

PLANNING COMMISSION MEETING
Thursday, July 28, 2005

The West Brandywine Township Planning Commission meeting was called to order at 7:31 p.m.; Bob Schini led the members in the pledge of allegiance. Those members in attendance were; Bob Schini, John Cassels, Anita Ferenz and Kim Hoopes. John Conti took his seat on the Board at 7: 45 p.m.

Bob Schini asked for acceptance of the minutes for the June 23, 2005 meeting. Kim Hoopes motioned to accept the minutes for the June 23, 2005 meeting and have any revision to the Planning Commission Secretary within one week. John Cassels seconded the motion with all members in favor.

Public Comments: Edward Korab introduced himself as a consultant engineer to discuss a project at 143 Hurley Road, which sits at Hurley & Baker Road. The site is approximately fourteen acres. There is an existing stone dwelling on the property. There are some other out structures that would be removed by the owners. Plans were submitted to divide two lots off of this parcel, leaving the remaining parcel and then follow up with the subdivision for the rest of the parcel giving the builders an opportunity to get started on the two parcels. Septic testing is not complete. The perc tests are scheduled for Monday and Tuesday. The overall plan is to develop the tract into a nine-lot subdivision, one acre or larger. There will be a series of flag lots and standard lots through here (dwg ref) with entrances having to be coordinated at this point. (dwg ref) There will be on-site water and sewer. When we get to land development there will be on-site storm water management. I briefly reviewed this with Mr. MacCombie who indicated that we come in for the two-lot subdivision and explain the overall subdivision and what it would look like. I am hear to answer any questions or comments.

Steven Jakatt, is there anything else you can do with the property besides flag lots? Edward Korab, the alternative would be to extend the road from one end to the other end creating another roadway, probably a municipal road, and there would be additional drainage issues. I believe flag lots at this point are permitted under your ordinance.

Bob Schini; the Township Manager, Ronald A Rambo, Jr. who could not be present asked me to question what you envisioned for driveways for the original two lots? Edward Korab, we will probably have both driveways coming off of Baker Road. Bob Schini, Mr. Rambo would like to see a common drive, considering the traffic on that road. Edward Korab, it's something the applicant can consider.

Kim Hoopes, your first proposal is to subdivide two lots from the larger parcel? Edward Korab; to get things moving we are looking at doing a minor two lot subdivision and leaving the larger one alone. The subdivision land development is a lengthy process. By doing the two lots it affords the opportunity for the builders who invested in this project to start building. (The owners are the builders) When the subdivision is completed it will be a nine-lot subdivision. If the Board will allow, considering the existing building is not going to be used, it will come down being it falls in a location that would spilt lots up. Don't do a subdivision at this point, just do a grading plan for a lot at the house at the top corner and then come back with the major subdivision. Its something we are discussing as far as giving the builders a chance to get started.

John Cassels can you give me information on the house. Edward Korab, it's a stone home that has no not historic nature. It's not in good shape and will be removed. The home may be from the early 1900s' and may have had another part added on later. I don't have all the details, but it is in disrepair

John Cassels, we do have an ordinance that talks about the four-step process. The first step is to have a meeting between the developer, engineer, manager, member of the planning commission and a member of the BoS that is held before this meeting to discuss your plans. From that meeting you come away with enough information to be able to put together a sketch plan that should be presented to the Planning Board and the BoS. That is the next step. The step after that would be to submit a preliminary plan. Once that is approved step four would be to submit a final plan. Those are the four steps. Edward Korab; is that a mandated process? I was not aware of that; I thought it was an option. John Cassels, it seems we are jumping over a couple steps with this already. Before you go any further with engineering it might be a good idea to follow the steps.

There could be a cul-de-sac, smaller lots and open space around the outside of the tract. It will be difficult for the people on Hurley Road coming up the driveway right up past their house. Kim Hoopes, it's a good idea having a cu.-de-sac coming in off of Baker Road and letting all traffic come out there. Edward Korab, I will take this information to the builders. The ground is partially wooded mostly meadow, no steep slopes. Kim Hoopes asked how accurate the topographical was. Edward Korab; fairly accurate. The topographical was taken from the county and field verified and adjusted. Steven Jakatt, I don't care for the plan you have presented and feel you need to be more creative. Edward Korab, is it just the flags you don't like? Steven Jakatt, the flags jump out at you, you might want to consider a small cul-de-sac or a small street through the site. There is no open space; you have more driveways coming out to Hurley than exist there now.

