

PLANNING COMMISSION MEETING
October 27, 2005

The West Brandywine Township Planning Commission meeting was called to order at 7:30 p.m.; John Cassels led the members in the pledge of allegiance. Those members in attendance were; John Cassels, Kim Hoopes, Chuck Dobson, John Conti, Steven Jakatt and Anita Fernez.

Bob Schini asked for acceptance of the minutes for the September 22, 2005 meeting. Steven Jakatt motioned to accept the minutes for the September 22, 2005 meeting and have any revisions to the Planning Commission Secretary within one week. John Conti 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 Lake Roeder Hillard & Associates – Industrial Storage Building for Vehicles concerning Landscaping Business. Clock started Thursday May 25, 2000 and continues until Thursday, November 24, 2005. Representative present was Tom Rohrer who stated an extension letter was sent to the Township. We have received the sewer permit and have also re-applied for a PennDOT Permit. Ben Webber, from Lake Roeder Hillard & Associates and myself met with Ronald A. Rambo Jr., Township Manager, to discuss a few items but still seem to get held up on the woodland replenishment. We thought about handling the storm water through infiltration rather than going down into the lower end of the property and eliminating all that woodland. We then decided to start working on it. We started with the perc test and getting infiltration rate, that's complete. The engineers found this acceptable. We asked for ballpark figures on dollars to see if that might make sense. It seemed comparable to all the other work we would have to do as far as additional land clearing, this way the excavation is centralized. The engineer is gathering the data and designing the system together. Within a month or so I hope to have a set of revised plans to the Board. I assume the infiltration will be under the area out from the shop.

At this time Bob Schini asked for a motion. Steven Jakatt motioned to table the Schnatz & Rohrer Landscaping Inc. – Preliminary/Final Land Development Plan; John Cassels 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, November 19, 2005. Representation present was Andrew Raul and Scott Emerson. Andrew Raul; we received a letter from Mr. MacCombies office dated October 25, 2005, which incorporates an October 25, 2005 letter from the Landscaping Consultant, Menke and Menke. Mr. MacCombies comments one through ten are comments presented for the Boards information and use by the engineer in preparation of final plan. That takes us down to technical comments. The engineer is suggesting these items can be addressed at final. We accept the terms of the engineers' letter as a condition for a recommendation for preliminary approval. Mr. MacCombies letter does suggest that the Board should address the following issues. One is the waiver on the 1000' cul-de-sac "E". In the initial design there was a double cu.-de-sac and the Township preference for plowing purposes was not to do that. The cul-de-sac was redesigned at the Townships suggestion. The other is the design for the walking trail. We are proposing a grass path and the engineer asked if that was consistent with the standards for a trail. I am not aware of the Township having set standards.

Bob Schini read from MacCombies letter; the engineer has made modifications to the plans and has provided responses for issues noted in our last review letter dated August 27, 2005, it appears the design of the proposed residential project meets the majority of the code requirements for a preliminary plan submission in as much as neither the exact alignment of the outfall sanitary sewer line has been determined nor has the Act 537 Special Study been approved by PADEP. In addition critical concerns involving both the stormwater management program and site landscaping have been addressed to the point that any remaining issues can be resolved prior to Final Plan approval. Mr. MacCombies letter also states the following should be addressed, Waiver – the applicant is seeking relief to the 1000 feet limitation contained in Section 167-4C for cul-de-sac “E”.

