

## **Meeting Minutes of January 2009 Planning Commission Meeting**

The West Brandywine Township Planning Commission meeting of January 22, 2009 was called to order at 7:35 p.m. Chuck Dobson led the members in the pledge of allegiance. Members in attendance were John Cassels, Chuck Dobson, Kim Hoopes, Steve Jakatt and Bob Schini. John Conti and Anita Ferenz were absent.

### **Action on Minutes of Previous Meetings**

Acceptance of December 23, 2008 minutes. Steve Jakatt motioned to accept the minutes of December 23, 2008. Kim Hoopes seconded the motion. Motion made and seconded. There was no discussion. All members who were in attendance at the January meeting voted in favor of the motion to accept the minutes.

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

There was a review of correspondence by Planning Commission members. Steve Jakatt noted that some of the developer related correspondence is extensions. 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, April 17, 2009. Robert D. Smiley, Vice-President, GenTerra was in attendance. After meeting with the Township engineer and consultants, plans were revised and resubmitted. Infiltration testing and design has been done. A letter was received from MacCombie recognizing that we are working with him even though it has been slow. One of the things this project is relying on is public sewer. We have to go through the Conservation District. We have responded to all the engineer's comments and the landscape consultant's comments. There have been a new stormwater report and infiltration report. The results of the infiltration tests were fine. The basin was redesigned. Discussion continued as to the technical information regarding the basin. There is now also an open space management plan that brings together all the comments from an open space aspect. Photos have also been provided. There is a question if some of the buffer areas count because they are all wooded. Do they count as the perimeter buffer? This is to be determined. Steve Jakatt made a motion to table. Kim Hoopes seconded the motion. A motion was made and seconded. 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. There were no representatives in attendance. There is an extension of time from Brown Vincent, Beaver Creek Realty Associates, granting an extension for 60 days to March 31, 2009. Steve Jakatt motioned to recommend to the BoS acceptance of the extension letter dated January

22, 2009. Kim Hoopes seconded the motion. A motion was made and seconded. All members in attendance voted aye. Steve Jakatt 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 Sunday, March 29, 2009. There were no representatives in attendance. Kim Hoopes motioned to table. Steve Jakatt seconded the motion. A motion was made and seconded. 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 17, 2009. There were no representatives in attendance. Steve Jakatt motioned to table. Kim Hoopes 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, April 20, 2009. Keith Tarvin, LRHA, was in attendance. One issue is perimeter buffering, separating uses as required by the zoning. These are residential properties around here (as shown on plan), it is up to the discretion of the Board. Chuck Dobson asked if he is asking the PC to make a recommendation to the Board regarding that issue? Keith Tarvin replied that he is not sure how that would even work. John Cassels agreed that on all three sides there is the same use. Along Hibernia Road and across the street, it is residential. However to the west there is an open piece of land, a wooded lot. There is a letter from the Township engineer referencing this issue.

Steve Jakatt asked if all comments have been addressed in MacCombie's letter? Keith Tarvin responded that it is being worked on. He stated that requirements were met for Section B 1(a) per 1000 square foot of gross building area ..... but needed to address C and D 1(a) of 200-107. This section notes that there is a minimum 20ft wide planting strip that will act as an effective screen separating uses. The Board of Supervisors may reduce the perimeter buffer requirement in the following situations 2) where any tract abuts similar uses such that the Board agrees that screening is not necessary or where the applicant can demonstrate to the satisfaction of the Board that existing vegetation (which is not the case here) structural or other topographic conditions will conceal on a year round basis development from view of adjacent tracts. Chuck Dobson noted that there is a buffer that is on their western border already except where the basin appears to be down close to the buffer area. Discussion continued. The PC continued to look at the plans including the landscape plans for the property.

The question from Keith Tarvin – the comment in the last review letter requires a perimeter buffer 20 ft wide. When reading the ordinance, it is to separate uses, which we are not doing. We are building residential next to residential. It is up to the Board's discretion. He is requesting guidance.

It is noted that the PC can recommend that the applicant can accomplish what it is that is wanted and that the PC is okay with what it is they are looking for. It is only guidance. That does not do away with the landscaping. It is still binding. They are buffering from the other uses. There are a fair number of plantings. Keith Tarvin stated that there is a requirement by square footage of the house footprint for a certain amount of trees. We are doing that which is shown on the plan. Discussion continued. Keith felt that the issue could not be addressed as a waiver because it is in the zoning. It would be a variance. But there is a vehicle for the Board to say it is not needed. Chuck Dobson asked if there should be a motion or recommendation made to the Board.

John Cassels reminded Keith Tarvin about the network of trails. Keith Tarvin said he had discussions with Amy Micka about the trails and said there was a requirement for paved paths and it shows the trails going through the wetlands. John Cassels told Keith that there is no requirement for paved paths. He also stated that when properties come on the development block, this is something they will consider and the Mostellers agreed to it previously. There is nothing currently on the plan. It would be an easement for future consideration. It would have to be recorded with the plan. Discussion continued.

Chuck Dobson reiterated that if the PC was in a position to make a recommendation to the Board regarding the need to provide buffering over and beyond what is shown on the plan in order to meet the section. It is believed it is Keith's interpretation that the section doesn't apply because they are similar uses but out of an abundance of caution you would like the PC to make a recommendation to the Board. Keith agreed and said that it is a zoning

issue so it is a variance it is not something you can put in a waiver letter. Steve Jakatt asked if Keith now needed to go to the applicant, the Mostellers, and present to them that the trees will not be an issue if an easement is granted.

John Cassels stated that because we do not have the letter from MacCombie's office and do not know exactly what was said by the engineer, it may be premature to make any decision. Keith confirmed that we either do it or ask for relief. Bob Schini reiterated that MacCombie has said either plant the trees or ask for relief correct? Keith replied yes. Chuck Dobson stated that it is the consensus of this commission, that we are generally in agreement that you do not need to provide the perimeter buffer plantings that the sections that you sited in the ordinance generally are valid and that everything seems to be okay, but the minutes will also reflect that we did discuss an easement and that you were generally amenable to it and will talk to the applicant about doing that. Steve Jakatt made a motion to table. Kim Hoopes 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. Kim Hoopes motioned to table. Steve Jakatt seconded the motion. A motion was made and seconded. 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 (as needed)**

Bob Schini discussed with members the topic of perimeter planting and how many times per plan is this issue brought before the commission. A lot of times it is because requirements are too much. Should this be something we need to think about for the future? Discussion continued as to different scenarios as to where the perimeter planting is important and where it could be lessened. Chuck Dobson stated that this is a good provision because every application has its own merits and that is why they have to come in front of the PC because it is where you have to discuss what makes sense for a particular application and what doesn't make sense for another application.

### **Meeting Reminders**

### **Adjournment**

At 9:00 p.m. Steve Jakatt motioned to adjourn the meeting. Kim Hoopes seconded the motion. All members in attendance voted aye.

Donna Jones  
Planning Commission Secretary