

**EAST BRANDYWINE TOWNSHIP PLANNING COMMISSION  
REGULAR SESSION  
Wednesday, March 4, 2009- 7:30 P.M.**

**Those in Attendance:**

Mr. Bruce Rawlings, Chairman  
Mrs. Deborah Marshman, Vice-Chairman  
Mr. Stephen Cushman, Member  
Mrs. Sandra Moser, Member  
Mr. Mervin Thomas, Member  
Mr. Ray Crossan, Ex-Officio Member  
Mr. Carl Croft, Ex-Officio Member  
Mr. Scott T. Piersol, Township Manager  
Mr. Michael Mayhew, Yerkes Associates Inc.  
Mrs. Mary Beth Smedley, Township Secretary/Treasurer

**Absent:**

Mr. Michael Corbin, Member  
Mr. Charles Giordano, Member  
Mr. Michael Wagoner, Ex-Officio 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 – February 4, 2009**

Mr. Rawlings asked if there were additions or corrections to the January 7, 2009 minutes. There were none. Mr. Rawlings made a motion to approve the minutes as presented. Mrs. Marshman seconded the motion, with all voting Aye.

**AWI/Croppers**

Debbie Shulski, Esq., attorney for the applicant, attended the meeting to discuss AWI's request to waive the requirements pursuant to the Municipalities Planning Code regarding extension of time for plan review.

Ms. Shulski stated that Croppers is committed to remaining in the Township and hopes to keep the project alive. To that end, she and representatives from AWI have, on different occasions, met with Earth Companies, an interested buyer of the Watters commercial tract, and with Christine Kettlety whose mother owns the property. In addition, the owners of AWI and the Brandywine Village Shopping Center are both considering whether it is economically feasible for them to purchase the Watters tract.

Ms. Shulski was asked whether the applicant has been in contact with Gambone Brothers regarding the Spence tract, since the land development plan submitted to the Township involved both the Watters and Spence properties. She said that she has been in touch with them; although they are willing to consider granting an easement to AWI, it would be very costly, so it might not be financially viable for AWI.

At last month's meeting, Planning Commission members questioned whether the most recent plan submitted by AWI was a new plan or a revision of the existing land development plan. At Mrs. Smedley's request, Ms. Shulski sent a letter to the Township confirming that there is only one land development plan currently pending with the Township, with a last revision date of March 2008.

Mr. Rawlings thanked Ms. Shulski for attending the meeting. He stated that the Planning Commission wants to make sure that the applicant is attempting to move forward with the plan. Mr. Rawlings then made a motion to recommend the Board of Supervisors accept an extension to review this land development application until June 30, 2009. Mrs. Moser seconded the motion, with all voting Aye.

#### **Downingtown Area School District – Proposed Middle School**

Lee Snodgrass, Director of Facilities, Planning and Management, Guy Donatelli, Esq. Solicitor for the Downingtown Area School District (DASD), and Greg Newell, the Engineer for the School District, attended the meeting to present a sketch plan and give a brief overview of the proposed middle school on the Weaver tract. At present, there is not a formally-submitted plan. The School District simply wants to answer questions the Planning Commission may have and solicit suggestions prior to submitting the land development application. Mr. Donatelli explained that this would be the third middle school in the District. DASD is experiencing problems with overcrowding, particularly within the middle schools, which include sixth, seventh and eighth grades.

The Weaver property is approximately 140 acres and is surrounded by three major roadways (Rt. 322, Bollinger Road and East Reeceville Road). K. Hovnanian is the equitable owner of the property. Natural features include a pond, which is located on property that is proposed to be retained by Mr. Weaver, a stream and a wooded area in the southwestern corner of the property. Currently, the site is actively farmed by the Weaver family.

