

Meeting Minutes of August 2008 Planning Commission Meeting

The West Brandywine Township Planning Commission meeting of August 28, 2008 was called to order at 7:33 p.m. Anita Ferenz led the members in the pledge of allegiance. Members in attendance were John Cassels, John Conti, Chuck Dobson, Anita Ferenz, Kim Hoopes, Steve Jakatt and Bob Schini.

Action on Minutes of Previous Meetings

Acceptance of July 24, 2008 minutes. Steve Jakatt motioned to accept the minutes of July 24, 2008. John Conti seconded the motion. All members who were in attendance at the July meeting 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. There was nothing in the correspondence that would not be discussed during Old Business or New 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, October 17, 2008. There were no representatives in attendance. Steve Jakatt motioned to table. John Conti 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, October 2, 2008. There were no representatives in attendance. Steve Jakatt motioned to table. John Conti 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. John Conti 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. Kim Hoopes motioned to table. John Conti seconded the motion. All members in attendance voted aye.

Gordon R. & Nancy L. Eck Final Subdivision Plan – 2 Lots (ECK/061908/FSDP), prepared by Edward B. Walsh & Associates Inc. located 120 Germany Hollow Road, Coatesville, PA. Clock starts on Thursday, June 26, 2008 and continues until Wednesday, September 24, 2008. Andy Eberwein was in attendance. Anita Ferenz and John Conti recused themselves. This is a 2-lot subdivision on the top half of the property that the Brandywine Manor Bed & Breakfast is located on. Dr. Eck would like to subdivide off a piece for his daughter and son-in-law. They are going to share the driveway. We have received a waiver from the BoS with conditions. The driveway is currently gravel. To share the driveway access, one of the conditions is if the property ever gets sold then the driveway will need to be paved – the shared part of the driveway would have to be paved. There was an issue with MacCombie's office regarding the soils. The issue has been worked out. There was a letter sent by Jeffrey Miller of Evans Mill Environmental to MacCombie and MacCombie provided a response letter. Other issues in MacCombie's letter will all be final plan issues; things that need to be clarified when building permits are submitted. We do not have an architectural drawing. We are also waiting for Health Department approvals of the planning modules. We are working with them on trying to straighten out confusion regarding the existing holding tanks and whether they can stay or whether they have to put a system in. That process is being worked out. One way or another there will be a system there. There is an area in the back of the property where a sand mound could be installed to accommodate the needs for the Inn. Right now it functions quite well with holding tanks and I think the first effort is to allow us to keep them and function as that. The plan is to build a house first and possibly a garage in the future. The garage is shown so that the infiltration facility could be put in now to handle that later. The seepage bed that is shown on the plan is designed to accommodate the roofs from the lot. Discussion continued with members of the Planning Commission. John Cassels noted that it does talk about the easement. Andy Eberwein stated there would be a blanket easement. It is a gravel driveway – a tractor can go across the gravel driveway to get to the other side. Chuck Dobson said that if there is an easement that runs with the land it is fine as opposed with the owner. Steve Jakatt mentioned stormwater. Andy Eberwein responded stormwater is shown based on what we have. It will need to be finalized. Chuck Dobson asked if the stormwater included the long gravel driveway. Do the numbers change if the common part of the driveway is paved? Not drastically Andy answered. The footprint for the house will be approximately 40 x 30. Steve Jakatt asked if they received MacCombie's letter dated July 24. They did. Discussion continued as to the wetlands on the property and delineation of the wetlands. With any of the things in MacCombie's letter, we really are not going to change the plan that you will see. John Cassels questioned if there was reason to reopen the conditional use. Andy Eberwein stated no. The conditional use was part of the use of the land. This parcel exists. So it is really not a subdivision until now. This does not change the original conditional use – the establishment of the Inn and the use for receptions. Chuck Dobson motioned to recommend that the BoS grant final plan approval for the Gordon R. & Nancy L. Eck 2-lot Subdivision plan on Germany Hollow Road subject to the comments identified in James MacCombie's letter dated July 24, 2008 and also subject to a note being added to the plan regarding the blanket easement to allow farm equipment to cross the gravel driveway and also subject to note being added to the plan to indicate the waiver granted by the BoS and also subject to all extra agency reviews and approvals including the Health Department and Conservation District if applicable. Kim Hoopes 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 Wednesday, October 22, 2008. There were no representatives in attendance. Steve Jakatt motioned to table. John Conti 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 Wednesday, October 22, 2008. Dave Sanders, DL Howell Associates and Cliff Murray (owner and applicant) were in attendance. We came here last month to give a presentation on what we were doing, what the proposal was. We did not have any letters at the time. We gave a brief idea of what is going on. We now have almost all the letters. Kim Hoopes asked if the same driveway was being used coming into the property? Dave Sanders responded yes and that they were in discussions with PennDOT. Steve Jakatt asked if they had looked at Stan Stubbe's letter dated July 28, 2008. Dave stated that he

