

**EAST BRANDYWINE TOWNSHIP PLANNING COMMISSION
REGULAR SESSION**

Wednesday, June 6, 2007 – 7:30 P.M.

Those in Attendance:

Mr. Bruce Rawlings, Chairman
Mr. Stephen Cushman, Vice-Chairman
Mr. Michael Corbin, Member
Mr. Charles Giordano, Member
Mrs. Deborah Marshman, Member
Mrs. Sandra Moser, Member
Mr. Mervin Thomas, Member
Mr. Scott T. Piersol, Township Manager
Mr. Michael Mayhew, Township Engineer
Mrs. Mary Beth Smedley, Township Secretary/Treasurer

Mr. Rawlings opened the meeting at 7:30 P.M. There were eight visitors present.

Planning Commission Minutes – May 2, 2007

Mr. Rawlings asked if there were additions or corrections to the May 2, 2007 minutes. There were none. Mr. Corbin made a motion to approve the minutes as presented. Mrs. Moser seconded the motion, with all voting Aye.

Mr. Rawlings noted that the Forge Hill Subdivision was removed from the agenda.

The next Planning Commission meeting will be held Wednesday, July 11, 2007 at 7:30 P.M. It was moved from July 4th because of the holiday.

Guthriesville Plaza

The owner and applicant is Guthriesville Plaza Associates. The plan proposed a subdivision of parcel 30-5-70.4 into two separate lots. The tract is located within the Village Commercial Zoning District and is situated between Horseshoe Pike and Hopewell Road. The present access to the site is from Horseshoe Pike. The site contains a strip commercial center with a parking lot, concrete walks, sheds, storm sewers and steep slopes. No new improvements are proposed. The net acreage for the newly created lot would be 1 ½ acres.

Mr. Jim Worrell, owner of the property and Mr. Adam Brower, the applicant's engineer, attended the meeting to discuss the Yerkes May 31, 2007 review letter.

At a previous meeting the Planning Commission raised concerns about access from Hopewell Road. Mr. Brower showed a feasibility layout plan of the property, although

the use of the property won't be known until a land development application is submitted. He will provide a copy of the plan for Mr. Mayhew to review. The plan showed a long driveway, with 58 parking spaces and a two-story building with a 9,000 SF footprint. He suggested that the proposed building might be 12,000 to 15,000 SF in total size. The size would be limited by the amount of parking spaces that can be installed. A retaining wall will be installed along Hopewell Road. The concept road has an 8% slope at its steepest part and has a 4% slope at the landing, past the ultimate right-of-way. The house shown on the property will continue to utilize the existing driveway.

It was noted that there is a historic building adjacent to the property. The Planning Commission would like property screening to be installed as part of the subdivision plan. Mr. Brower will add a note to the plan.

Mr. Corbin asked how stormwater might be handled on the property. Mr. Brower stated that he would expect the stormwater to be handled by a subsurface system. The Planning Commission wants to make sure that the stormwater is contained on the property.

The applicant has submitted sewage facilities planning modules to PADEP and the Municipal Authority Engineer to review. Mr. Brower stated that the planning module anticipates the site will need 3 edu's (equivalent dwelling units) to serve the sewage needs of the site. Mr. Corbin suggested that the applicant attend the next Municipal Authority meeting to request the sewage capacity.

Mr. Brower requested a waiver from Section 350.24.B(2)(i) of the subdivision ordinance. The applicant is asking for a waiver from providing additional detail on the lot with the existing structures that will not be modified by the subdivision. Mr. Mayhew had no objection to granting this waiver request. Mr. Rawlings made a motion to recommend the Board of Supervisors grant this waiver request. Mrs. Marshman seconded the motion, with all voting Aye.

The Planning Commission asked that the comments outlined in the Yerkes May 31, 2007 letter be addressed and that the applicant attend the June 12th Municipal Authority meeting to discuss sewer capacity.

Brandywine Ponds (DeCovny Parcel)

The plans depict a proposed 25-lot subdivision of an existing 89.211 acre parcel located on the north side of Dowlin Forge Road. The parcel contains an existing farmhouse and farmstead buildings, wooded steep slopes, ponds, wetlands, and a tributary stream to the East Branch of the Brandywine Creek. The parcel is situated within the R-1 Zoning District and each lot is to be served by on-site water supply and sewage disposal.

