

**EAST BRANDYWINE TOWNSHIP PLANNING COMMISSION
REGULAR SESSION**

Wednesday, April 7, 2010- 7:30 P.M.

Those in Attendance:

Mr. Bruce Rawlings, Chairman
Mrs. Sandra Moser, Vice-Chairman
Mr. Stephen Cushman, Member
Mr. Charles Giordano, Member
Mr. Mervin Thomas, Member
Mr. Michael Wagoner, Ex-Officio Member
Mr. Scott Piersol, Township Manager
Mr. Matthew VanLew, Roadmaster
Mr. Michael Mayhew, Yerkes Associates Inc.
Mrs. Mary Beth Smedley, Township Secretary/Treasurer

Absent:

Mr. Michael Corbin, Member
Mr. Ray Crossan, Member
Mr. Carl Croft, Ex-Officio Member

Opening of Meeting

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

Planning Commission Minutes – March 3, 2010

Mr. Rawlings asked if there were any additions or corrections to the above minutes. There were no changes. Mr. Rawlings made a motion to approve the March 3, 2010 minutes as presented. Mrs. Moser seconded the motion, with all voting Aye.

Guthriesville General Store

Mr. Piersol reported that he met with Mr. DiGiamberardino and PennDOT representatives earlier today to discuss paving the parking lot for the General Store and former Brandywine General Rental. He expects work to commence between now and the third week of April. Weaver Memorials plans to purchase the former Brandywine General Rental property later this month, but still needs to resolve some issues with PennDOT.

Mr. Rawlings asked Mr. Piersol if there was a parking plan for the site. Mr. Piersol said that at this time seventeen parking spaces were planned, but that could change depending on how many parking spaces may be needed once the commercial portion of the General Store is rented.

Mr. Piersol, Mr. VanLew and Building Inspector Jeff Cantlin met with Mr. DiGiamberardino's engineer to discuss stormwater management for the property. Mr.

Piersol said that although the improvements do not require a land development plan, a stormwater management plan will be provided for the Township to review and approve.

Mr. Thomas asked about straw mulch that Mr. DiGiamberardino was to spread on the site. Mr. Piersol said that Mr. Cantlin was satisfied that the straw mulch, along with placement of silt fence is satisfactory. Mr. Rawlings and Mr. Thomas both said they aren't pleased with the site stabilization. As a Board they also want to make sure there are an adequate number of parking spaces once the ground floor of the General Store is rented.

Mr. Thomas asked if the old railroad car was still buried on the property. Mr. Piersol said that it was, but that it had collapsed.

Applecross

Mr. Rawlings reported that the original barn arches are currently being installed on the maintenance building on the corner of Zynn Road and East Reeceville Road. Mr. Thomas said it appears there is an old silo near the foundation of the barn on Zynn Road, which might impede access to the second floor. Mr. Mayhew has been reviewing the plans and believes they can bypass the silo. He will provide a sketch plan with grass pavers, removable bollards and removal of the curb block for Pulte and the Planning Commission to review. This will provide easier access to the 2nd floor, which hopefully will be used in some fashion.

Pulte Homes Walking Trail Issue

Mr. Jim Buczala, who owns a property adjacent to the Applecross Development on Rt. 322, discussed his concerns about the location of the trail near his property. Mr. Buczala currently maintains a strip of lawn that runs to the east side of dogwood trees on his property and a garden that is on the Pulte property. Several years ago, Mr. Buczala met with Tony Sabatini from Pulte Homes and the Township engineer to discuss this. Mr. Sabatini indicated it would not be a problem for Mr. Buczala to continue maintaining that area. At that time, Mr. Buczala was provided with a copy of the plan showing a buffer between the proposed trail and his property. Since then, the plans have changed and the trail is proposed to run the length of his back yard, with no buffer, in part because of the placement of several basins near the trail. Mr. Buczala has made numerous attempts to discuss this with Bill Creeger and Sam Carlo from Pulte Homes, but isn't satisfied with how this is being resolved. Mr. Buczala said that he is concerned that the new trail location may damage trees on property and he believes it may only be 55 ft. from his house. He also said that the basin was originally designed for townhouses. With the change in the housing product to single homes it may be over designed. He is asking the Planning Commission for their assistance and guidance.

Mr. Rawlings said that one problem is that the Planning Commission wasn't aware of this issue during land development and the plan is already approved. Mr. Buczala provided several pictures of the area in question for review. He pointed to several large spruce trees and said if the roots were damaged the trees could be lost.

It is difficult to tell from the land development plan whether the trail will be on the property line or if it is set back a certain distance. Mr. Rawlings suggested that Mr. Buczala obtain a copy of the landscape plan to determine the exact location of the trail.

Bill Creeger has told Mr. Buczala he will stake the location of the trail, meet with him to discuss placement of the trail and basins and what landscape buffering is planned. Mr. Piersol said that he would try to attend the meeting as well. Mr. Rawlings asked Mr. Buczala to keep the Planning Commission informed of the outcome of his discussion. Mr. Rawlings said it is unlikely that Pulte will move the basin, but they may be able to move the trail location slightly.