did not receive the letter. A copy was given to Dave Sanders. Steve said that Stubbe recommends all full-cutoff fixtures, which we would greatly appreciate; it is recommended the applicant be requested to specify the proposed time of extinguishing the lighting fixtures. Do you have a time? Clifford Murray answered we were not presented with that question, so we really didn't think about it. John Conti asked what the hours of operation are? Clifford responded that is slightly vague also. Generally speaking in the wee hours of the morning there would be no access for anyone. That could be midnight to 4:00 a.m. time period. So even people that are tenants would not have access. The only thing I would question about lighting what does the police department want us to do? I would just assume get the lights out pretty much when we don't have people coming and going. Kim Hoopes suggested motion sensor lights. He said that a lot of these operations close at 8:00 pm. Clifford answered that the office hours are not going to be until midnight. You have to give people that work an opportunity to get to their stuff. I am sure 8:00 would not be reasonable. Steve Jakatt stated that Stan Stubbe also recommends that applicant be requested to place on the Luminaire Schedule the names of the test files used in generating the point-by-point illuminance values and recommends applicant be requested to add the following notes to Sheet 10 as noted on Stan Stubbe's letter. Steve Jakatt continued to read Stan Stubbe's letter. Dave Sanders stated there would not be a problem.

John Conti commented on the request for a 20' buffer along Horseshoe Pike. There is currently nothing there now as far as a planted buffer except the existing overgrown area. Kim Hoopes asked how wide the driveway was coming in. Is it wide enough for two cars, one coming in and one coming out? The response was yes, about 25' wide.

John Cassels asked if this was one lot? Dave Sanders responded that as far as they were concerned, it is one lot. That is how taxes are being paid on it; the tax parcel map shows one lot. There was a subdivision that they reference in the MacCombie letter. However, as Township officials informed us, some improvements were done on it. It was recorded, but no improvements were ever done to it. Steve Jakatt asked if Foamastics recorded the plan. Ron Rambo commented that Foamastics subdivided it into two lots. Developed the first one; came back with land development for the second addition; came back for a third time. Was going to make one lot, when they put the third building on, but never went through and recorded. Basically, from what can be found, the original subdivision into two lots still stands. However, once sold from one ownership to another will only get one tax bill. If it is only one lot, you have a lot more to do. If it is two lots, we do not know where the setbacks are. If there is one lot, the setbacks do not apply. Discussion continued as to one lot versus two lots and landscaping. Clifford Murray stated he bought one lot. He does not know if there was a deed consolidation. The third plan submitted by Foamastics was never recorded and the third plan would have made it one lot. The third plan was preliminarily approved, but nothing was ever done with it. Discussion continued.

Steve Jakatt asked if there were any problems with the comments of MacCombie's letter. Dave Sanders responded there were some issues he would discuss with the engineer. John Conti asked that on the landscaping review are there any problems with screening up the trash area. The response was the dumpsters and gasoline storage tanks will be screened. Landscaping was discussed. Dave Sanders discussed the possible request for waivers because, as you can see from the plan, it is a bit overdone and it is going to be tough to fit everything in that is required. Steve Jakatt motioned to table. John Conti seconded the motion. All members in attendance voted aye.

