

**EAST BRANDYWINE TOWNSHIP PLANNING COMMISSION
REGULAR SESSION**

Wednesday, February 6, 2008 - 7:30 P.M.

Those in Attendance:

Mr. Bruce Rawlings, Chairman
Mr. Michael Corbin, 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

Absent:

Mr. Stephen Cushman, Vice-Chairman
Mr. Charles Giordano, Member

Opening of Meeting

Mr. Rawlings opened the meeting at 7:30 P.M. with a Salute to the Flag. There were six visitors present.

Planning Commission Minutes – January 2, 2008

Mr. Rawlings asked if there were additions or corrections to the January 2, 2008 minutes. There were none. Mr. Rawlings made a motion to approve the minutes as presented. Mr. Corbin seconded the motion, with all voting Aye.

Hopewell United Methodist Church

The owner and applicant is the Hopewell United Methodist Church. The plan proposes two additional parking lots with accompanying stormwater management facilities. The tract is located within the R-1 Residential District and is located on Hopewell Road just west of Crawford Road. Ms. Melissa Kelly from Rettew & Associate and Mr. David Cloetingh, a member of the Church, discussed the revised preliminary plan and the Yerkes January 20, 2008 and February 6, 2008 review letters.

Ms. Kelly stated that there were two outstanding issues on the January 20, 2008 review letter.

9. The silt fence along the eastern lot should be extended to the easternmost part of the limit of disturbance to protect the existing basin from sediment. The applicant provided a revised plan dated January 29, 2008 that shows the required silt fence.
24. A copy of the PennDOT Highway Occupancy Permit (HOP) will be provided to the Township once it is received.

25. Section 350-44.B-Curbs: A waiver is requested to allow a curb height of 6" on the proposed west parking lot and for no curb construction along the east parking lot. The Township Engineer has no objection to granting this waiver.

Mr. Rawlings asked if the orange construction fence was shown on the plan. Ms. Kelly said that it was on the plan.

The plans show that six Norway spruce will be planted on the property to replace trees that are being removed, but there is no size indicated. Ms. Kelly stated that the trees would be five to six feet in height. Mr. Rawlings felt that this wasn't an adequate size to screen the property from the adjacent property owners. He recommended that the trees be eight to ten feet in height. Mr. Cloetingh stated the recommended size would be acceptable.

Mr. Rawlings suggested that the applicant consider a different ground cover than cottoneaster since there can be maintenance problems with that plant.

Mr. Cloetingh reported that PennDOT has denied the Church's request to install a fence along Hopewell Road in the PennDOT right-of-way. He stated that he would continue discussions with them. The Planning Commission suggested that instead of a three-foot high fence, the applicant ask if they can install a 28-inch guardrail, since this shouldn't create sight-distance problems.

It was noted that there are septic fields under the parking lots. The Planning Commission does not feel this is an ideal situation, but recognizes that it is an existing condition.

The Planning Commission would like the parcel to be deed restricted in perpetuity from allowing additional impervious cover beyond what was granted by the October 23, 2007 Zoning Hearing Board decision. Mr. Cloetingh said that he didn't have the Church's permission to authorize this, but would discuss it with the Church Council. He asked if that meant if damage occurred to any of the buildings, such as by fire, that they couldn't be rebuilt. The Planning Commission stated that they didn't want to see additional impervious surface, but would have no problem if the Church had to re-build or repair damaged buildings.

The adjustable orifice is being manufactured. Mr. Cloetingh hopes that it will be installed within the next several weeks.

Mr. Corbin stated that the outlet to the western basin discharges off into the woods and there are fairly large trees near it. He would like to see disturbance of the trees limited and specimen trees protected by orange construction basin. The applicant has agreed to try and save as many trees as possible. This may cause a slight shift in the location of the basin.

Mr. Mayhew stated that Yerkes received a cost estimate for the improvements and has reviewed and modified it slightly to comply with known unit pricing in this area. He recommends that an escrow account in a form acceptable to the Solicitor should be established in the amount of \$48,523.75 to cover the stormwater management facilities, erosion, and sediment control, landscaping, and neighbors' issues.

Mr. Barry Gastrock requested that the exhibit dated September 14, 2007 showing joint property issues be recorded with the final plan submission. The applicant has agreed to record that as part of the final plan.

Mrs. Marjorie Smith-Gastrock asked if the zoning hearing conditions would be noted on the final plan. These conditions will be part of the minutes, are part of the Zoning Hearing Board decision, and will be memorialized in a letter to the applicant outlining the conditions for final plan approval.

Mrs. Gastrock asked about tree replacement if any of the newly planted trees die. Mr. Piersol stated the applicant is required to post a maintenance bond that will be in effect for 18 months after construction is completed. Mr. Rawlings stated that the Norway spruce is a good choice for this area and is deer resistant.

Mr. Mickey Flynn stated that he was satisfied as long as the line of communication between residents and the Church remain open and as long as the Church lives up to their word about working with residents to resolve the stormwater management problems.

