

# West Brandywine Township

Board Of Supervisors

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## Meeting Minutes of May 2008 Planning Commission Meeting

The West Brandywine Township Planning Commission meeting of May 22, 2008 was called to order at 7:34 p.m. Anita Ferenz led the members in the pledge of allegiance. Members in attendance were John Cassels, John Conti, Chuck Dobson, Anita Ferenz and Kim Hoopes. Steve Jakatt and Bob Schini were absent.

### Action on Minutes of Previous Meetings

Acceptance of April 24, 2008 minutes. Kim Hoopes motioned to accept the minutes of April 24, 2008 and any changes should be submitted to Donna within a week. John Conti seconded the motion. All members voted in favor of the motion.

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

There was a review of correspondence by Planning Commission members. Under General Correspondence/Communications there is a letter from Senator Rafferty regarding the Conti Tract. Anita Ferenz suggested that the PC members take a look at the other communications. Correspondence will be discussed under Old Business/New Business. John Cassels asked if anyone knew if the Conti Tract is on the auction block. John Conti responded it was not.

### 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, July 18, 2008. There were no representatives in attendance. Kim Hoopes 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 Tuesday, July 8, 2008. Ross Unruh, Esquire was in attendance and stated that there was nothing to report. Chuck Dobson motioned to table. Kim Hoopes 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 Sunday, August 31, 2008. There were no representatives in attendance. Kim Hoopes motioned to table. Chuck Dobson 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 Friday, July 18, 2008. There were no representatives in attendance. Chuck Dobson motioned to table. Kim Hoopes seconded the motion. All members in attendance voted aye.

Culbertson Village – Commercial, Culbertson Realty Associates LP & Magothy Investment Partners, LP Final Land Development Plan (CV-C/060607/FLDP), prepared by D L Howell, Civil Engineering & Land Planning, located 1548 Horseshoe Pike, Honey Brook, PA. Clock starts on Thursday, April 24, 2008 and continues until Wednesday, July 23, 2008. Ross Unruh, Esquire was in attendance. He stated the only basic issue is the stormwater management basin. There was a stormwater management basin, which had a pond and the DEP said you cannot use the pond so a basin had to be designed and we are still finalizing that with the state. We are very close to finalizing with the state, will resubmit to Jamie's office. There were no other issues in the May 8<sup>th</sup> MacCombie review letter other than the stormwater management basin. It was a pretty clean letter. Ross Unruh did not receive a copy of the Menke & Menke or the Stubbe letter. He does not believe that Scott Emerson received the letters either. I would suspect that any issues they would have would have been addressed at this point in time. If you do not see any thing in those letters that were of any consequence, you could recommend approval to the Supervisors subject to MacCombie signing off on the stormwater management basin.

John Cassels noted that the Menke & Menke letter looks like a lot of housekeeping things and they are still concerned about the 48" specimen Maple. Ross Unruh stated that they pointed out that it might die and we will do everything we can to try to make that not happen but if it happens we will take it down. This has been discussed before. This issue was addressed at the time of preliminary plan approval. There is concern about grading and the black top being very close to the tree as well. John Cassels asked if the applicant has agreed to protective measures to provide the Township with the arborist report? Ross Unruh replied yes. John Cassels continued, "to implement the arborists recommendation immediately and provide tree replacement if the tree is removed or dies". Ross Unruh stated this was agreed to at plan approval and found acceptable by the Planning Commission and Board of Supervisors. There were no additional questions from the Planning Commission. Ross Unruh asked if it would be safe to assume that once Jamie's office signs off on the stormwater management basin design, that the Commission would be prepared to recommend Final Plan approval to the BoS? Are there any other issues to be addressed? We would like to move forward once MacCombie signs off on the stormwater management basin.

John Cassels stated the letter from Stubbe has a couple of recommendations in it. A discussion of the lighting review letter from Stubbe continued with the PC and Ross Unruh. John Conti motioned to table until a clean letter from MacCombie and Stubbe have been received. John Cassels seconded the motion. All members in attendance voted aye.

### **Sketch Plan Submissions**

Chase 5-lot Subdivision – 1410 Manor Road, Coatesville, PA. Steve Cushman and Pat Chase were in attendance. Pat Chase has lived at the farm on Route 82 since 1971, 37 years and would like to sell it within the next year or two. We have met with the Open Space Committee to see if they would be interested in possibly buying all or some of the land. She does not want to have a big subdivision. One of the possibilities would be a 5-lot subdivision. The Planning Commission has a copy of a drawing to look at and say "what if?" This is not a sketch plan it does not have enough information. There are 24.5 acres. Looking at the sketch, the subdivision has 5 lots with one lot with the house and barn. Discussion continued between Steve Cushman, Pat Chase and the PC. Acreage for the 5 lots could be 10 acres, 10, 8 and the maybe the other two lots would pull out the remainder acreage. Pat Chase commented that she wants to keep the integrity of the original house and barn.