Andrew Raul; there is nothing that has changed with the trails system itself, other than portions of the open space where we were proposing a drip system. The conditional use exhibit did not have a trial system; it just stated that a trail system needed to be provided. We are doing a trail system in addition to sidewalks. John Conti; are you proposing a trail in grass? Andrew Raul, that’s correct. We will have a network of sidewalks in addition to the path network. John Conti; how will you recognize the trial? Andrew Raul; that will come under the maintenance of the open space management plan, which will designate how the open space will be handled. The areas within the open space will be allowed to grow taller and the mowed path will be lower. John Conti, if the trail is walked on enough it could become a dirt path. Chuck Dobson; what is the proposed width of the trail of the mowed area? Andrew Raul; it will be a minimum of four feet. Chuck Dobson, how is the alignment of the trail going to be maintained during cutting? Will there be some sort of monument that directs the cutting or could the trail potentially be through the area and change month to month? The person cutting, would he have someone out there saying follow me this is where the trail will go? Andrew Raul; we can get something set up. John Cassels; in reference to the open space maintenance plan, all the rest of the open space is going to be cut annually and maintained as meadow, there will be shrubs growing and trees coming in, at the most we are talking three foot covering with grass beside the trail to be maintained weekly. Andrew Raul; the meadow portion will be cut at least twice a year. John Cassels, the open space talks about an agricultural use. Andrew Raul; it can be used for agricultural purposes. Chuck Dobson; assuming the open space is planted in a meadow mix, would there be a different seed mix for the alignment of the trail? The grass would grow, a landscaper would come in, determine the alignment of the trail through the open space in a non specific fashion, that alignment would be respected throughout that growing season and the next growing season a different trail would be cut and there would be no differential between the vegetation in the trial and that which is growing up two or three feet high. Andrew Raul; that could happen, I would think that after use there would be some areas that are packed down more. If the owners decide to interchange the layout, it would be the same vegetation. Steven Jakatt; if the owners want to let it grow to a corn field all of the sudden the trial ends. Andrew Raul; the maintenance documents at the end of the plan process and homeowner maintenance documents are to be resubmitted to the Township and the solicitors for review. The maintenance documents have rule regulations and enforcement. At that time if the Township has specific concerns that would be the time and place for those concerns.

Scott Emerson; the open space management plan would be an exhibit to the homeowners association documents which would spell out the procedure for maintaining the system and open space, etc. Andrew Raul; at preliminary the question is recognizing that the details have to be discussed and submitted to the Township for review. Chuck Dobson: would you expect the HOA documents for the open space management to require the trail? Ron Rambo, will the trail be open for public use? Scott Emerson; it could be, we have not thought about it any different. Andrew Raul; when Townships look at homeowners documents, they do look at things in different ways, some want a system for the neighborhood and others want for the community. Ron Rambo, the establishment of trails determines how the trial run for a Township widens or connects to subdivisions so you can have a means to get back and forth other than a vehicle and to be open generally to the public for anyone’s use. If open for everyone’s use I would think a grass trail would have to be ADA compliant so your not showing prejudice against anyone. Andrew Raul; ADA compliance means meaningful use of a municipality community facility that does not necessarily mean access to each and every nook and cranny. Ron Rambo; if you mulch the path would it be screenings, and would that be ADA compliant? Andrew Raul; if we have a passable trial system that is low, I’m

not sure that's not compliant. Scott Emerson; the trail system isn't the only means for access to other developments. The road system has sidewalks connecting to other developments. It's a combination of the two. .

Ron Rambo, should you not be able to go to PA American Water Company, the Authority then assumes responsibility of the up keep of all buildings in the drip fields. Are there any walking trails proposed through that property? Scott Emerson; the walking trails can be determined once the system is determined. Ron Rambo; whether the system be in the open space and possibly meander through drip fields within Township property at that point, it could be opened to the public. Then we could say you are going to put mulch for screening trail systems there. Your not maintaining it then the Township would be. Scott Emerson; one of the advantages of drip system is you can put systems in where walking paths are and it would not affect the drip system. Ron Rambo; if I send out my public works personnel and tell them to cut this part and then this part lower, how do you keep the trail active? Andrew Raul; that 's a possible scenario, if you have to go back to the drip system then we would have to revise the plans. Bob Schini; since this is a condition of the conditional use order that requires a walking trail, it seems its not up to this Board, it has to be approved at final plan stage or in the homeowners documents. It's obvious this would be a decision made by the administration of the Township. Ron Rambo; it would help to see what type of walking trail the planning commission would rather see. Chuck Dobson; I don't have a problem with the trail meandering through the open space, but the photos you have shown have tire ruts on the trail. After a heavy rain these trails, unless otherwise surfaced, would be very difficult to walk on and become potentially sloppy. If you are talking about one hundred and fifteen single homes, five thousand feet of mulch trail versus grass trail, do you know the incremental cost per unit? Would it be a hardship to you to do something like that? Andrew Raul; it could potentially become a significant expense over time to the residents if they had to continue to put a mulch pad down. There is an opportunity for the residents to change the shape of the trail. The pictures that I gave you, show the system that was just constructed, and the pictures were taken three days after they mowed that section. There is potential the path could turn to mud. John Conti; I appreciate your idea of keeping the trail flexible so they can change it, but wouldn't it be better to start out with mulch. If horses are allowed on the trail, the grass when its soft or muddy would become hard to walk on unless someone goes back to roll and grade the trail. I find it hard to see a trail like that being maintained and useable. Richard Raul; that's what's great about the trail, it does not take much maintenance, it just takes cutting once a month. There would be identification points in minimum low spots to signify where people can come to the trail. That would be on the plans. John Cassels; as far as construction schedules, are you planning on getting a trail in first as one of the first improvements so homeowners realize the house they just bought has a trail next to it? Andrew Raul; that is something we do. Once the trails go in, sometimes people don't want them, so we get that done up front. John Cassels; there are a couple links to trails on the property, but I think the Township has a bigger vision in mind where this could link to adjacent parcels and not be just internal. Bob Schini; asked the Board if there were any other issues. Chuck Dobson; would you be agreeable to providing a set network plan, something that will highlight the trail network? Scott Emerson, agreed that was possible, and also stated they would be looking at the overall concept of the comprehensive plan. Ron Rambo; if the Board were to consider granting a conditional approval would you accept the condition that it be a mulch trail? Andrew Raul; I don't think I can give you an answer tonight. Ron Rambo; will you know the answer before your time expires? Andrew Raul; I think we can take that as a condition as a recommendation from the BoS and by then we will answer by letter whether that is a good idea or not. Ron Rambo; we would like an answer by the BoS next meeting. Chuck Dobson; if the trail is mulched properly, it's possible you would only have to mulch every three years. The open space management plan and the maintenance responsibilities, I don't know what that is yet and I'm not sure anyone else knows. I would like to see that resolved.

