

**EAST BRANDYWINE TOWNSHIP PLANNING COMMISSION
REGULAR SESSION**

Wednesday, May 7, 2008 - 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
Mr. Scott T. Piersol, Township Manager
Mr. Michael Mayhew, Township Engineer
Mr. Joseph Boldaz, Municipal Authority Engineer
Mrs. Mary Beth Smedley, Township Secretary/Treasurer

Absent:

Mrs. Sandra Moser, Member
Mr. Mervin Thomas, Member

Opening of Meeting

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

Planning Commission Minutes – April 2, 2008

Mr. Rawlings asked if there were additions or corrections to the April 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.

Applecross Development (AKA Overlook Road Farm)

The applicant is proposing to build a combination of single family homes, carriage homes, and townhouses for a total of 655 units on both the north and south side of East Reeceville Road. The plan also shows an 18-hole Jack Nicholas-designed golf course with a clubhouse. The property encompasses approximately 621.74 acres of land, comprised of 307.58 acres north of East Reeceville Road and 314.16 acres south of East Reeceville Road. The southern portion of the proposed development is a 310 acre tract located in the R-2 Zoning District and proposes single family homes on individual lots and approximately half of the golf course. The portion of the property north of East Reeceville Road was granted preliminary plan approval in March of 2004.

The “North Tract” is being reviewed under the “Clustered Residential Development” regulations of the R-3 Residential Zoning District in conjunction with the Settlement Agreement dated April 1, 2004. The “South Tract” is being reviewed under the “Clustered Residential Development” regulations of the R-2 Residential Zoning District.

The project is proposed to be constructed in four phases. The applicant received final plan approval, with conditions, for Phase 1 of the development on November 2, 2006. Plans for Phases II through IV were recently submitted in March of 2008. Mr. John Curtin and Mr. Jeremy Madaras attended the meeting on behalf of Pulte Homes and discussed the April 25, 2008 Yerkes review letter of Phases II through IV and the Yerkes April 25, 2008 letter on the revised irrigation pump building plan review.

Mr. Curtin said that Pulte has already received an approved Sewage Facilities Planning Module and a Part II Permit. In addition, they have an approved NPDES permit for Phase I of the project. The applicant still needs to obtain NPDES approval for Phases II through IV and Highway Occupancy Permits from PennDOT for East Reeceville Road and Bondsville Road.

Mr. Curtin stated that they would comply with most of the comments in the April 25th Yerkes letter, but wanted to discuss item #11 regarding the 100 year storm pipe calculations and inlet capacity and bypass analysis.

11. §350-52.F.(4) – The maximum extent of flood waters should not cover more than one-half of the through travel lane during the 100-year storm. Several inlets, by themselves, exceed this maximum width of water spread and should be modified. Also, a plan view map of the 100-year storm street inundation boundaries should be provided. The goal is to have a 10-foot or, if feasible, a 12-foot travel lane down the center of each road to provide safe ingress/egress during a 100 year storm.

Mr. Madaras stated the applicant would like the Planning Commission to consider recommending a waiver that would relax this requirement. He said that Mr. Mayhew and Mr. Piersol wanted a clear path in the event of a 100 year storm down the middle of the road. Ostensibly, there are a handful of areas throughout Phases II through IV where the encroachment would be less than 12 ft. and in some areas about 8 ft. Mr. Madaras stated they can achieve 8 ft. across the board.

A graphic was provided for the Planning Commission to review. Mr. Madaras' analysis indicated that he can achieve an 8 ft. clear path down the center of the road. Mr. Piersol stated that the largest East Brandywine Fire Company truck has an 8.2 ft. span wheel to wheel; cars usually have a 6 ft. span.

Mr. Madaras went on to say that a 12 ft. wide pathway with an 8 ft. gutter spread would be encountering some water without doubling or tripling the inlets. Right now there are approximately 400 inlets. Mr. Madaras plans to add 20 to 30 inlets to achieve the clear 8 ft. cartway. This situation came to light when Mr. Madaras starting reviewing the gutter spread calculations. According to Mr. Madaras, 10% to 15% of the road will have an 8 ft. cartway, 10% to 15% will have a 12 ft. cartway and the rest will have a clear lane of 20 ft. Mr. Rawlings asked that Mr. Madaras make sure the water wasn't jumping the curb. The Planning Commission asked that Mr.