Mr. Newell stated that the proposed school was originally designed for a site in Uwchlan Township, but that it fits well into the topography of the Weaver Tract. In addition to the school the plan shows a football field, two baseball fields, several multi-purpose fields and two parking lots. The plan is different from the one shown several weeks ago in that the school is oriented so that the gymnasium is closer to the athletic fields. In designing the plan Mr. Newell explained that he purposely located the school and other facilities in the southwestern portion of the property so that its placement doesn't interfere with the proposed Guthriesville Master Plan. The plan now shows two entrances, both entering

off of Bollinger Road, which should create better traffic circulation and provides an additional means of ingress and egress in the event of an emergency situation on school grounds.

The building will be LEED certified. Mr. Snodgrass stated that he expects to meet the requirements for Silver certification. LEED is a third-party certification program and the nationally accepted benchmark for the design, construction and operation of high performance green buildings. LEED promotes a whole-building approach to sustainability by recognizing performance in areas of human and environmental health: sustainable site development, water savings, emergency efficiency, materials selection and indoor environmental quality.

It is the School District's intention to protect the existing woodlands and take advantage of the site's natural topography. On the K. Hovnanian plan, infiltration beds are shown on the northwestern portion of the site. Mr. Newell expects to use the same area since previous soil tests indicate this is the optimal area for disposal fields. Mr. Donatelli is currently reviewing documents regarding the sewer capacity and reservation that were provided by K. Hovnanian and the Township.

Mr. Newell explained that in-depth engineering studies have not been finalized. He acknowledged that the current plan does not show landscape, or a trail requested by the Township. In addition, a traffic study will need to be completed.

Mr. Rawlings asked if there were other plans for the property since most of the tract is being left open. Mr. Newell stated that he hasn't been directed to look at anything other than what he has proposed on the plan. Mr. Rawlings stated that the Township and Planning Commission want to be informed of the School District's intent, both for present and for future plans. Mr. Donatelli stated that there are no plans for anything else at this point.

Mr. Newell was asked if the upper driveway entrance aligned to the Applecross entrance. Mr. Newell said that it doesn't and the entrances are schematic only. He said that as part of the traffic study the adequate sight distance will be verified, but that with the layout currently shown it makes no sense for the entrance to be across from Applecross Blvd.

Mr. Thomas asked how many parking stalls were shown on the plan. The plan shows approximately 440 stalls. Mr. Thomas asked if the School District had considered providing an emergency or full access road from East Reeceville Road. Mr. Snodgrass said it hasn't been considered, but they were willing to have that dialogue. Mr. Newell stated that he has tried to reduce impervious surfaces on the plan. Mr. Thomas asked how many buses will be needed. Mr. Snodgrass stated that 24 to 26 buses are needed for 900 students. Initially, that is how many students are projected to attend the school. At full capacity the school is being built for 1,350 students. Mr. Thomas asked how the School District determines in which direction buses and other vehicular traffic will be heading when they leave the school property. He was asking to determine which roads

will be most affected by additional traffic, not in the context of redistricting or where students will live. It is expected that most traffic will exit Bollinger Road and continue on to Rt. 322.

Mr. Newell was asked if the School District planned any improvement to the Rt. 322/Bollinger Road intersection. He said that will be considered as part of the traffic study.

Mr. Snodgrass was asked if there were plans for additional athletic fields in the future. He said there were no such plans.

School begins at 7:50 A.M. and ends at 2:40 P.M. Mr. Snodgrass stated that custodial staff and teachers arrive as early as 6:30 A.M. Most of the staff leaves no later than 4 P.M., although there is some custodial staff on duty until 11 P.M. Mrs. Marshman remarked that many parents drive their children to school. She asked if Mr. Snodgrass had any data on how many children are driven vs. how many take the bus. Mr. Snodgrass said he would get back to the Planning Commission with his best estimate, based on data from the Downingtown and Lionville Middle Schools. Mrs. Marshman suggested this information be included in the traffic study. The Planning Commission was assured that the traffic study would include days when school was in session and on good and bad weather days. The traffic study should also include consideration of the proposed loop road and surrounding areas. Mr. Croft suggested that the traffic study consider nearby developments when they are fully built-out.