Edward Korab; I will meet with the builders and review the plan. The key for us right now is to make sure all the perc's are fine then we can move forward. Kim Hoopes; for a road coming in we can do waivers for curbing for width of roads, its something for you to consider. John Conti, you need to contact the Historic Committee in reference to the house. I feel the house was built in the late 1700's or early 1800's. Edward Korab; the construction is so bad the house is falling apart. John Conti, from looking at the house from the outside, I don't think it's in that bad of shape. I am familiar with the house and know the person who lived there before. I think it has architectural significance being it is an old farmhouse.

Josef Obernier from Baker Road; the property is very hilly and I'm not sure the gentleman is really an engineer. The property does seem to have steep slopes; there is also a creek that runs down Hurley Road. I sense that Ron, (township manager) had hesitation about lots and driveways onto public roads. Edward Korab, I appreciate the gentleman's' comments, I am a licensed professional engineer, and have been practicing in Pennsylvania and been licensed since 1977, and a graduate of Drexel University. There are no streams and no steep slopes on this property. At that time Edward Korab thanked the board for their time.

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 Sunday, September 25, 2005. No representative was present. Bob Schini asked for a motion. Steven Jakatt motioned to table the Schnatz & Rohrer Landscaping Inc. – Preliminary/Final Land Development Plan; Kim Hoopes 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 representative was present. Bob Schini asked for a motion. John Cassels 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.

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 16, 2005. No representative was present. Per a phone conversation between the Planning Commission Secretary and Craig Poff, he requested that the Township Manager help set up a meeting with himself and Menke & Menke to discuss landscaping issues. The Planning Secretary will inform the Township Manager of this request.

Bob Schini asked for a motion. Steven Jakatt motioned to table the Balderston Family LTD Partnership/Swinehart Realty Associates LP – Preliminary Subdivision Plan, Kim Hoopes seconded the motion with all members in favor.

St. Peter's Church – Final 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, May 26, 2005 and continues until Tuesday, August 23, 2005. Representative present was Steve Marshall who stated he was before the Board to seek a recommendation for conditional approval to move on to the BoS. The most current engineer letter from Mr. MacCombie is dated July 15, 2005. The last paragraph notes that it appears the primary and critical site development features have been addressed, and Mr. MacCombie does not have objection to the Board for rendering a favorable consideration of the plan.

There has been a draft prepared for the cross easements and has been reviewed by Mr. MacCombie's office. John Cassels: the CC Conservation District letter that states the plans to be inadequate. Steve Marshall; the plans are currently being reviewed, we have addressed those comments and sent them back in, and have also met with a representative from the soil conservation district. The person reviewing this plan is on vacation this week so there has been no update, but feel we have addressed their comments. The items are all storm water related or sediment erosion control related that Mr. MacCombie would have reviewed as well and had stated he was all right with the storm water. John Cassels, what is still outstanding? Steve Marshall; the approval letter from CC Conservation District, the sewer is the other issue; the school is working on those permits through DEP. The School has also been granted approval with conditions that they would have to have the appropriate approvals from DEP regarding the sewer. Escrows will also have to be established. We decided with Ron Rambo, and Mr. MacCombie's office that we would put notes on the plans stating the church would install the lighting on our side of the entrance way and they would supersede the schools' lights. A note will be added that the lights would have to be operational before there is an occupancy permit issued for the church or school. These notes will be on the plan at time of resubmission. Bob Schini asked for a motion. Steven Jakatt motioned to recommend acceptance of St. Peter's Church – Final Subdivision & Land Development Plan favorably to the BoS, conditioned upon normal escrows submitted, the final approval for septic and anything else that may be outstanding. John Conti seconded the motion with all members in favor.

James P. Bryant – Final Minor Subdivision Plan (05-04-BRYT), Property location, Pratts Dam Road – Proposed Lot Subdivision. Prepared by Environmental Consultants International Corporation. Clock started Thursday, May 26, 2005 and continues until Tuesday, August 23, 2005. No representative was present. Letter of extension was received from the applicant but was found to be incomplete by the Board. Bob Schini, we have a review letter from Mr. MacCombie, dated June 15, 2005. John Cassels, the applicant also submitted a list of twenty-two waivers to the BoS. Josef Obernier, this is the same four lots before us years ago where they were going to straighten out the road. The applicant seems to want to cut up the lots and not put up any kind of escrow for common improvements. Some of the waivers presented were necessary but some waivers indicated to everyone where this was going. Our suggestion to the applicant was to have a common driveway and to meet all objectives for opening onto the street. The applicant was not interested in putting out any money at all. I sensed the applicant had more work to do on the application. Bob Schini, there are some extreme issues along with the topography. Kim Hoopes, another concern would be that they all be viable lots. John Cassels, the applicant paid someone to survey the wetlands but did not pay them to write the report to back the information up. Josef Obernier; they are using county contour maps from twenty-five years ago.

