

Meeting Minutes of March 2009 Planning Commission Meeting

The West Brandywine Township Planning Commission meeting of March 26, 2009 was called to order at 7:40 p.m. Chuck Dobson led the members in the pledge of allegiance. Members in attendance were John Cassels, John Conti, Chuck Dobson, Kim Hoopes, and Bob Schini. Anita Ferenz and Steve Jakatt were absent.

Action on Minutes of Previous Meetings

Acceptance of February 26, 2009 minutes. Kim Hoopes motioned to accept the minutes of February 26, 2009. John Cassels seconded the motion. A motion made and seconded. There was no discussion. All members who were in attendance at the February meeting voted in favor of the motion to accept the minutes.

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

Chuck Dobson noted there are several items under Correspondence/Communications. Item E from George Harlan is an extension request. Under Township Manager Correspondence/Communications there is an acceptance of a letter of extension for the Mosteller Subdivision Plan and the Board also approved the request for the Harlan extension.

Public Comments (Individuals requesting to be put on the agenda) No Public Comments

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, April 17, 2009. Robert Smiley, Consultant for GenTerra was in attendance. A review letter has been received. However, we have not had a chance to respond. The Township has acknowledged that several significant positive modifications have been made. The majority of the comments are requests for additional data, some minor corrections, clarifications, and evaluations. There are several design related issues that have to be resolved. The project engineer has managed to implement all modifications without appreciably changing the design, modifying roads, that type of thing. The landscaping has been determined to be acceptable subject to a couple minor modifications. It is concluded that the revisions to the Act 537 plan which is necessary to connect the public sewer and the resolution of waivers are the primary factors affecting the project's ability to obtain preliminary plan approval. Chuck Dobson asked the status of the Act 537 plan that is tied into Coatesville. Robert Smiley answered that it has been amended but contingent on the regional plan and it is DEP's approval on that. Ron Rambo commented that we received PA American Water Co regional plan. Each municipality must review the plan. Our mapping is complete. Jim MacCombie is getting all the verbiage together so that our plan is consistent with what we told them. DEP will approve each municipality individually. It is anticipated that it will be up and running January 2010. Discussion continued as to a timeline. At the request of the Planning Commission, Robert Smiley issued an extension letter from April 17, 2009 to July 17, 2009. John Cassels made a motion that the BoS accept the letter of extension. Kim Hoopes seconded the motion. A motion was made and seconded. All members in attendance voted aye. John Cassels motioned to table. Kim Hoopes seconded the motion. A motion was made and seconded. 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, July 27, 2009. Andrew Eberwein was in attendance. A review letter has been received from MacCombie's office. Referring to the letter, there are many issues to be addressed, however they appear they are related to final plan. The only thing left to be resolved on the preliminary plan is the reduction of the perimeter landscaping and support of that. Planning modules are in process and so is the Conservation District. The Conservation District approval is expected in a month or so.

A discussion began regarding landscaping. The Supervisors have the ability to not require doing a certain amount of landscaping when you have huge buffers along the properties. It is something you are allowed to do. It is not an official waiver. It is something they do by virtue of plan approval. Discussion continued referring to the plan. The lengths of the borders are tallied. The biggest one in question is the border between lots 4, 5 and 6. There is 16 acres of woods that is owned by Eck and will be in a permanent conservation easement managed by NALT so it is never going to be anything but woods and wetlands. It is suggested that we should not have to do the buffer here (as pointed out on the plan) and not have to escrow for that. That is not what has been asked for. Discussion continued. Chuck Dobson stated that the position the Planning Commission has taken is escrow for what is required. Andy Eberwein stated that there are notations on the drawings. We are not asking for this to be considered relief of any kind. Along this property line and along here (shown on plan) where it is wooded and along the frontage where it is wooded, we are not proposing to put trees. There are extensive woods there. We may be some trees that get planted. You really can't tell until it is built on where to place them. All the trees shown on the plan will be planted and the perimeter buffer between this subdivision and the Brandywine Manor House property will get planted. Discussion continued. It was suggested that all trees for planting be noted on the final landscape plans. Chuck Dobson asked if applicant was asking the Planning Commission to provide a recommendation to the Board that they act in one way or the other regarding the actual need for the landscaping. Andy Eberwein responded that he is asking to consider preliminary plan approval. John Conti stated that normally we are not going to recommend for approval until the issues are addressed. Chuck Dobson noted that if this Board was so inclined, we would have to opine about the landscaping, opine about the waiver requests. Andy Eberwein said there are no waiver requests. John Conti motioned to table until MacCombie's letter of March 17, 2009 is addressed. John Cassels seconded the motion. A motion was made and seconded. Four members voted aye. Kim Hoopes voted nay. It was his feeling that the plan could have been sent on with preliminary approval.