Waiver Request

Mr. Rawlings made a motion to recommend the Board of Supervisors grant a waiver from Section 350-44.B to allow a curb height of 6 inches on the proposed west parking lot and for no curb construction along the east parking lot. Mr. Corbin seconded the motion, with all voting Aye.

Recommendation for Final Plan Approval

Mr. Rawlings made a motion to recommend the Board of Supervisors grant final plan approval with the following conditions:

1. Satisfaction of all conditions outlined in the October 23, 2007 Zoning Hearing Board Decision.
2. All surrounding property owners' issues are resolved to the satisfaction of the Township and Al Giannantonio, P.E., prior to commencement of work.
3. The applicant must demonstrate that an adjustable orifice has been installed and is properly operating on the basin outlet structure.
4. Satisfaction of all outstanding items in the Yerkes November 19, 2007, January 20, 2008, and February 6, 2008 review letters.
5. Receipt of the PennDOT Highway Occupancy Permit.

6. Installation of at least six 8 to 10 foot high Norway spruce trees. The applicant has agreed to install additional trees if the buffer proves to be insufficient between the Church property and neighboring properties.
7. The western basin will be field adjusted so as to cause the least amount of damage to existing trees.
8. Orange construction fencing will be installed around all specimen trees.
9. An escrow account for construction of the parking lots will be established in the amount of \$48,523.75.
10. The applicant will discuss installing a 28-inch high guardrail along Hopewell Road with PennDOT officials.

Mrs. Moser seconded the motion, with all voting Aye.

Weaver Tract

Extension

The applicant is granting an extension to review the land development application until March 31, 2008. Mr. Rawlings made a motion to recommend the Board of Supervisors accept the extension. Mrs. Moser seconded the motion, with all voting Aye.

Hillendale

Extension

The applicant is granting an extension to review the land development application until May 31, 2008. Mr. Rawlings made a motion to recommend the Board of Supervisors accept the extension. Mrs. Moser seconded the motion, with all voting Aye.

HeatherWynd Dump Remediation – Update

Mr. Rawlings asked Mr. Mayhew to provide an update on the HeatherWynd dump remediation. Mr. Mayhew reported that the last communication he had was that Gambone didn't anticipate working on the dump during the cold weather months. Mr. Mayhew will contact Gambone to try to determine a date when work will recommence. Mr. Thomas stated that it appears that some dirt has been put in before the fabric has been installed. He also stated that it appears there is still debris that needs to be removed.

The Planning Commission suggested that Mr. Cantlin inspect the site and make sure the silt fence is intact. It was also suggested that the site be secured and that the geotextile fabric be protected since it shouldn't be exposed to sunlight for any length of time. Mr. Mayhew also suggested that the Chester County Conservation District should inspect the site.

Hide-A-Way Farms

Mr. Rawlings and Mr. Thomas both noticed that the swales along the main road into the northern portion of Hide-A-Way Farms are higher than the road. This will cause water to run down the road, rather than into the swales. Also, the paving went out beyond the road surface. Mr. Mayhew will discuss this with the site inspector.

Pulte Highway Occupancy Permit

A copy of the Highway Occupancy Permit was sent to the Planning Commission, Yerkes and Mr. Heinrich to review. The permit hasn't been issued yet. PennDOT has provided numerous comments to be addressed prior to issuance of the permit.

Other Business

Mr. Thomas stated that Brubacher Excavating has been running ATV's along Zynn Road. Mr. Piersol stated that he discussed this with the Police Department and that the Vehicle Code permits these construction vehicles on the road as long as they are working within one mile of the construction site. Mr. Thomas stated that two of the vehicles were running on the road at the same time he believes they were causing a dangerous situation.

Ordinance Task Force Items – Proposed Convenience Store Amendments

Mr. Piersol provided a memo from David Sweet on the Chester County Planning Commission comments regarding the Convenience Store Amendments. After review of the comments the Planning Commission agreed that there is no need to alter the proposed amendment and that it should be advertised and considered by the Board of Supervisors for adoption.

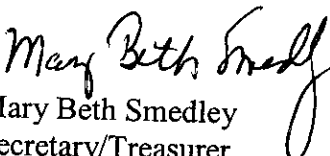
Notice

An additional Ordinance Task Force meeting will be held Thursday, March 13, 2008 at 7:30 A.M. at the Township Municipal Complex. Mr. Piersol stated that regular business will be conducted at the March 13th meeting and that Jim Hartman from Urban Planners will discuss the revised Guthriesville Master Plan and the wetlands issue at the March 26th meeting.

Adjournment

There being no further business Mr. Rawlings made a motion to adjourn the meeting. Mrs. Marshman seconded the motion, with all voting Aye. The meeting was adjourned at 8:10 P.M.

Respectfully submitted,


Mary Beth Smedley
Secretary/Treasurer