Bob Schini asked the Board for a motion. Steven Jakatt motioned to table the James P. Bryant – Final Minor Subdivision Plan John Conti seconded the motion. Steven Jakatt then found the extension letter incomplete and rescinded his motion. John Conti rescinded his *second motion*. There were no objections to the rescinding of the motion. John Cassels then motioned to recommend rejection of the James P. Bryant – Final Minor Subdivision Plan unless the applicant submits a complete letter of extension that includes a time period by August 4, 2005. Rejection of plan is due to Mr. MacCombies review letter dated June 15, 2005 in reference to Subdivision and Land Development item number six; Sewage Disposal – the Chester County Health Department needs to provide approval of the soil tests to certify these lots can accommodate on-site sewage disposal systems, pursuant to the requirements of 167-24C(2)(h) and 167-57. Item seven; Conservation of Riparian Buffer Areas – Section 167-64 – The applicants ability to comply with the provisions of 167-64B(4) is critical to whether or not 3 of these 4 lots can be developed and have direct access to Pratts Dam Road. Permits to cross the stream and associated wetlands must be obtained from Pa. DEP, before the Township can approve any land disturbing activities within the Riparian Buffer. The engineer does not appear to have applied the setback standards established under Ordinance 03-02 for area within headwaters of 25 feet to the wetlands and 100 feet to the stream. Item nine; Pursuant to the provisions of Pa. Act 367 as amended to seal and signature of the Professional Land Surveyor in responsible charge for verification of the outbounds must appear on the subdivision plan. Applicant needs to respond with a completed extension letter by August 4, 2005. Steven Jakatt seconded the motion with all members in favor.

New Business – 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 October 26, 2005. There were no representatives present. Steven Jakatt motioned to table the plan. Kim Hoopes; the plan states one hundred and ninety feet to Hurley Road. Is there a public sewer they can tie into? They are going for a little over half acre on their subdivision. This runs down passed the school, will they have to receive permission to tie in? The applicant would need public sewer. This would be critical to this lot for being a half an acre; there would be fees involved with the hookup. Josef Obernier, for an on-lot system to co-exit with on-lot water it is a half a lot minimum. Bob Schini, that's because of a separation of a hundred foot minimum separation, this says it will be served by public water. Kim Hoopes, the plans also state the existing house will be hooked up to public water. Josef Obernier, we do not force people to hoop up but if the system is failing or the house is sold then the Township requires them to hook up. John Conti, it does say on the plan proposed sanitary sewer, public. Kim Hoopes, site distance will still be an issue. Bob Schini asked for a motion. Steven Jakatt motioned to table the John & Sandra Nunemaker – Preliminary/Final Subdivision Plan, Kim Hoopes seconded the motion with all members in favor.

General Discussion: Kim Hoopes; resumes for the open seat on the Planning Board Commission – this person has a great education, but says nothing about who he is or what he might want to do for the Township. John Cassels, I think they went through interviews with the supervisors. Josef Obernier, we have interviewed two as of this date. I have emailed you for comments concerning the resumes given to the Planning Board. If there were additional papers that they submitted, you can read them and then submit your comments. I don't want comments on the record. The is a decision for three people, I cannot discuss what I may or may not know from the other two supervisors. Kim Hoopes & John Conti both felt that Sue Bower who had submitted her resume was a dedicated person doing other volunteer work throughout the community. Some of the Board Members knew of Chuck Dobson, but felt he might have to recuse himself at times. Josef Obernier, there are other members on the Board that have at times had to recuse themselves. Over the years we have said we wanted people who had knowledge and understanding of the Board. I received one email back that said, he found the person easy to get along with and talk to and seems like an honest person. I don't want to persuade you one way or another. The fact that a person has to recluse himself could be said of most of the members of the Board. I was told that Chuck Dobson was recommended by the Planning Commission, is that true? John Cassels, I mentioned it to Ron Rambo that Chuck told me that he was going to apply when Joe Boldaz applied. He has been talking about it, but the planning

commission did not recommend this person. Josef Obernier, we would like your suggestions on who you would like to see on the board, please send this information to Ron Rambo.

Meeting reminders were read.

There were some members that felt they would not be able to attend the August 2005 meeting due to commitments.

Bob Schini, asked for a motion to close the meeting. Steven Jakatt motioned to adjourn at 8:56 p.m. John Conti seconded the motion with all members in favor

Joann C. Ranck

Planning Commission Secretary