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 Friday, July 17, 2009. There were no representatives in attendance. Kim Hoopes motioned to table. John Cassels seconded the motion. A motion was made and seconded. 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 Monday, July 20, 2009. Herbert Mosteller was in attendance. There was no representative from the engineering firm. They are waiting for MacCombie's review letter. Chuck Dobson stated that the Planning Commission saw the drawings in pretty good detail in January where as there was a question raised about the acceptance of the existing and the need to apply additional buffering. Mr. Mosteller has the situation that there are very large trees on the border. Discussion began. The Planning Commission is waiting for the review letter from the Township Engineer. Mr. Mosteller asked about the proposed hiking trail that was part of the stream noted on the County map. Relative to the hiking trail, there were discussions at the meeting when the sketch plan was presented. The property does have the trail running through and along the creek. From the plans it is seen running down the middle of an 8-acre parcel. The property does not touch the railroad bed or the creek. Discussion continued regarding the trails and the property. Kim Hoopes made a motion to table. John Conti seconded the motion. A motion was made and seconded. 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 Monday, April 20, 2009. There were no representatives in attendance. Still waiting for the determination if the property is considered one or two lots. There is no new information. John Cassels motioned that unless a letter of extension is received from CycleMax or DL Howell Engineering & Land Planning, the Board of Supervisors consider rejecting the plan based on the Township Engineer's letter dated August 19, 2008 which states some deficiencies in the Zoning Code – Use Regulations – Section 200-44B(6); Bulk & Area Standards – Section 200-45; Parking – Section 200-101 & 102; Visibility at Intersections – Section 200-103; Vehicular Access & Traffic Control – Section 200-104; Interior Circulation – Section 200-105; Landscaping – Section 200-107 & 108; Storage – Section 200-109; Lighting – Section 200-110; Performance Standards – Section 200-111; as well as Subdivision and Land Development Regulations – Preliminary Plan Standards – Section 167-23C; Site Analysis – Section 167-26; Sewage Disposal – Section 167-57; Water Supply – Section 167-58; Monuments & Markers – Section 167-56; Easements – Section 167-60; Stormwater Management – Section 167-61; and Erosion & Sedimentation Control – Section 167-25. Kim Hoopes seconded the motion. A motion made and seconded. All members in attendance voted aye.

New Business

Revised 2-Lot Subdivision Plan for Eck Property dated March 5, 2009 submitted by Andrew Eberwein, E B Walsh & Associates Inc. and a copy of letter to Gordon Eck from Steven W. Carter, North American Land Trust dated March 16, 2009. Andrew Eberwein was in attendance. This is the 2-lot with the long driveway. We obtained a waiver to use the shared driveway, which begins at this point (as shown on the plan) and will then build their own driveway back. They approached NALT. NALT had told Dr. Eck that yes they would be agreeable to him creating a subdivision to sell to his children. NALT knew that approval was given. They felt they could not support the plan as is. In order for NALT to support it, they recommended that he do what is being presented to the Planning Commission. It is felt this is a better plan because the lot now sits on the property line not by itself in the middle of a field. An easement will be created to keep the sewer in its present location. Nothing has changed except for the location of building. It is asked that the Planning Commission consider this new plan to go back to the Supervisors for approval. Kim Hoopes asked about the paving of the driveway. Andy Eberwein replied that the driveway would not be paved. It will be gravel. A waiver was obtained to not pave the common portion of the driveway. Trying to keep the charm and ambiance of the property, the house is going to be a new version of an old house. Discussion continued regarding easements and NALT's role. This plan is the adjustment of the bulk of lot 2 along the property line. Nothing else has changed. The easement is around the sewer. The stormwater system is where it was. Kim Hoopes motioned to recommend approval to the Board of Supervisors for the revised 2-Lot Subdivision Plan for the Eck Property dated March 5, 2009. John Cassels seconded the motion. A motion was made and seconded. All members in attendance voted aye. John Conti recused himself from the vote.

Sketch Plan Submissions

Conditional Use Hearing Submissions

Revised Application for Conditional Use Hearing – East Horseshoe Associates LP, Stephen Janiec – a 2-acre parcel of property located on the northeast side of Horseshoe Pike. Stephen Janiec was in attendance. This is a revised application for a conditional use hearing. The original plan included the bank pad and store on a 2-acre piece at Cobblestone. I am looking to revise that plan into a near 11,000 square foot one building that can occupy up to five units in the building. The proposed building has less lot coverage than the previous plan. There is a letter from the traffic engineer that claims it also has less traffic proposed. I am actually trying not to replace this with the bank and the store; this is an alternate plan that I would like to get approved for conditional use. I do not want to replace the bank. The building will have a colonial design to it. Types of business include a small restaurant, hair salon, and a medical office. The parking meets the parking requirements of one space per 200 square feet. The dumpster location has changed to the rear of the building. I am proposing in this conditional use signs for the shops and a sign for the house and signs on the building. Waivers will be requested. Lighting and landscaping plans will be submitted. There is really not much change in the whole plan. I want to modify the following conditions – roofline delineations, building setback, and an issue with a buffer, sewers and signs. The architectural style of the shops fits with the other 32 homes. Andrew Eberwein noted that the original conditional use where the road was going to be aligned to line up with the Swinehart crossing, access to a common drive with the commercial part on the front and then you went back into the 32 houses with a cluster kind of village fashion. The intention was to have a homogeneous

community. He is trying to keep the flexibility being able to market the property. The new configuration will reduce the impervious cover than what was originally planned. John Conti understood that you want the original option and this option. Chuck Dobson asked if what you want to do is reopen another conditional use for not an abandonment of the one you already have, but a modification. You want two simultaneous conditional use approvals. You will only be able to do it one way. The one that is going to govern is the one is recorded last. You want this to go, but you want a parallel conditional use approval to have the ability to do this or that. Steve Janiec responded yes. Discussion continued as to the land development plan and the number of plans needed to be filed. John Conti motioned to recommend the Board of Supervisors consider establishing a new hearing for the amended conditional use application submitted by Stephen Janiec – Culbertson Realty Associates LP. Kim Hoopes seconded the motion. A motion was made and seconded. All members in attendance voted aye.

Public Comments (individuals not requesting to be on agenda)

General Discussion by Planning Commission (as needed)

John Cassels noted that the springhouse was being worked on.

Meeting Reminders

Adjournment

At 9:26p.m. John Conti motioned to adjourn the meeting. John Cassels seconded the motion. All members in attendance voted aye.

Donna Jones
Planning Commission Secretary