Whittaker Sketch Plan

Mr. Adam Brower attended the meeting on behalf of Mr. and Mrs. Terrance O'Neill. The Whittaker Family property is located at the southwest corner of Dowlin Forge Road and Creek Road. The property is located in the R-1 Residential Zoning District and contains a Class II Historic Resource. The applicant is proposing to create two parcels from the property. Parcel 1 will comprise the majority of the tract, while Parcel 2 will be 23.895 gross acres located in the southwestern portion of the Tract. Parcel 1 already has a home and driveway access from Creek Road while driveway access to Parcel 2 is depicted to be from Creek Road along the proposed conservation easement. The Planning Commission reviewed the sketch plan and the April 6, 2010 Yerkes review letter. The applicant has agreed to deed restrict Parcel 2 from further subdivision.

Much of Parcel 1 has a conservation easement that includes some wooded areas, as well as non-wooded areas. The majority of the Whittaker Family property is identified as agricultural, except for the Parcel 2 and some areas to the east of Parcel 2.

Mr. Brower said that access to the new parcel would be provided via a single driveway from Creek Road and traveling up through the conservation easement area. Mr. Brower has been in discussions with Natural Lands Trust about the driveway. Access via East Buck Road was also discussed, but it would be very expensive and might cause more earth disturbance since it would entail crossing a creek, wetlands, and possibly the pipeline. The location of the pipeline will need to be verified

Mr. Rawlings asked about the rest of the tract. Mr. Brower said that it is hoped that eventually there will be several larger parcels that will have access off of East Buck Road, some which may be accessed by a common driveway. He will provide a concept plan for the Planning Commission to review. In the future if East Buck Road is extended so that it is longer than 1,000 ft. a waiver must be obtained from the Subdivision and Land Development Ordinance.

The proposed driveway will be 800 ft. in length. Mr. Brower envisions a series of smaller basins to handle stormwater management rather than one larger system. The driveway may have a slope of more than 20% in some areas. This would require a waiver from the Board of Supervisors. The bottom of the hill has less than 15% slopes. Also,

Mr. Brower will require a waiver from providing a 2 ft. topographic plan for the entire property. The area will need to be surveyed.

While the Planning Commission recognizes that there will be some tree removal, they would like to see some type of restriction on the wooded portion of the lot. Mr. Brower said that his client doesn't want a restriction that might prove to be too cumbersome, but he thinks that issue could be worked out. He said that possibly certain areas could be restricted from clearing. He hopes to avoid surveying all trees on the parcel.

Mr. Brower was asked to review the shape of the lot. Pie shape lots are not preferable. Mr. Brower was asked about the number of parcels on the property. He said there were seven or eight separate parcels. Although there are multiple owners there is only one deed for the property.

Mr. Brower stated that his client may not begin construction for several years. Obtaining an NPDES permit is required during land development, but will likely expire. He asked if securing the NPDES permit could be a condition for issuance of a building permit. Mr. Mayhew suggested that this should be discussed with the Township Solicitor.

Mr. Rawlings asked if there were comments from the Planning Commission. Mr. Wagner said he didn't have a problem with the angles of the proposed parcel. He also suggested that the driveway be as short as possible. Mr. Rawlings said that he is concerned about the steepness of the driveway and stormwater management. The applicant will need to discuss sight distance with PADOT and he would like a plan in place so that timbers can't be harvested on the property. Generally, the Planning Commission felt that the applicant was moving in the right direction, but still would like to consider the Buck Road driveway access as an option for this property.

BR Partners, LLC Sketch Plan (Kling Property)

Mr. Iftexhar Hussain and Mr. Jim Haigney, engineer for the applicant attended the Planning Commission meeting to discuss locating a Montessori School at 1307 Horseshoe Pike. Formerly this property was used for a dental practice, which was permitted by a 1985 zoning hearing decision. The owner has since retired and sold the property to Mr. Hussain. A Montessori School is permitted in the R-3 Zoning District as a Special Exception.

The impervious cover is already greater than 15%. Mr. Haigney estimates it to be 15.9%. In addition, he plans to expand the existing parking lot to accommodate the Township parking requirements and will need relief from the zoning ordinance. The Planning Commission suggested the applicant consider mitigation measures such as installing a stone seepage bed for infiltration. Mr. Haigney said that fifteen parking spaces will be provided, which exceeds what is required by the Township Ordinance for sixty students, plus teachers and staff, estimated to be eight to ten employees.