Trail

A site meeting was held with Mr. Rawlings, Mr. Piersol, Mr. Kummer and the applicant's engineer Adam Brower to review the trail location. It was agreed that a 50-foot temporary easement would be provided to field-locate the trail after construction of the roadways, driveway cuts and other site improvements.

At last month's meeting, the Planning Commission discussed the retaining wall along the proposed road known as Ryan's Way. The retaining wall is very high and the Planning Commission does not want the Township to be responsible for maintenance of this structure. The applicant was asked to consider either forming a homeowner's association, or proposing some other method to maintain this structure.

The applicant provided construction details of the proposed retaining wall for Mr. Mayhew to review. The Township will be responsible for maintenance of the trail and fence along Dowlin Forge Road and a 10 foot permanent easement will be provided for the trail. The fence will be post and rail.

Mr. Brower stated that the trail has been modified to travel down the western entrance to the site. The trail traverses along the proposed road up to the stream crossing. At that point, it leaves the road right-of-way and goes to the tract boundary. Mr. Rawlings stated the easement on the Tischler property needs to be located so that the trail lines up correctly at the property line. Mr. Brower asked if the Township could provide information showing where the trail easement is located on the Tischler property. Mr. Piersol will check with Natural Lands Trust to see if they have the information. Mr. Rawlings asked that Mr. Kummer review the revised trail plan again. Mr. Mayhew stated that sewage disposal areas should be avoided when locating the trail.

Culvert Bridges for Ryan's Way

Mr. Brower submitted shop drawings for the three arch bridges, including a double-arch consisting of precast concrete units. Yerkes provided a comment letter dated June 4, 2007. Mr. Koppenhaver recommended approval of the bridges conditioned on the applicant providing the additional information he requested on his June 4th review letter.

Hillendale

Southdown Homes is proposing the construction of a 149-lot single-family and 59-lot townhouse development known as Hillendale. The site is located in the R-1 Residential District and MHP Mobile Home Park Zoning District. The plans have been prepared in accordance with a Settlement Agreement signed on November 4, 2004. The development is located adjacent to Creek Road. Access to the site is proposed from both Township Road and Creek Road. All roads are to be dedicated to the Township.

The Planning Commission remains concerned about the location of the road off Rt. 282. Mr. Heinrich will review the latest HOP documents that are to be submitted by Traffic Planning and Design. It was suggested that Yerkes and Mr. Heinrich identify options to the proposed location.

Extension

The applicant provided a letter granting an extension to review the land development application until July 30, 2007. Mr. Rawlings made a motion to recommend the Board of Supervisors accept the extension. Mr. Corbin seconded the motion, with all voting Aye.

Weaver Tract

The applicant is proposing to build 273 units (184 total 35' wide units and 89 total 40' wide units). The subdivision is on a 140.458 acre lot located at the southeast corner of Bollinger Road and Horseshoe Pike. The lot is being developed under the R-3 Zoning District requirements per a settlement agreement. The Settlement Agreement with the Township was approved on November 2, 2006. The net tract acreage is 130.367 acres. The lots will utilize public water via an 8-inch diameter CLDIP water main. A Water Availability Letter was provided by Aqua Pennsylvania, dated December 1, 2005.

Sewage will be treated offsite in an SBR treatment plant and the treated effluent will either be disposed of on-site in subsurface systems or off-site where the sewage is treated at the Applecross Wastewater Treatment Plant. Schoor DePalma, Engineers and Consultants, is reviewing the sanitary sewer design. The applicant indicated that the completed package for the Sewage Facilities Planning Module was submitted on February 2, 2007. The application package to the Chester County Conservation District was submitted under separate cover. The size of the disposal fields was increased from 8.47 acres to 11.35 acres to provide sufficient capacity to accommodate a reduction in the application rates. Consequently, 13 lots were eliminated along the site's frontage of Bollinger Road, reducing the total to 273 proposed lots.

Ms. Patricia Bunn from K. Hovnanian and Ms. Linda Arnold and Mr. Carlton Williams from Taylor Wiseman and Taylor discussed the landscaping plan for the development.