Mayhew review the information provided by Mr. Madaras and make a recommendation.

Mr. Cushman suggested that the applicant designate at least one road for safe ingress and egress from the development. Mr. Madaras stated that he did an analysis of Bollinger Road and it meets the PennDOT criteria for the 10-year storm.

Mr. Madaras said that the time-frame for water to pass into the inlets is relatively quick. He stated that the water drains at 8.2 inches per hour so that flooding should be over quickly.

Mr. Cushman wanted to confirm that all roads would be private. Mr. Curtin confirmed this.

Other issues

Mr. Rawlings stated that the Tilia, or Linden plant as it is commonly known, doesn't do well in this area because of Japanese Beetles. He suggested that they be replaced with hybrid elms. He also stated that Mountain Laurel would be eaten by deer and he suggested some kind of Viburnum.

Mr. Rawlings also noted that the additional trail system isn't shown on the plan. Mr. Curtin explained that the additional trails would be outlined in the 2nd Amendment to the Settlement Agreement. Mr. Rawlings said that the proposed roundabout at East Reeceville Road should be shown on the plan as well as the trail into the proposed Village of Guthriesville area. He also said that it appeared that the driveway turnarounds were very tight. Mr. Madaras stated they are 25 ft. to 28 ft. in width. Mr. Rawlings said he thought they should be 30 ft. Mr. Madaras and Mr. Mayhew will check on this.

Mr. Curtin was asked if Pulte has reviewed the April 10, 2008 letter from the Chester County Planning Commission. Mr. Curtin said that the letter would be reviewed. The applicant plans to revise the plan based on the Yerkes and Chester County Planning Commission letters and will resubmit the final plan shortly.

Mr. Rawlings asked if there were any comments from the audience. There were none.

Irrigation Pump Station

Mr. Madaras stated that all outstanding comments from the Yerkes April 25, 2008 review letter have been addressed. Steel reinforcements and calculations will be provided for the access road to the irrigation pump station.

Extension

The applicant is granting an extension to review the subdivision application until August 3, 2008. Mr. Rawlings made a motion to recommend the Board of Supervisors accept the extension. Mrs. Marshman seconded the motion, with all voting Aye.

Weaver Tract

The applicant is proposing to build 273 units (184 – 35 foot wide units and 89- 40 foot 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.

Sewage will be treated offsite in an SBR treatment plant (conceptually agreed to be the Pulte-constructed plant) and the treated effluent will either be disposed of on-site in subsurface disposal systems or off-site where the sewage is treated at the Applecross Wastewater Treatment Plant. Hydraterra Professionals and CMX Engineers are reviewing the sanitary sewer design.

Michael Macaninch, Esq. and Jim Flanagan, Area Vice President attended the meeting on behalf of K. Hovnanian.

Mr. Macaninch stated that K. Hovnanian is committed to signing the Sewer Reservation Agreement and in fact would provide a \$1.5 million letter of credit, the terms which are outlined in the Agreement. This will obligate K. Hovnanian to pay for their proportionate share of the plant. Mr. Macaninch stated that in light of the current building climate they planned to delay obtaining approvals until the end of 2009. During this time the applicant plans to review the plan and may make some changes to the model mixes and will incorporate some of the recommendations made by the Township professionals. Mr. Macaninch stated they hoped to provide final plans for the Township to review within two to three months.

K. Hovnanian will withdraw the final plan that is currently being reviewed. Mr. Macaninch stated that they may need to amend the settlement agreement. He will send the withdrawal letter to the Township tomorrow. He reiterated that K. Hovnanian is still committed to building the community. The preliminary plan approval extends for five years from the date it was granted.