Student ages will range from eighteen months to six years. Per the Pennsylvania Department of Welfare requirements there must be 40 sq. ft of space per student, which can be provided in the building. Hours of operation will be from 7 A.M. to 6:30 P.M. School will be in session from 9:00 A.M. to 2:00 P.M., with before and after school

activities offered at the other times. Students will not be transported from other schools for after hours care. Mr. Haigney expects the peak flow of traffic to be from 7 A.M. to 8:00 A.M. and then from 3:00 P.M. to 6:00 P.M. He anticipates there will be approximately 220 trips per day. Bus transportation will not be provided. The applicant has agreed to complete a traffic study.

A playground will be constructed to the west of the building. Mr. Haigney expects to connect to public water and sewer, although this needs to be verified.

Mr. Thomas said that he thinks there could be a major bottleneck at the school. He is concerned about parents entering and exiting the school, particularly during inclement weather. He said that the applicant should provide a circulation plan done by a traffic engineer. Mr. Rawlings said that the applicant should consider parking, circulation, sewage, a lighting plan and how that will affect neighboring properties, and providing a landscape buffer.

There were concerns that ingress and egress to the Montessori School might adversely impact residents from Pinebrooke Village since the entrances are in close proximity to each other. It was suggested that the school's driveway be shifted as far from Pinebrooke Village as possible. Mr. Haigney said that PennDOT representatives have visited the site and indicated that there is adequate sight distance for the proposed driveway.

Mrs. Moser said that she is concerned with the number of cars exiting and entering the site and said it may be very difficult for parents picking up or dropping off their children. Mr. Haigney said that he will review the circulation plan and discuss possible stacking problems with the applicant. Mr. Giordano said he shares the concerns of the other Planning Commission members and feels that there are significant hurdles for the applicant to overcome with traffic, including the lack of a turning lane. Mr. Wagner mentioned that a location for a dumpster would be important so that the waste hauler could access it easily.

Mr. Hussain said that there would be no deliveries of materials to the property and that all the students provide their own food and drinks so there wouldn't be a working cafeteria on site.

Mr. Mayhew said that the parking lot will have to be paved. He suggested that Mr. Haigney consider some PADEP approved designs parking lots and seepage beds. The applicant does not expect to have curbs. Mr. Piersol said that the plan will need to comply with the recently adopted ordinance amendments for off-street parking, which increase the parking space size to 10 ft. x 20 ft.

Mr. Piersol indicated that sprinklers do not have to be installed in the building, but would be recommended.

The building will need some modifications and will be handicapped accessible. There are three large rooms, all with exits. No one will live in the facility.

Ms. Susan Mize, a Township resident, said that permitting the school at this site would be a disservice to the Pinebrooke Village residents trying to enter and exit the development.

The applicant thanked the Planning Commission for their time.

Ordinance Task Force

Rezoning Tax Parcel 3005 00820400 from MU Mixed Use-Commercial District to R-2 Residential District and Amending the Township Zoning Map

Mr. Piersol said that the Township has received the Chester County Planning Commission comments. One comment of note was that there are several parcels on the west side of Corner Ketch Road in the current MU District. The Planning Commission suggested the Township verify the accuracy of the zoning district boundaries shown on the draft zoning map prior to taking action on the amendment. Mr. Piersol said that none of these parcels have the required 10 acre minimum.

The Township has received a letter from representatives for the Plank family discussing their concerns about the zoning change and how that might affect their property value. The Planning Commission agreed that this proposed amendment should go back to the Ordinance Task Force for further review.

Proposed Village Extension District Revision

The Chester County Planning Commission offered no major comments about this proposed Ordinance. Mr. Rawlings made a motion that the Board of Supervisors advertise and adopt this Ordinance. Mr. Giordano seconded the motion, with all voting Aye.

The next Ordinance Task Force meeting is scheduled for April 28, 2010 at 7:30 P.M.

Caspar Zoning Hearing

The Caspar Zoning Hearing, originally scheduled for Tuesday, March 2nd, has been postponed to allow the applicant time to have a stormwater management plan prepared.

DVRPC Meeting

The DVRPC will conduct a final meeting to discuss their project "Guiding Transportation Investments and Land Use Decisions Along US 322" on Friday, April 23, 2010 from 9 A.M. to 11 A.M. here in the Township meeting Room. Township Officials and Board members are encouraged to attend. The meeting was originally scheduled for April 9th.

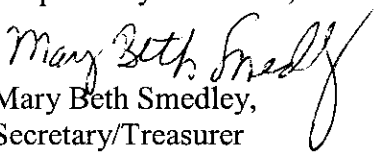
Comments from the Audience

Mr. Rawlings asked if there were additional comments from the audience. Mrs. Louise Walker asked about the changes to the VE District. Mr. Piersol said that approximately 30 additional acres would be included in the VE District on the southwest side of East Receville Road. The changes would not affect Croppers', which is in the MU District.

Adjournment

There being no further business Mr. Rawlings made a motion to adjourn the meeting. Mr. Thomas seconded the motion, with all voting Aye. The meeting was adjourned at 9:05 P.M.

Respectfully submitted,


Mary Beth Smedley,
Secretary/Treasurer