There have been no preliminary percs or anything like that – there is a zero budget. There has been no appraisal. John Cassels commented that if this project would move forward, there would need to be an appraisal. John Conti asked if the plan was to sell the land to someone to build this plan? Would you manage and oversee the development? Pat Chase stated that she was not going to use her money. This is to get an idea of what can be done. John Conti stated that his point was not that you would have to put any money into, but you would maintain control and that it would be subdivided the way you wanted it to be subdivided and just did not sell it off to a developer. Pat Chase commented that she could sell the property several times over to have it developed.

John Cassels has offered to take the GIS data that we have from the Comp Plan with the intention of having that data to focus environmental reviews of projects that come in like this. Another thing is if you would allow us to come and take a walk around. Pat Chase said it was okay to look around wherever you want. John Conti stated

as far as this board is concerned; for us to make any recommendation, we would need something more like a sketch plan. You would have to separate this board from the Open Space Board. Steve Cushman stated he just wanted a feeling that no one stood up and said no way.

### **Conditional Use Hearing Submissions**

1. Conditional Use Application – Chester County Site Contractors Division of Haines & Kibblehouse Inc. – proposal to convert the existing identified historic resource (family house) into a business office and proposal to continue to use the metal building for a repair facility with a related office and outside storage. Property is located at 1699 Horseshoe Pike, Glenmoore, PA 19343. Ross Unruh, Esquire, Scott Drumbore, Haines & Kibblehouse and Pat Brown, Chester County Site Contractors were in attendance. In the Fall it was reviewed conceptually before the PC what is planned for this particular piece of property and now a formal Conditional Use Application has been filed to start the process. There is an historic house and a manufactured building on the land. There are various uses going on in the manufactured building. We are basically coming in to adaptively use the house as an office. It will be fixed up and taken good care of it. The existing buildings will be used for some repair work to their vehicles. The site will be pretty much as shown on the Exhibit. There will be one way in off of Route 322. The driveway on the east side of the property would be eliminated. There will be a parking lot. There is an existing foundation, an existing house, existing semi industrial buildings and stormwater management, and an existing pond. The pond is proposed to be retained.

Ross Unruh continued that it is his view the facilities and the uses are non-conforming and essentially we are going to be doing the same thing. After talking to Dale, he may take issue with the fact that these are legal non-conforming operations and we may not be protected by them so what we did was included everything under the umbrella of the conditional use. That is what we have applied to the Supervisors for and that is what we will cover in the hearing. It would be best to cover it in the conditional use application rather than having to appeal to the zoning hearing board. The hearing has not been scheduled. One of the tasks of the PC would be to recommend that the Conditional Use Hearing be scheduled and if you would be prepared to make a recommendation that it be approved otherwise we will come back to visit you before the hearing.

Questions were asked regarding the gray area on the plan. This area is all new black top. There is already a fair amount of stone and black top now. Obviously there will be a parking lot for the employees who will be at the office building and some additional black top needs to go around the manufactured building for parking of vehicles. The additional impervious surface has not been calculated. In the land development plans we will have to do that. An historic evaluation is being prepared and hopefully will have it will be completed before the Historic Commission meeting.

In the application there is a traffic impact study from TPD and we understand that we have to pay your fee based upon the PM peak count. Ron Rambo asked what do you foresee what the average trip would be. Scott Drumbore stated that the TPD estimated or calculated in their traffic impact study the design year would be 2009. The AM weekday for peak hour would be an additional nine vehicle trips and the PM would be approximately one new vehicle trip for every six minutes. In the PM peak hours it would be approximately ten vehicle trips. There will be ten vehicles in and out of the site during PM peak hour that would be anywhere between 4 and 6. Kim Hoopes asked how many trucks would there be at the site. It is estimated right now it would be one to five. Based on where we are right now and looking ahead for the next 4 to 5 years our maximum build up would be 20 office employees and possibly six mechanics and 8 trucks. Chuck Dobson asked if the peak trips of 10 new PM peak trips are based on which scenario? Scott responded this would be done for 2009 and the build up year of 2019. The land development plan proposal is for what the maximum would be? Everything is designed around the max build up. The parking shown on the plan is for max build up. Ron Rambo noted that the entrance is new it is not where the existing one is. Ron Rambo asked if the pipeline ran through there? Chuck Dobson responded that it looks like something goes through there. The topography seems to indicate a little shelf there on top of the steep slope area.