Ms. Bunn stated that they have reviewed Mr. Kummer's letter of June 1, 2007. The intention is to restore natural woodland to the property. They hope to achieve this by planning a higher quantity of smaller caliper trees that will be able to grow more comfortably on the site.

The Township ordinance requires 3 to 3 ½ inch caliper trees. To meet the Ordinance would require planting thousands of trees. If 1 ½ inch caliper trees were planted at a ratio of 3 to 1, along with planting a woody seed mix, the result would be a denser forest. This would also allow other species to volunteer into the open space. Additionally, planting smaller caliper trees will result in a great deal of cost savings to the developer.

Ms. Arnold stated that the first phase to be planted would be off Horseshoe Pike and Bollinger Road. They would expect to begin planting the meadow in the fall. The area along East Reeceville Road will be planted in a later phase.

The Planning Commission questioned how the applicant planned to protect the trees, especially from deer. Ms. Arnold stated that they plan to install fencing around the planted areas and band trees. It was noted that the fencing should be at least eight feet high in order to protect against the deer population; lower fences can be breached by deer. An electrical fence might also discourage deer from eating or rubbing against the trees. Ms. Arnold stated that they expect some mortality and will replace those trees if they died. A performance guarantee will be posted by the applicant to ensure those trees are replaced.

Ms. Arnold stated that they worked with Mr. Kummer to develop a plant list of evergreens and deciduous trees. The list shows a mix of 1/3 evergreens to 2/3 deciduous trees. The trees will include American Holly and Eastern Red Cedar. The applicant would like to create an "old feel" type of landscaping. The reason that so many more deciduous trees are being planted than evergreen trees is because there aren't enough native evergreen trees available.

Mr. Rawlings would like to see some larger trees along the Bollinger Road entrance. Ms. Arnold said that larger trees are planned for that area.

Mr. Thomas asked how long it would take before the area appears to be a mature woods. Mr. Rawlings stated it would be 4 to 5 years. Ms. Arnold stated that studies show that smaller plants grow faster. The biological reason is that small plants are grown in containers. When they are planted in the ground their root system doesn't need to recover as is the case when trees are planted in the ground and some of their root system is damaged or removed when they are moved. The Planning Commission would like Mr. Kummer to review the warranty for these plants.

Mr. Rawlings stated that there were no mature trees on the plant list. Ms. Arnold stated that poplars and beeches don't grow well on construction sites. Mr. Rawlings would like to see some oaks or tulip poplars or some other larger trees planted on the site. Ms. Arnold stated that those species are likely to introduce themselves onto the site naturally. Mr. Rawlings asked the applicant not to use barberry, mahonia and linden and its varieties on the site. Mr. Williams stated that the list isn't final and they will still be fine-tuning it.

Applecross Landscaping Plan

At the last Planning Commission meeting it was reported that the applicant wanted to plant 1 ½ inch caliper trees on the property. Actually, the applicant would like to be permitted to install 2 ½ inch to 3 inch caliper trees with the understanding that upon

inspection for compliance and escrow release all trees will meet or exceed the 3 inch to 3 ½ inch caliper size. In the event that a tree does not meet the minimum size at the time of inspection, the applicant has agreed to install a replacement tree which meets the full specification. Mr. Rawlings stated that he was in agreement with this plan. His main concern is making sure that the proper procedures for planting and maintenance are followed.

The Planning Commission asked that Mr. Kummer contact Pulte Homes and K. Hovnanian for a cost benefit analysis and ask how agreeing to these landscape plans would benefit prospective homeowners or the Township.

Ordinance Task Force Items

Mr. Piersol reported that on May 23rd an Inventory and Analysis of Existing Roads was circulated for the Task Force to review.

At next month's meeting the Task Force will discuss the Guthriesville Master Plan. A consultant hired by the Township will be in attendance to provide assistance and direction with the plan.

Mr. Giannantonio, Mr. Piersol and Mr. Jackson met this week to discuss developing a conservation opportunities map for the Township. Since this work will not be covered under the Vision Partnership Grant, Mr. Piersol stated that the Township needed to be mindful of the cost for producing this map.