Mr. Corbin stated that he has reviewed the Sewer Reservation Agreement and that based on the Municipal Authority Solicitor's review of the Agreement it doesn't appear to have a material affect on it. He expects that the Municipal Authority should be able to sign it next week. Municipal Authority Engineer Joseph Boldaz agreed with Mr. Corbin's assessment.

Hillendale

Extension

The applicant is granting an extension to review the land development application until September 30, 2008. Mr. Rawlings made a motion to recommend the Board of Supervisors accept the extension. Mr. Cushman seconded the motion, with all voting Aye.

Ordinance Task Force Item - All Terrain Vehicle Ordinance

Mr. Piersol provided a draft revision of the Ordinance for the Planning Commission to review. The Ordinance was reviewed based on comments from a meeting on April 10th with Township representatives, members of the Planning Commission and concerned residents. Also, Mr. Piersol attached a copy of a letter from a resident on Reeds Road who has ongoing concerns about noise and environmental issues. The revised draft will be reviewed by the Ordinance Task Force at their May 28th meeting. Mrs. Marshman commented that she was happy the 25 ft. buffer area from the property remained in the Ordinance. It was noted that checking decibel levels could be hard to enforce. Mr. Piersol stated that he has investigated costs for the decibel meter and they vary widely. He also stated that the person operating the meter would need to be certified, a process which reportedly could take two to three weeks.

Rockney-Ward Property

The Planning Commission is concerned that the applicant has not reestablished trees along Hopewell Road and has installed a gate allowing for access from Hopewell Road. Mrs. Smedley stated that Building Inspector Jeff Cantlin has contacted the property owner about these issues and asked that the property be restored as outlined in the Zoning Hearing Board decision.

Corner Ketch Landing

It was noted that some of the trees have died on the property. Mr. Piersol will contact the developer so that they can be replaced.

Watters Tract

Mr. Piersol reported that Gambone Development has terminated their Agreement for the Watters property, according to Christine Kettlety, daughter of the property owner. The Planning Commission wondered how this might affect the proposed sewer treatment plant at the Applecross Development and the proposed Croppers expansion. The Planning Commission would like to find out additional information such as who has ownership of the final plans and if there are any other plans to develop the property. Mr. Piersol will contact Mrs. Kettlety to discuss this. Mr. Piersol stated that Mrs. Kettlety approached him about possibly changing the zoning so that the entire parcel could be part of the Mixed Use District. Both Mr. Cushman and Mrs. Marshman said that they would not like to see the residential portion changed to commercial zoning. The Planning

Commission also would like clarification regarding who can legally speak for the Watters family on this matter.

Hide-A-Way Farms

Mr. Mayhew stated that the applicant was proposing to provide interceptor swales that will divert the stormwater to the inlets that are located in the swales in order to minimize the length of the travel path for stormwater along the roads in Phase one. In addition, the interceptor swales will be stabilized with permanent matting in order to prevent further erosion. Building Inspector Jeff Cantlin inspected the site to determine the effectiveness of the swale improvement during a rain event. According to Mr. Cantlin, some of the swales worked and some didn't. He spoke to Earl Cooke from Southdown Holmes who stated he would correct the problem.

Forge Hill Subdivision

The applicant is proposing a note revision to the final plan. There is a note on the plan that states "the plan proposed that both the existing dwelling and barn are to remain". The applicant will remove that note. There is already a note on the plan that states that no existing structures could be removed or demolished without compliance with all applicable Township land use ordinances and/or construction code.

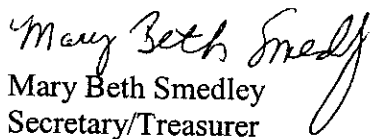
Long-Range Planning

Mr. Cushman suggested that the Township and Municipal Authority look at long-range planning related to sewer systems within the Township. Mr. Boldaz stated that the Municipal Authority had discussed amending the Township's Act 537 Plan. This item will be added to the next Municipal Authority Agenda.

Adjournment

There being no further business Mr. Rawlings made a motion to adjourn the meeting. Mr. Cushman seconded the motion, with all voting Aye. The meeting was adjourned at 8:35 P.M.

Respectfully submitted,


Mary Beth Smedley
Secretary/Treasurer