

**PLANNING COMMISSION
MINUTES
August 26, 2004
AGENDA MINUTES**

The West Brandywine Township Planning Commission meeting was called to order at 7:37 p.m., John Cassels led the members in the pledge of allegiance.

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

John Cassels asked for acceptance of the minutes for the July 22, 2004 meeting, Steven Jakatt motioned to accept the minutes, Kim Hoopes seconded the motion with all members in favor.

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 Thursday, September 30, 2004. John Cassels asked for a motion. Kim Hoopes motioned to reject the Schnatz & Rohrer Landscaping Preliminary/Final Land Development Plan (00-05-SCHROH), based on Mr. MacCombies review letter dated February 22, 2001. John Conti 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 representation was present. John Cassels asked for a motion. Joseph Boldaz motioned to table the plan and Steven Jakatt 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 Sunday, September 12, 2004. No representative was present. John Cassels asked for a motion. Joseph Boldaz motioned to reject the City of Coatesville Golf Training Facility – Preliminary Land Development based on Mr. MacCombies review letter dated February 24, 2004. Steven Jakatt seconded the motion with all members in favor.

Coatesville Area Regional Catholic School – Preliminary 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, February 26, 2004 and continues until Friday, October 22, 2004. No representative present. John Cassels asked for motion on the plan. Steven Jakatt motioned to table the Coatesville Area Regional Catholic School – Preliminary Subdivision & Land Development Plan, John Conti seconded the motion with 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 Friday, September 24, 2004. No representative was present. John Cassels asked for a motion, Joseph Boldaz motioned to reject the Balderston Family LTD Partnership/Swinehart Realty Associates LP – Preliminary Subdivision Plan (04-03-CULSWH), plan based on Mr. MacCombies review letter dated April 13, 2004, 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 Friday, September 24, 2004. No representative was present. John Cassels asked for a motion. Joseph Boldaz motioned to reject the Culbertson Realty Associates LP – Culbertson Village Preliminary Subdivision Plan (04-04-CULVILLAGE) based on the review letter dated April 12, 2004, Steven Jakatt seconded the motion with all members in favor.

Tremoglie, Gregory & Amy, Glenmoore Veterinary Hospital - Preliminary Final Land Development Plan- (04-05-TREM), prepared by Commonwealth Engineers, Inc, located at 3 Andover Road. Proposed expansion to the existing Glenmoore Veterinary Hospital with an expansion of the existing parking lot. Clock started Thursday, March 25, 2004 and continues until Tuesday, September 21, 2004. No representative was present. John Cassels asked for a motion. Kim Hoopes motioned to table the Tremoglie, Gregory & Amy, Glenmoore Veterinary Hospital - Preliminary Final Land Development Plan and 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 Tuesday, November 30, 2004. Representative present was Greg Newell who stated he has met with the Township Manager to discuss the widening improvements to Beaver Creek Road and they will be preparing a new presentation for next month. John Cassels asked for a motion. Steven Jakatt motioned to table the plan, and Kim Hoopes seconded the motion with all members in favor.

New Business, Hide Away Farms - Final Plan Cluster Option (01-02-HAFARMS) Hide Away Farms, property located at Special School Road. Prepared by Nave, Newell & Stampfl, Ltd. – 57 Lots in West Brandywine Township. Clock starts Thursday August 26, 2004 and continues until, Tuesday, November 23, 2004. Representative present was Bill Roundtree who stated they received a review letter from Mr. MacCombie with no issues. Since the preliminary plan we have eliminated three lots. Lot twenty-five is now open space, two more lots were eliminated and adjacent lots were made bigger. We are now at fifty-six lots, plus the farmette. The farmette will be eleven plus acres. We are still waiting for DEP approval on the Planning Module. We are at the same point in East Brandywine Township; we are expecting a final review letter any day. We hope tonight to get a recommendation for final. Our biggest problem has been getting through the Health Department. We have been back and forth between the Health Department and that has been the result of us losing the lots. The argument was whether it was constructible or not. We took away three lots and made the adjacent lots bigger, we then got the sign off on the planning module. The plan shows sixty lot numbers, we did not want to change the lot numbering system, its still one through sixty. Lot twenty-five is an open space lot, and there are two lots that have disappeared, there was a lot thirty-three and forty-eight, its easier to do that then to try to re-match our whole soil testing. The whole project will be started at once, being East Brandywine and West Brandywine. We are trying to sell the project to another builder. John Cassels asked for a motion. Steven Jakatt motioned the Board recommend approval of Hide Away Farms - Final Plan Cluster Option (01-02-HAFARMS) to the Board of Supervisors, John Conti seconded the motion with all members in favor.