Mr. Rawlings asked about overflow parking for special events. He wanted to make sure that cars were not parking along Bollinger Road. Mr. Snodgrass said that during special events such as Back to School Night, there may be overflow from the parking lots, but that parking along Bollinger Road would be prohibited. He gave a worst case scenario of having 1,450 cars (120 staff plus one car for each students family), although this would be unlikely. He will check the data from the other middle schools.

There will be no field lighting. Parking lot lights are not on 24 hours a day. Lights go off or are dimmed around 10:30 P.M. Mr. Snodgrass said that the lights are on timers and they will be installing "green" lights.

Mr. Newell was asked if there was any consideration to construct a through road from Rt. 322 that will align with the Brandywine Village Shopping Center entrance. Mr. Newell said there was no practical reason to provide an entrance in that area.

The Planning Commission questioned how open space would be maintained. Mr. Snodgrass said it would be very expensive to maintain it and the School District will likely allow open areas to be farmed. Mr Newell will show a landscaping buffer around the property as required by Township Ordinance.

There is a pond and stream on the property that may attract students. Mr. Newell will look at this and determine if fencing or other barriers are warranted.

Mr. Cushman asked if many students or staff left the building site at lunchtime. Mr. Snodgrass said that the students didn't leave at lunch. Since the school is being built for sixth, seventh and eighth grade, the students are not of driving age.

Mrs. Marshman asked if the school would require additional township or police services from the East Brandywine Township Police Department. Mr. Snodgrass said there are no officers at the other middle schools. Mr. Donatelli stated that usually law enforcement is involved if there are weapons or drug offenses in the schools. He said in the last several years there haven't been those types of offenses in the other middle schools. He doesn't foresee needing a police presence.

Mr. Holmes asked when the School District plans to open the school. Mr. Snodgrass said that they plan to open in August of 2012. This will leave a year for land development and approximately 24 months to construct the building. Since this is an ambitious time-frame the School District is hoping to have the cooperation of Township officials in meeting this timeframe.

#### **HeatherWynd East Dump Remediation**

Mr. Mayhew stated that the monuments should be installed shortly.

It has come to the Township's attention that Applied Environmental Management will not continue with certification or completion and development of the Final Report until Gambone Bros. Development Co. has paid their outstanding invoices. Planning Commission members agreed that this is a private matter between the developer and their consultant.

#### **HeatherWynd West**

Mr. Rawlings mentioned that one of the reflective delineators wasn't installed where he thought it should be. Mr. Mayhew said he would have Mr. Cantlin investigate and report back to the Planning Commission.

#### **Buckeye Partners, L.P. Maintenance Project**

Mr. Mayhew sent a letter to PADEP, on behalf of the Township, regarding this project. Proposed work includes open trenching on the creek bed so as to locate and repair three anomalies located within Brandywine Creek immediately adjacent to the Struble Trail. East Brandywine Township has asked to be copied on certain information as it pertains to erosion and sedimentation control, and work area stabilization including advance notice

of pre-construction conferences and notice of the beginning of construction. Mr. Mayhew is not sure of PADEP's response timeline.

### **Applecross Development**

Golf Course - Mr. Piersol reported that Pulte has signed an agreement with golf course operator Bob Levy. Mr. Levy will manage the golf course, restaurant facility and fitness center in Applecross. He owns other golf courses in Pennsylvania, as well as North and South Carolina.

Mr. Levy is proposing to operate the Country club as a private club. His attorney, Neil Stein, was not aware of the issue of the referendum presentation, or the representation by Club Corp regarding the proposed operation of the golf course and restaurant facilities. Mr. Stein indicated that private country club liquor licenses operate differently than other licenses. The license does not permit the club to prohibit public access. He indicated that anyone could walk into the facility and be served a drink, but they could not walk into the restaurant and be served a sit-down meal. Mr. Piersol stated that the Township was given the impression that the restaurant would be open to the general public. Mrs. Moser stated that it was also the impression given to residents when Pulte conducted their telephone survey to determine whether or not voters would be in favor of granting the liquor license. This was Mr. Holmes impression as well. Mr. Croft stated that there are many different types of liquor licenses. The type of license that was granted could make a difference as to whether liquor can be served to the public. Mr. Piersol stated that a meeting would be scheduled with the golf course operator to discuss this issue.