At this time Bob Schini asked for a motion. John Conti motioned that the BoS consider preliminary approval of the Balderston Family LTD Partnership/Swinehart Realty Associates LP – Preliminary Land Development Plan for the Swinehart Subdivision (04-03-CULSWH), with the recommendations from the Planning Board as follows: the BoS consider the trail to be mulch as per the Comprehension Plan, trail to be a minimum of six feet wide and there be a trail index plan at final. Recommendation of waiver of the 1000 foot cul-de-sac maximum, and if the Pennsylvania American application does not come through that the plan be amended when resubmitted, and they

comply with Mr. MacCombies review letter dated October 25, 2005. Chuck Dobson seconded the motion with all members in favor.

John & Sandra Nunemaker – Preliminary/Final Subdivision Plan (05-05-NMAKER) –Property location; 350 Reeceville Road - Proposed 2 lot subdivision. Prepared by Lake Roeder Hillard & Associates. Clock started Thursday, July 28, 2005 and continues until Wednesday, January 26, 2006. Representatives present were Jerry Przystup and John Nunemaker. Jerry Przystup stated they had received Mr. MacCombies review letter dated October 19, 2005, there are some minor notes and in conclusion the letter states the plan appears to be acceptable subject to resolution as follows. Indicate note 20 that the sewer as built data has been provided for informational purpose. Add a PennDOT note regarding a HOP sewer lateral in Reeceville Road. Add PennDot roadway restoration detail. Adjust the spot elevation of catch basin one and revise the plan to show a four-inch sanitary sewer. The revised plans before you show the items being resolved. The Planning Board revisited the plan to make sure all items were revised on the plan. Bob Schini asked for a motion. John Cassels motioned to recommend to the BoS that they approve the John & Sandra Nunemaker – Preliminary/Final Subdivision Plan, with the following conditions. The new plans satisfy the outstanding comments on Mr. MacCombies review letter dated October 19, 2005, and the applicant establish the appropriate financial security in accordance with the provision of Section 167-19, Steven Jakatt seconded the motion with all members in favor.

Bob Schini; I would like to discuss one more item under old business. We need to make a recommendation for a vice chairperson. Kim Hoopes nominated Anita Fernez and Steven Jakatt seconded the motion with all members in favor. The Board will forward this recommendation to the Board of Supervisors.

First item under old business; Glen Loch Subdivision. – Minor Subdivision Plan (05-06-LODGE) – Applicant; Cannon Lodge Bldg - Location, Hurley & Baker Road. Hurley Road Subdivision. Proposed three-lot subdivision. Prepared by Edward A. Korab PE. Clock started October 27, 2005 and continues until January 25, 2006. Representative present was Edward Korab, who stated he was here to discuss the 12.8 parcel of land which the applicant plans on subdividing into three lots. Proposed are two new building lots off of Baker and the existing lot that has an existing structure will be the third. We have asked for a waiver to allow additional subdivision while going through this three lot process only because we need to make further determinations as to how the existing structure will be renovated. The existing structure is historic and will be staying. We have met with the Historic Committee, who determined it's a class "A" historic structure, with parts of the structure being built in the 1700's. The applicant's intention is to have the structure renovated and be on its own lot.