Catania – Final Subdivision Plan (02-05-CTANA) prepared by Edward B. Walsh & Associates, Inc. – 21 Lots in West Brandywine Township. Location: North side of Hurley. Clock starts Thursday August 26, 2004 and continues until, Tuesday, November 23, 2004. Representative present was Chris Catania who asked the Board for a recommendation on the final plan. Review letter from Mr. MacCombie was still outstanding. John Cassels

asked for a motion. Steven Jakatt motioned to table the plan, John Conti seconded the motion with all members in favor.

Conditional Use Hearing - Ridings of Hibernia, representative stated the applicant has made several offers as far as conditions as part of the Conditional Use. We were able to take the loop out of the plan. This provides a more direct shot into the development. The end gets off at the end of Hibernia Road all through that continuous loop straight in, but it was a traffic calming method along that longer stretch of road at this point. The road original came in around the edge of these lots (referenced drawing) by bringing all eight feet on this road we have gained an acre or so of additional open space. We have tried to create more open space. We were trying too hard to hold onto the cul-de-sac from the old plan. Ronald A. Rambo Jr., Township Manager, did not want the cul-de-sac, he wanted to loop it. The open space was a critical idea that we wanted to get as close as we could to the ordinance requirement. We were able to eliminate some impervious additional road way, create more open space and be able to be more in line with the goals the Township wanted us to achieve which was to provide some additional drip areas. There is less unloaded road frontage.

John Snook, they have maintained the large open space its at the head of the wetland corridor, but which is good land with no house print, a full semi-circle that could be a potential neighborhood park. This is still in this plan. The other difference on this plan, everything is set back from the Hibernia Road frontage for the exception of one lot. I suggested they move this further to the interior, which they did. This will require a modification of our riparian buffer standard. In my view having more consistent frontage treatment is worth it, because there is so much riparian corridor in here (ref. dwg.) already its still a wide corridor, its just that the stream happens to be on this side of the wet land and therefore the seventy-five feet measurement infringes on this lot. (ref. dwg) The house is about seventy feet away. The number of lots remain the same, the suggested trail in lieu of the connection across the wetlands will be built to accommodate emergency vehicles.

The new plan affords provision for a community sewer system that could be expanded to offer services to nearby properties experiencing problems with on-site systems. We also suggested that they do a paved trail, a bicycle-walking trail, with board walk. The Park & Recreation Board still have to look at the plan. We also hope to recommend in lieu of a conventional sidewalk that there be a similar look paved path coming out to the front, possibly along the frontage and along one side of the road and out to Rt. 82 where we are hoping alternately there will be a road entrance and you could have a crossing to future paths.

The waivers they are asking for is to modify the density multiplier changing it from 0.9 to 0.97, to allow open space areas less than 150 feet in narrowest dimension to be included within calculation of required open space. To allow open space areas utilized for stormwater management and land application of wastewater to be included within calculation of required open space. To allow for the size of individual residential clusters to exceed eight residential structures each.

The applicant is also requesting they be allowed to go to final plan and is also willing to offer financial assistance to the Township for improvements of public facilities.

Steven Jakatt, the letter from Phil Sub Water is not guaranteeing you water. I suggest before you get to conditional use you have a definite answer. John Snook, this property is currently not in our public water overlay, although it is permitted by conditional use approval.

John Cassels asked for a recommendation. John Conti motioned to recommend to the Board of Supervisors to set a date for the Conditional Use Hearing and motioned the Board also consider the waiver requests from the applicant, Steven Jakatt seconded the motion with all members in favor.

Public Comment, Jay Arnold, I was going to speak about a problem I had concerning the underground pumping station that Bentley Homes is going to place on Culbertson Run Road, that will be crossing my property. There has been delay in communications. Two years ago a set of ideas was sent to Mr. Rambo, Township Manager,

with no communication back. My wife went to the State Representative today, there office made a call and all of a sudden Mr. MacCombies office called to say they needed to talk with me. We had a notice put on the lawn, we had people coming to us telling us a decision had already been made. It seems we have been left out of the loop.

John Cassels, this is something we do not have jurisdiction with. Jay Arnold understood that.