Kim Hoopes asked where Haines & Kibblehouse is located. They are located in Skippack, PA, Montgomery County. Pat Brown is in charge of the Chester County division. Kim asked where most of the work occurs? It ranges from Middletown, Delaware to 422, up east to Philadelphia city line, west up to Ephrata, Peach Bottom; anything in Chester County and immediate surrounding counties. Kim responded that most of the time you come out of the site you would be making a left onto Route 322? It would probably be a pretty reasonable mix because we have a quarry out towards New Holland, Blue Ball area.

Chuck Dobson asked Ross to refresh his memory regarding the driveway on the far left hand side, to the west, goes in and splits in two and then goes up and around. I know we discussed what was going to happen with that. What is the planned disposition of that driveway? Scott Drumbore responded it is kind of a shared use and there is really no easement on record for the back property. They enter and exit onto our property to get onto Horseshoe Pike. There are two things that we can look at doing in our proposal. 1. That the portion where their driveway goes onto our property, basically build them a driveway in their strip proportioned to their flag lot to give them true access to their property or 2. Maintain the existing portion of the driveway that is there now and establish an easement which we can do either now or since it existed as an existing condition maybe with a handshake agreement between property owners.

Chuck Dobson asked a question regarding drawing 3 of 4. Discussion continued as to the landscaping, removal of trees and maintaining buffers. Scott Drumbore asked if the process of trying to make the property and the area work for our vehicular access but also try to accommodate and still make up the screening and the buffering that would be a concern. John Cassels understood, but did not think it protects the neighbor. It might be a concern. John Conti asked how much area is between the property lines and the paved surfaced? There is 10 foot being maintained. There is enough room to do a privacy fence if we were asked to do more, than obviously we would have to bring that back and come up with some type of plantings that were taller and dense. We just have to be careful how much we bring that back to be able to get around it to make the turning movements behind the building. Kim Hoopes asked how much turning space is needed typically for a truck? We would need pretty much every bit of what is shown. But if we have to pull it back and there are other things we can do. We may have to do some jockeying back and around. This layout allows us to swing with all our vehicles and make a complete loop in and out, which for us is the ideal situation. The existing maintenance building is shown on the plan. Discussion continued regarding the wash bay, which can be driven over.

Chuck Dobson noted the parking, which included 28 spaces in front of the building and another 11 spaces for the trucks and another 15 spaces for the drivers of the trucks. Will there be security lighting at night. Yes – according to SALDO giving consideration to the neighboring residential area. The plan for the house would be to restore it to its original character. Chuck Dobson asked if there are any slope issues with the driveway location there? No. Discussion continued. There are issues, which have not been looked into at this point but would be addressed during the land development process. There was discussion regarding the signs placed at the entrance of the driveway.

John Conti motioned to recommend a hearing date be set for the conditional use process for proposed headquarters shop and office for Chester County Site Contractors, a division of Haines & Kibblehouse. Chuck Dobson seconded the motion. All members in attendance voted aye. Ross Unruh asked if he could email to the Supervisors dates that he would not be available so that the hearing can be scheduled when he can be there.

## **Public Comments (individuals not requesting to be on agenda)**

### **General Discussion by Planning Commission**

John Cassels noticed there was a bulldozer in front of the Bentley development off 322 where the Beaver Creek development, apartment complex is. It is off the shoulder down into the ditch where they would be building a berm. Bentley should not be moving earth yet. Maybe it could be the farmer. I guess if the agreement is in place, if they still own it.

Chuck Dobson mentioned that he went down Beaver Creek Road and there were a bunch of large trees along there. They were here for a sketch plan and were represented by Andy Eberwein or Adam Brower from EB Walsh. Most of the frontage is on Beaver Creek. It backs up and shares a little bit of property with Hurricane Hill Farm. It is Castaldi. There were a huge number of trees that looked liked they were completely butchered there right along the road on their side of the road. Does anyone know what that was all about? Ron Rambo responded Asplundh. The same was done on Culbertson Run Road. New telephone poles were put up. It was determined that Asplundh is responsible and PECO who is running all new interconnects.

John Cassels mentioned that PECO wants a photo op. They are presenting the check for the grant for Icedale. It is either the 10<sup>th</sup> or 12<sup>th</sup> of June – wants the Open Space Review Board to participate and the Board of Supervisors.

## **Meeting Reminders**

### **Adjournment**

At 8:53 p.m. John Cassels motioned to adjourn the meeting. John Conti seconded the motion. All members in attendance voted aye.

Donna M. Jones  
Planning Commission Secretary