The grading plan and erosion control plan have been submitted along with this proposal. There are no variances and we meet all the requirements of the zoning ordinance for this subdivision. I have received Mr. MacCombies review letter, which is rather lengthy, I have discussed this letter with David Biloon from Mr. MacCombies office. There are some issues in the review letter that still have to be resolved. There are some steep slopes on the property along with isolated wetlands on the site. There are some pieces of an old springhouse that are still in place on this parcel that will remain at the request of the Historic Committee.

I will take any questions the Board might have at this time. The two lots have perc'd and will allow for a standard septic system on this lot. Where the existing house is now a new septic will be installed, the perc for that site has been arranged but is not completed.

John Conti; you said you met with the Historic Commission, did they give you any recommendations? Edward Korab; they said they would write a note to the Planning Commission, I have not seen anything as yet. We plan on having additional meetings on the site to determine the rehab of the existing structure. The Historic Commission has stated they would like to keep the structure in that period. The roof would be replaced and windows replaced to look like the old windows. John Conti; will you be doing the restoration and then putting the property up for sale? Edward Korab; as the engineer I don't know what the owner intends to do. At this point they have agreed to lease the house. At some point it may be sold as is and somebody will come in to rehab it. We will follow all guidelines. At this point we will be setting up steps for rehabbing the Historic Structure, we have talked about it, but have not taken it to the point where we know exactly what we need to do.

Site visit was scheduled for November 5, 2005 at 9:00 am. Planning Commission Secretary will contact John Vilcheck of the Historic Commission to inform him of the site visit. Chuck Dobson; is there a reason for the proposed common drive? Edward Korab; we discussed that with Ron Rambo and James MacCombie. The letter from James MacCombie indicated we might not need a common driveway. We would like to have one point of access onto Baker Road. The common driveway could be eliminated and two driveways ten feet from the property lines could be added. Having two points coming out at this short distance (dwg ref) with this intersection here is something we did not want. I made it a common driveway, but there is nothing preventing us from keeping separate driveways ten feet off the property lines and that would meet the ordinance.

Kim Hoopes; I would like to suggest that where the common drive is along the property lines is to establish a thirty-three foot right of way coming in that leaves us the option of bringing in a road highway for the rest of the land to be developed. At that time it could be offered for dedication if PENNDot is not using it. I am looking at this as another potential access into the bigger piece of ground in the back instead of having them all come out onto Hurley Road. Edward Korab; it will not be individual driveways, if in fact we go through a series of flags, you can't have more than two contiguous. We would double up as many driveways as possible. Kim Hoopes, I would like to still have the option. Edward Korab; with more than a thirty-three foot the building envelope would change. Kim Hoopes; with the thirty-three foot you can still have a twenty-two foot road in there, no curbing. And if landscaping were done now, if that ever happens it would be tree lines coming into the back.

John Conti, why aren't you developing the whole plan at this time? Edward Korab; we don't know how all this is going to work yet, as far as rehabbing and putting it on its on lot. The builder wants to get started on this plan, and that will give us more time to go though the major subdivision, get the historic committee worked out and everything else in order.

Bob Schini asked for a motion. Steven Jakatt motioned to table the plan and John Conti seconded the motion.

Representative Jean Krack, City Manager for Coatesville stated he has been with the City since 1999. I know about the project for the City of Coatesville Training Facility but was not involved in the project. I understand that things on this plan were not completed in a timely manner. The request came in for an extension of time, we gave the Township a ninety-day extension, and the BoS only granted a thirty-day extension. With my discussion with Ron I found the biggest concern was the City of Coatesville not doing anything or moving forward. Ron and myself discussed what was needed and that has to do with lighting. I would like to show you the lighting scheme but unfortunately the plan was printed backwards. My purpose here is to advise you that I will be taking action and moving forward. The engineers and lawyers will also be moving forward. I will continue to move forward until approval or our City Council makes another decision. This project is still a viable ongoing project. I want to make certain that we can continue to get the extensions necessary and I will do everything I can to get the information to all Boards.

