, we are two collection systems combined. This will be a shared system located east from the recreational fields. The ideas for re-forestation of riparian areas. The area behind the rectory has some wetlands. Our proposal is not to re-forest because it is a farm area on the buffer. We are not touching that area at all. A sufficient portion of the property, if you are familiar with the school and the church take up a small area of a much larger property, which meets imperious converge criteria. A sufficient portion of that will remain farming. The primary development activity is on the western side of the property. On the far eastern side, Father will locate his rectory. (dwg was referenced at this time) All this area back here will not be changed. The area will remain an active farm field. Steven Jakatt, that area contains the drip irrigation field, can you farm over that. I don't know for sure, but whatever Jeff Miller says we are allowed to do is what we will do. I am sure as part of the approval process there has to be an operation of maintenance manual created not only for the treatment area but also for the actually drip field. Submission to the Conservation District for their review has been submitted.

John Cassels asked if there was a waiver required for 167-64.B for reforestation of the buffer. Greg Newell, I will have to check with my office, and get back to the Board. We will be submitting waivers within the next week. Bob Schini asked for a motion. Steven Jakatt motioned to table the St. Peter's Church – Preliminary Subdivision & Land Development Plan, John Conti seconded the motion will all members in favor.

Susan B. Maes Property – Minor Two Lot Subdivision (04-08-MAES) – Proposed two-lot subdivision, Prepared by Bursich Associates, located at Highspire Road. Clock started Thursday, October 28, 2004 and continues until Wednesday, January 26, 2005. Representative present was Chuck Dobson who stated the discussion at November's meeting was concerning waivers and the possibility of recommendation. We have re-submitted a plan that has addressed all of Mr. MacCombie's outstanding issues. I would like to ask the Planning Board for a recommendation. Susan Mayes and her representative have reviewed the plans twice. They understand where everything is and have no problems with the plan.

Kim Hoopes is there anything further down the line concerning these two lots. Chuck Dobson, the waivers asked for, your ordinance requires that a minor subdivision plan cannot go through further subdivision. John Conti, your looking for approval of just the subdivision of the two lots. This plan also mentions 75 town homes. Chuck Dobson, its done for reference only, in order to back up the waiver request that we have. It was done on the recommendation of the Township Engineer.

Steven Jakatt, the plan states it combines six parcels into one, subdivide that into two lots. There will be further subdivision of lot 2 into 75 townhouses and one open space parcel. This plan is prepared at the request of the Planning Commission and is not proposing any improvements to lot one or two at this time. John Cassels, the Planning Board was in favor of recommending to the BOS's the waiver request. We were also ready to recommend approval of the plan. Mrs. Mayes' attorney did ask for

more time. Chuck Dobson has provided cad file concerning this property in our Comp Plan update process. We now have all the GIS files, and can do mapping at a much higher level than we had before. I would like to review this with the Planning Board after the meeting.

Bob Schini, if someone would like to make a motion, that we recommend approval of this plan basing our approval that this plan is not a representation of the final subdivision of Lot two I feel this could be an acceptable motion.

Josef Obernier, my understanding at the BOS's meeting, there were some notes on the bottom of the plan that refereed to further subdivision of lot one where the house and fields are. It was the Boards understanding that would not happen. The second issue for the Board was the pasture area or perhaps all of the area of parcel one was going to be counted as part of the open space for the development of lot two. The compromise trade off was to ask, could you bring back an understanding what the build out would be on lot two, and change the drawing notes about lot one to say no further development. It was not clear to me the end result of those notes.

Kim Hoopes it's my understanding lot one will not be able to be subdivided further. John Conti, should the deed restriction be added to the plan. Chuck Dobson, I can add that to the plan. John Cassels will the deed get into the fact its open space for future development. Chuck Dobson, the deed can get into whatever it needs to get into. Kim Hoopes, that is not going to be open space for the other development, they are just using the calculations for that. Josef Obernier, that's part of the problem. If that land is going to be under homeowner association, who would be paying the taxes. Are they going to have access to the land. It's our understanding no they won't have the access, they would just be able to look at it. That's why there was to be no further development of that ground. Chuck Dobson, Mrs. Maes will own this lot, it's not something the homeowners associations would pay taxes on, but the ordinance does allow for restrictions to be placed on the lot

Bob Schine, I would like to move this process along and ask the Board for a motion.

John Conti motioned to recommend approval of the Susan B. Maes Property – Minor Two Lot Subdivision, to the Board of Supervisors with the following conditions; Referring to Dwg FT102019 – the lasted revision date of December 17, 2004, and upon condition of approval of the six waivers requested. Include on the plan a note indicating the deed restrictions on lot one which should state no further subdivision and a clean review letter from Mr. MacCombie. It is understood there will be further subdivision of lot two. Steven Jakatt seconded the motion with all members in favor.

Ridings of Hibernia – Final Subdivision – (04-09-RIDHIBA) – Prepared by Vollmer Associates LLP - Proposed 92 lots, located at the intersection north of Lafayette and Hibernia Road. Clock started Thursday, October 28, 2004 and continues until Wednesday, January 26, 2005. No representative will be present. Ron Rambo stated Mr. MacCombie and himself met with the applicant yesterday to go over issues and they will be submitting new plans. Bob Schini asked for a recommendation. John Cassels motioned to table the Ridings of Hibernia – Final Subdivision, Kim Hoopes seconded the motion with all members in favor.

Coatesville Area Regional Catholic School – Final 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, December 21, 2004 and continues until Sunday, March 20, 2005. No representative was present. Bob Schini asked for a recommendation, Steven Jakatt recommended tabling the Coatesville Area Regional Catholic School – Final Subdivision & Land Development, John Conti seconded the motion with all members in favor.