Jay Arnold, we have had some strange answers from the Township. Two years after presenting all this and all the studies, the manager says, oh your on well, and some of your neighbors still are? Within a twenty-foot length they are going to cross a gas pipeline and Culbertson Run, and place this station. A phone call from Mr. MacCombie was received today for the first time, telling me I was not contacted yet because Bentley has not given us any of the details yet. It seems like everybody else knows except for myself. When discussing this with Ron Rambo, he stated he wanted to go in a straight line from here to here. I reminded Ron that any two points make up a straight line, if you could go ten feet that way you would be on your neighbor's property instead of ours. I think Ron Rambo had some problems with that. John Cassels asked Josef Obernier if there was a public forum where people could come in and here what the plans and proposals are. Josef Obernier, Mr. Arnold could come to the municipal authority meeting, you could also come before the Board of Supervisors, but in this case it's the municipal authority that has jurisdiction. I have more knowledge of this matter than what I have heard tonight. Josef Obernier asked the board if they would like a brief explanation, the Board respond they would like to hear about the matter.

Josef Obernier, there was supposed to be a special meeting of the Municipal Authority on Wednesday morning, the meeting was not held because the location that everybody expected the pumping station to be located at was changed. (The proposed pumping station would also be used for some sites in Cross Creek). Craig Poff presented the sketch that morning to the Township Engineer, James MacCombie, who had come prepared with easements written for the first location. With the new location of the plant, Craig Poff used the term Value Engineering, which means it was cheaper for them to build it in the new location. Basically it was a higher elevation and it would enforce the Municipal Authority to build a second pumping station just to pump the drainage from Cross Creek. This was unacceptable to the Municipal Authority. Craig Poff stated he did not know their Engineer had moved the pump station. I understand there are some details that are personal to you, some of the things you have asked for, I know Ron Rambo had spoke to you last week, he tried to explain to you that some of things you were asking for were not to be. Jay Arnold, we came to Ron two years ago and presented the things that we would like. Josef Obernier, the reason why that was never acted on was because back then they did not know where the pumping station was going to be. This year I am Chairman of the Municipal Authority; there is a desire on my part and on the part of the Board to be fair and equitable with you. I am only one member of that Board, and that Board has a feeling that there are some time issues that are important for them for reasons I cannot go into at this time. I am aware of your earlier request and as a rule of thumb, and exchange for that site, we give a tap in at no charge. The tap in for your location is \$1818.00 times the number of pumping stations that your particular waste has to go through. From where you are, its that pumping station then the next pumping station would be located somewhere up Swinehart Road, possible directly into a treatment facility that would be there.

Jay Arnold, right now we have a septic system that is just fine we don't need a sewer line, we have water that tested just fine, and we don't want it contaminated. The impact on a property value does not increase with the placement of a pumping station on the property, it decreases. Josef Obernier, I am not sure that's true. Jay Arnold, we have valid data and expert testimony to that effect and it is significant. The number I quoted two years ago is low. The property across the street from us is up for sale, at the value based on what it would sell for with or without the pumping station on the property. We feel the few things we asked for are reasonable. Ron said to me two years age a water line had to come to the pumping station. Ron said they would be putting in a line the size of a garden hose. They will have to dig a trench, when digging a trench you could put in a small line, quarter inch or and inch and a quarter line. The extra cost to put in a slightly larger line is not significant. Josef Obernier, I don't follow your point. It was one of the things we asked for is to test the water. If you are going to potential contaminate our water, then in exchange why don't you supply us with water. At this time Josef Obernier suggested the conversation continue outside the Planning Commissions public meeting.

Joseph Boldaz, I would like to discuss the email I sent out concerning paperwork reduction. We get storm water reports that are about an inch thick if not more. We get an E&S reports, I am not sure how many of you read these reports. Can we not request an executive summary and have the developer provide one copy to the Township. John Cassels, the requirement comes by Ordinance. Rright now the zoning and subdivision ordinance task force is primarily working on comp plans, so until that's done, unless there is a real immediate need there will not be any modifications from that Board, that's not to say that ordinances don't come through. I will talk with Ron Rambo to see if we can change the ordinance or just have an informal agreement concerning the reduction of paperwork.

Meeting reminders were read; the next Planning Commission Meeting is scheduled for Thursday, September 23, 2004.

John Cassels requested a motion to adjourn. Kim Hoopes motioned to adjourn at 9:36 p.m. Steven Jakatt seconded the motion with all members in favor.

Joann C. Ranck
Planning Commission Secretary