Ron Rambo, you as a Planning Commission Board had recommended preliminary approval based on addressing items in James MacCombies review letter, which is the lighting issue. When the plan went to the BoS, they would not grant preliminary approval until they saw things starting to move. At the last meeting the BoS would not except the ninety-day extension and would only except thirty. I have since met with Jean on other matters and mentioned to him we need to see some type of movement. I asked Jean to come tonight to show the Planning Board that Carroll Engineering and the City of Coatesville are trying to address the lighting issues that are outstanding. Ron Rambo, suggested Jean Krack attend the next BoS meeting. The Board thanked Jean Krack for his update on the City of Coatesville plan.

Josef Obernier; part of the discussion when they came forward and said instead of a light test lets' do a scale drawing. I suggested it might be clearer for everyone, if we could see the height of the light standards and their positioning and the top of the tree line. There seemed to be confusion about how that might be accomplished. I still think that's a good idea. The next point comes back to the Comprehension Plan. There is concern with lack of access to commercial buildings. They have an access coming off of Pratts Dam Road, which requires a piece of

ground that I'm not sure they received a right of use of the ground. Mr. Krack is talking about perhaps having an extended walking trail coming up through Coatesville, he mentioned the railroad bridge over Rt. 340 that is scheduled for decommission. The railroad bridge bed goes through West Brandywine Township. A long time ago the rights of that trail bed reverted to the local owners. I am aware that the local owners included Tom. Knowing how the local homeowners felt and knowing how they didn't want the trail, this is an issue where they asked, is there intent of eminent domain to have the trail? I don't know. I'm not trying to stir anything. I saw the letter and saw some things that Jean may not truly be in the loop, because it's been years and years along the loop.

Kim Hoopes; when that road right of way was reverted to local owners did they split it down the middle of the bed and go either side? Jean Krack; that's typically the way it works. Josef Obernier; my understanding is that all the owners owned up to the creek and the rail bed is shy of the state owned creek.

John Conti; I would have liked to have seen the twenty mile trail. At that time the railway dealt with homeowners on an individual basis and therefore had separate agreements, it was a mix and match thing and you had to deal with a lot of different owners. At that time there was some opposition organized by a certain party

Josef Obernier; the comp plan talks about walking trails, maybe the walking trail does not have to be the bed, there may be alternatives there.

Ron Rambo, there is a trail shown on those lands that go through John Conti's property. John Conti gave a ten-foot easement on the eastern part of his property for construction of trails. This easement was for pedestrian use and maintenance.

John Conti; I think the opposition to the railroad bed is long gone; I think you have a whole different type of person that would not oppose that anymore. Josef Obernier; your talking about people that have moved into the area and I'm talking about people that own the railroad bed. John Conti; at this point the actual landowners are not going to give up the land and it's a dead issue. Josef Obernier; the response letter to comp plan indicated it's not a dead issue to them or Jean. What I'm trying to suggest is maybe there are some alternatives. Bob Schini; the railroad bed is a dead issue is that what we are saying? Josef Obernier; that's correct. Ron Rambo; at the end of the comp plan there is a public diagram, it's not our zoning its just a bubble diagram, that shows where you have open space.

Josef Obernier; Jean has been asked by Ron Rambo, should Coatesville decide not to develop the property the Township would like first right of refusal on the ground. There was some talk among the BoS, perhaps using the County Properties ten acre pieces, and having a common barn where horses could be stabled. That would help to seal the view. Kim Hoopes; are you saying the Township is going to get into developing? Ron Rambo; no that was not my intent. My intent was asking Jean for first right of refusal should they elect to sell the property. I have not received a reply as yet. Jean would not be able to sell the property for what he paid for it. Josef Obernier; the City of Coatesville still has intent to do something. The BoS has had conversations like this on a number of properties.

Jean Krack, we will continue to do what is needed, I just was not aware we were being lax in our effects in getting information to the Township. I will have a plan for you at next meeting and will have representation present.

The Board thanked Jean Krack for his time.

General Discussion; Kim Hoopes, did you read the letter from Steve Janiec. It says currently I am developing a plan on the neighboring ten-acre tract to realign Swinehart. Ron Rambo, he is talking to Walters Trucking to buy them out, Steve Janiec has a lot in that area and is looking to do something commercial. The Bentley Communities did not want to do exactly what the Township was suggesting and Steve Janiec has been flexible with working with the Township.

John Conti apologized to the Board for missing the last two meetings due to work commitments.

Bob Schini, asked for a motion to close the meeting. Steven Jakatt motioned to adjourn at 9:37. Chuck Dobson seconded the motion with all members in favor

Joann C. Ranck
Planning Commission Secretary

Plann/MinOct05