First under new business, Stephen B. Janiec – Final Minor Subdivision Plan (05-01-JANBLD) Three lot subdivision, located at 1639 Horseshoe Pike. Prepared by EB Walsh & Associates. Clock started Thursday, January 27, 2005 and continues until Tuesday, April 26, 2005. Representative present was Stephen Janiec, who stated the Conditional Use has been put on hold for a year. The BOS's and myself seem to be agreeable with most issues concerning the Conditional Use. The only holdup is the sewers. We don't know what we are doing with sewers as yet. We would like to subdivide off the commercial portion of this piece of the overall tract into three lots, which is the same plan in the Conditional Use Hearing. We are going to tie this subdivision in with a conditional use hearing, which we are proposing to open up in March 2005. We will not be seeking final approval of this plan until the conditional use hearing is completed. We have two acre lots that we are proposing rural mixed use zoning. Mrs. Zachary is the owner of the one-acre lot. It's a lot line relocation, and the main subdivision is off the larger piece. One of the issues that came up at the conditional use hearing, is that we needed the two acres to meet the zoning.

Mrs. Zachary has been extremely patient; this has been going on a long time, waiting for sewers. She would like her lot squared away, I could relocate her trees, which is only the original border, and she is worried about the trees getting too big.

The front of Mrs. Zachary's property will be rural mixed use and the back will be residential. We want to tie this all in with the conditional use hearing. Kim Hoopes, so your looking to subdivide Mrs. Zachary's and your commercial piece. Stephen Janiec, it's a three-lot subdivision, with the bigger piece being one of the lots. Bob Schini asked for a motion, Steven Jakatt motioned to table the Stephen B. Janiec – Final Minor Three Lot Subdivision Plan, John Cassels seconded the motion with a members in favor.

Discussion of Ordinance NO 05-01 – Kim Hoopes, at a surveyors conference they suggested a maintenance agreement of five feet from the neighbors. Ron Rambo, most people put up a fence because they don't like their neighbor, how would you get a maintenance agreement.

Kim Hoopes, if it was to go up to the line, then they have to obtain a five-foot maintenance agreement, if not they have to keep it back to two feet. John Cassels, who would cut the grass on the other side. Ron Rambo, it's still your property your responsible for the two feet. Bob Schini, if the line has been surveyed this ordinance would allow the fence to be on a surveyed line. The homeowner who erected the fence has no maintenance responsibility on the other side of the fence, being his neighbors' property. Joepf Obernier, should that fence every require repair, how do they maintain it. Bob Schini, how would the fence be installed. John Conti, if this ordinance creates more questions and more problems why do we need the ordinance. Ron Rambo, its felt by some that there is a problem now. If the ordinance does not work as it is, it will be amended again. If you look at Ashberry Subdivision, that abuts Beachwood Campgrounds.

They build planting mounds and put six foot high fence right on top of it. Josef Obernier, they complained it was too much to buffer and they asked for a waiver for the buffer. Ron Rambo, you have Beechwood Campgrounds, you have the ten foot and you have a fence, how to you get back there to maintain it. Joseph Boldaz, it seems the more restrictions you put into an ordinance the more restrictions you find buried in there. Ron Rambo, asked that the planning board, to come to the hearing to express there opinion. You could also submit your comments and I will read them to the BOS'S as part of the hearing.

John Conti motioned to oppose the adoption of and part of the Ordinance 05-01 for the exception of the political sign section, the temporary view point sign section and temporary political signs. Josef Obernier, read how its written , do you really want to relegate someone's opinion. Do you want to tell a

resident what they can or cannot put on a sign. I think with political signs they have to come down a week after the elections, do you want to regulate that. John Conti, I don't want to have to regulate or tell people what they can or can't put on signs. John Conti, I make a revised motion that we don't adopt any of the revisions to Ordinance 05-01. Bob Schini, John Conti moves that we express the opinion of the planning commission to the Board of Supervisors that we believe they should not adopt Ordinance 05-01, do I hear a second. No board member seconded the motion. I feel that all members should attend the BOS's meeting to express your opinions concerning this ordinance.

John Cassels, concerning the GIS data I have. The data is one of the things that have come out of the Comp Plan update. The subdivision that Chuck Dobson presented tonight, you can see all the other environmental features around it.

Ron Rambo, before you go to too much trouble, why don't you get a template work of the comp plan task force in the hope that the BOS's will concur with the utilization. If the comp plan is not adopted, you don't use it. This information is not in the old comp plan, unless the new comp plan is adopted as drafted and presented it does not become a tool.

John Cassels, we have some layers here like land use assumptions, but we also have soils data, that's all public data. Ron Rambo, you just can't refer to it as being part of the comp plan. John Cassels, just to go over some of the things that are on here, flood plains, all the woodlands mapped and classified according to the comp plan. We have slopes that are in the forest, forest interior which is important habitat. You have hydric soils, the water sheds all delineated, including headwaters, wet lands. Riparian buffers.

Ron Rambo, it will be a beneficial tool once the comp plan is official adopted. John Cassels, are you saying this should not be used until its adopted. Ron Rambo, it should become official first. Josef Obernier suggested John Cassels present this tool at the BOS's meeting. John Cassels ask that Ron Rambo add him to the next BOS's meeting agenda. Ron Rambo, one of the Boards recommendations should be your planning commission will be presenting a new tool for possible use at Planning Commission meetings.

Josef Obernier asked the Board to attend the BOS's meeting on February 17, 2005 to express there comments concerning the Ord. 05-01 concerning the two different parts of the ordinance, one part concerning fences and the other opinion and political signs.

Bob Schini requested a motion to adjourn. Steven Jakatt motioned to adjourn at 9:24 p.m.; John Cassels seconded the motion with all members in favor.

Joann C. Ranck  
Planning Commission Secretary  
MinNov04