New Business

Christopher Catania Final Minor Subdivision Plan (CC081308FMSP), prepared by Wilkinson & Associates, Inc, located Lots 14 & 15 Jamie Lane, Coatesville, PA – changing lot lines between two (2) existing lots. Clock starts on Thursday, August 28, 2008 and continues until Wednesday, November 26, 2008. There were no representatives in attendance. Ron Rambo explained the plan. There are two (2) existing lots. They are both built. However, Lot 14 driveway is on Lot 15. Lot 15, which the people didn't realize, 15 does not want the driveway there and 14 would like to have his own driveway on his own property. They are redoing lot lines to get the driveway onto 14. There is not a requirement for an easement. Kim Hoopes asked how that cuts down the size of Lot 15? The size still falls within the required lot size. It was asked how the original lot line goes. It was shown on the plan. Chuck Dobson said they are extending the flagpole portion across the lot. It is still an acre. The driveway on 14 has an easement across 15. Discussion between PC members continued regarding the lot line change on the plan. Steve Jakatt motioned to table. Chuck Dobson seconded the motion. Kim Hoopes asked if we need to table. All members did not vote in favor. Kim Hoopes opposed – he thinks we send it on. It is a simple line change and if I were to recommend it, I recommend that the lines..... discussion continued including

the 11 points in the review letter of James MacCombie. It is believed the 11 points are housekeeping issues. Regarding the request for another grading plan, Ron stated that 15 is built and being graded. However, by creating this new lot line, we have to make sure the grading infraction doesn't occur on 14. The first motion to table was made and seconded. Members were opposed. The first motion is gone. Kim Hoopes motioned to recommend the BoS approve the simple lot line change and at the same time request that all property corners between lot 14 and 15 be set and the lines marked so there is no question between the neighbors and that all comments be addressed in James MacCombie's letter dated July 27, 2008. John Conti seconded the motion. Kim Hoopes amended the motion to note that MacCombie's letter dated 8/27/08 be addressed and have the letter cleared before transfer of property. John Conti seconded the amended motion. Six members in attendance voted aye. One member in attendance was opposed.

Sketch Plan Submissions

Conditional Use Hearing Submissions

Public Comments (individuals not requesting to be on agenda)

General Discussion by Planning Commission

John Cassels asked if Donna would be the secretary for the Open Space Review Board and attend the meetings. Donna responded yes.

There was discussion regarding recommendations about the Baldwin property and discussion about contacting Tabas property owners between PC Members and Ron Rambo.

John Conti mentioned that the springhouse the Catholic Church was going to work on cannot be seen – it may no longer be there. Discussion continued regarding estimates received to renovate the springhouse. There was a stonemason that said it could be done and that was the last anything was discussed. John Conti said he doesn't know if it was knocked down or it fell down, but it is gone. Kim Hoopes stated that what needs to be done is a time limit should be set as to when something should be done. Discussion continued. Josef Obernier stated that there was something in the conditional use order about and in a BoS meeting a few months ago, I thought who monitors that is it Dale or the engineer? The answer I got back sometimes it is one guy and sometimes it is the other. The closest I could get to delineation was if it were a big project it would be the engineer. Just this past Board meeting last Thursday, I believe I was being asked for a released escrow fund and even before it was asked if all the plantings in place, has everything been done. Now I see the cemetery as a big project and if the thing is falling down, well then the escrow funds should have been used to do the repair. I was unaware that it had fallen down. So, is it the manager, engineer and code officer? I believe the cemetery was the first time that we put the conditional use condition on the plan. Everyone after that the conditional use requirements are supposed to be on the plans. John Conti mentioned that it still slips through the cracks. Discussion continued. The springhouse is gone, what can we do about it? Joe Obernier said if they don't comply with the conditions of the conditional use hearing, they couldn't use the property. Bob Schini asked to understand escrow. We couldn't hold any escrow because of the springhouse? Ron Rambo stated that escrows are set up for public improvements, any roads, and sewer. Discussion continued between PC members.

Meeting Reminders

Adjournment

At 8:54 p.m. Steve Jakatt motioned to adjourn the meeting. John Conti seconded the motion. All members in attendance voted aye.

Donna Jones
Planning Commission Secretary