Fencing Issue - Mr. Thomas stated that the basin near Bollinger Road and East Reeceville Road has a deep, sheer drop. If someone were to fall in, there is no way for them to get out. He stated that fencing should be installed to protect pedestrians. The Planning Commission asked Mr. Mayhew to send a letter to Pulte expressing their concerns and requesting that a fence be installed as soon as possible.

Curb cut along Bollinger Road – Mr. Rawlings stated that a curb cut has not been installed yet along Bollinger Road, north of East Reeceville Road. Mr. Piersol stated he expects this to be done in the spring. He will ask Mr VanLew to investigate this.

Sight distance at Applecross Blvd and Bollinger Road – Mr. Rawlings stated that the sight line seems dangerous at the intersection, specifically looking towards the left. Mr. VanLew will check the sight distance and report back to the Planning Commission.

### **Cumberland Ridge**

Sight distance at Buck Road and Cumberland Drive – Mr. Piersol stated that Moser Builders did clear brush that was causing sight distance problems. Mr. VanLew will now measure the sight distance to see if it meets acceptable levels.

### **Rothman Tract**

Mr. Yerkes reported that the developer will secure the barn door so that it stays shut. They have also agreed to complete some window and door repairs to the house. The tarp over the barn has remained intact, even through several recent wind storms.

### **Corner Ketch Landing**

Mr. Piersol reported that he has asked M & Z Builders to have their outstanding landscape issues resolved by the end of March.

### **ATV/Noise Ordinance Meeting**

Mr. Rawlings said that the next ATV/Noise Ordinance meeting is rescheduled for Monday, March 23, 2009 at 7:30 P.M. and will be discussed at the next Planning Commission meeting.

### **Hillendale Extension**

Mrs. Smedley reported that Southdown Homes is granting an extension to review their final subdivision application until September 30, 2009. Mr. Rawlings stated the applicant continues to work on issues related to public water and expects to submit revised plans within the next several months. Mr. Rawlings asked that the applicant attend the September Planning Commission meeting in order to provide an update on their plan. Mr. Rawlings made a motion to recommend the Board of Supervisors accept an extension to review this subdivision application until September 30, 2009. Mrs. Moser seconded the motion, with all voting aye.

### **Ordinance Task Force Items**

Mr. Rawlings and Mr. Piersol provided the following timeline for completion of the Comprehensive Plan Update

1. March 6, 2009 – Delivery of the draft plan to the County Planning Commission to initiate the VPP review.
2. March 25, 2009 – Task Force to review draft text and VPP comments
3. April 1, 2009 – May 15, 2009 – Act 247 review period.
4. June 4, 2009 – The Board of Supervisors set a hearing date.
5. June 17, 2009 or July 2, 2009 – Board of Supervisors hold a public hearing.

Mr. Rawlings stated that the public meeting to discuss the Guthriesville Master plan was well attended. He stated that Mr. Fischer, Mr. Piersol and Mr. Sweet should be commended for the presentation. He also said that there was quite a bit of discussion about the proposed roundabout at the intersection of Bondsville Road and East Reeceville Road. It was decided to take it off the Master Plan and have it shown as a secondary option.

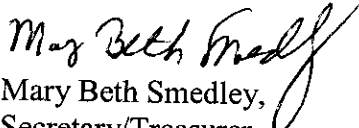
**Comments from the Audience**

Mr. Rawlings asked if there were comments from the audience. There were no comments.

**Adjournment**

There being no further business Mrs. Moser made a motion to adjourn the meeting. Mr. Cushman seconded the motion, with all voting Aye. The meeting was adjourned at 8:50 P.M.

Respectfully submitted,

  
Mary Beth Smedley,  
Secretary/Treasurer