Corner Ketch Landing

Mr. Rawlings asked for an update on tree replacement at the Corner Ketch Landing Development. In a letter dated February 5, 2007 to M & Z Builders Mr. Piersol provided a list of trees to be planted in the subdivision. Mr. Zalkind responded on May 10th requesting an amendment to the suggested tree replacement. Mr. Piersol will contact Mr. Zalkind to let him know that the Planning Commission recommends he follow the recommended planting schedule outlined in the February 5th letter or have the Township Landscape Architect review the suggested plantings and make recommendations. Until this issue is resolved it was recommended that no further building permits will be issued for the subdivision. It was also suggested that since the trees were not planted in the spring, as requested by the Township, the developer should wait until fall. Mrs. Marshman suggested that the developer be required to escrow funds to ensure that the trees are planted and acceptable to the Township.

Garage at 397 North Buck Road

Zoning approval for this garage was conditioned on the property owner providing adequate vegetative screening from Hopewell Road. To date, the additional screening has not been planted.

Cumberland Ridge

At last month's meeting, Mr. Rawlings stated that the shoulders of the Cumberland Ridge trail need to be stabilized. He reported that this issue is now resolved.

Rothman Tract

Mr. Piersol reported that Mr. Barkon will be sending in a crew within the next week to stabilize the structures that are collapsing.

Sunoco Convenience Store

The Planning Commission remains concerned about deliveries at the Sunoco Convenience Store. Mr. Rawlings stated that during subdivision or land development he feels it is important for the Planning Commission to stand up for what they feel is the right thing to do, even if it means disagreement with the Township consultants. Mrs. Marshman stated that even though there are still some concerns about traffic circulation at the Sunoco Convenience Store, overall land development of this site was positive.

At last month's meeting, the Planning Commission also suggested that the white stripping directing motorists to the left turn only on Rt. 322 be changed to yellow stripping, so it is more noticeable. Mr. Piersol discussed this with Mr. Heinrich, who confirmed that the pavement markings are the correct colors. He stated that the problem with the driveway is there is virtually no throat to the driveway and it needs to be wide enough to accommodate delivery trucks. That is why there is a rumble strip instead of a raised island. A raised island would have been too small to meet standards. Mr. Heinrich would have liked to have created a wider buffer between the edge of the road along Rt. 322 and the internal parking area. This is a PennDOT issue. As long as the applicant meets PennDOT standards the Township can suggest changes, but cannot compel an applicant to make them.

Smokehouse Farm Fire Protection Issues

Mr. Thomas asked Mr. Bates why it has taken so long for the fire storage tank to be installed. Mr. Bates stated that he is still waiting for caps. Once they are received the tank will be placed in the ground. The Planning Commission is very concerned that this work isn't done and has taken so long, particularly since this is a safety issue for the residents living in the development. It was stressed that this work must be done prior to the July Planning Commission meeting or further action will be taken.

Development Vegetation

Mr. Thomas stated that several developments have overgrown weeds, including Applecross and Cumberland Ridge. Mr. Piersol has spoken to Mr. Sabatini with Pulte Homes who will have the weeds mowed within the next week. Mr. Piersol will have Mr. Cantlin discuss the overgrown weed issue with the site superintendent at Cumberland Ridge.

Political Signs

Mr. Thomas stated that there are still many political signs in the Township that need to be removed.

Hopewell Church

Mr. Giordano reported that the light situation is still not resolved.

HeatherWynd East Brandywine Township

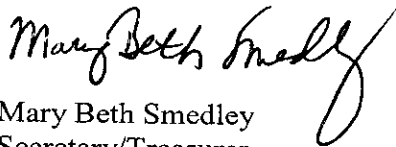
The Township still has not received a plan for the dump remediation. Mr. Mayhew will be asked to follow-up on this. Mr. Corbin stated that geogrid fabric should be installed as part of the remediation.

The July 4, 2007 Planning Commission meeting will be moved to July 11, 2007 at 7:30 P.M. at the East Brandywine Township Municipal Complex.

Adjournment

There being no further business Mr. Rawlings made a motion to adjourn the meeting. Mr. Marshman seconded the motion, with all voting Aye. The meeting was adjourned at 9:15 P.M.

Respectfully submitted,



Mary Beth Smedley
Secretary/Treasurer