

**EAST BRANDYWINE TOWNSHIP PLANNING COMMISSION
REGULAR SESSION
Wednesday, April 6, 2005 - 7:30 PM**

Those in Attendance:

Mr. Bruce Rawlings, Chairman
Mr. Stephen Cushman, Vice-Chairman
Mr. Charles Giordano, Member
Mrs. Deborah Marshman, Member
Mrs. Sandra Moser, Member
Mrs. Beth Valocchi, Ex Officio Member
Mr. Scott T. Piersol, Township Manager
Mr. Albert Giannantonio, Township Engineer
Mrs. Mary Beth Smedley, Township Secretary/Treasurer

Absent:

Mr. Michael Corbin, Member
Mr. Mervin Thomas, Member

Mr. Rawlings opened the meeting at 7:30 P.M.

Planning Commission Minutes – March 2, 2004

Mr. Rawlings asked if there were additions or corrections to the above minutes. There were none. Mrs. Moser made a motion to approve the above minutes as submitted. Mr. Giordano seconded the motion, with all voting Aye.

Shannon Zoning Hearing

The Zoning Hearing Board will meet on Thursday, May 5, 2005 at 7:30 P.M. in McCausland Hall to hear the application of Joseph and Jennifer Shannon for permission to expand a garage on property which they own at 115 Locust Knoll Road. The property is located in the R-2 Zoning District. If permitted, the applicant's garage addition will extend to within 37 feet of the side lot line. The applicants have requested a variance from the requirements of Section 399-28.A(4) of the Zoning Ordinance which would allow the construction of the garage addition. According to Mr. Shannon, he has spoken to the neighbors closest to the proposed garage addition and they do not object to this plan. The reason they are requesting this variance is so they can add a third garage to house a car that their son drives. They would like to secure all of their vehicles in the garage.

The Planning Commission suggested the applicant show their neighbor's property on the plan that is presented to the Zoning Hearing Board and provide a buffer or screening if requested by their neighbor nearest to the proposed garage. It was also recommended that Mr. and Mrs. Shannon show the placement of their well and septic system, the amount of impervious cover for the lot, and the front yard setback. After review of the plan, the Planning Commission took no position on the application.

Newlin Zoning Hearing

The Zoning Hearing Board will meet on Thursday, May 5, 2005 at 7:30 P.M. in McCausland Hall to hear the application of Frank M. and Patricia K. Newlin for permission to subdivide property, which they own at 201 Newlin Drive, into two lots. The property is located in the R-2 Zoning District in East Brandywine Township. Section 399-28.A.(5) of the Zoning Ordinance allows a maximum impervious coverage of 12% of the net lot area. If permitted, one of the lots proposed by the applicants would exceed the maximum impervious coverage by 3.4%. Mr. Giannantonio has reviewed the application and supports this waiver request. After review of the application the Planning Commission unanimously supported this waiver request.

Newlin Subdivision

The property is owned by Frank M. and Patricia K. Newlin whose son is the applicant. The property is located on the north side of Newlin Drive in the R-2 Residential Zoning District and contains an existing dwelling listed as Class 2 Historic Resource #87. There is also a freestanding garage, a pond, springhouse, wetlands, an access drive to the west of the dwelling and an old macadam lane on the south side of the dwelling. The existing gross property area is 4 acres and two lots of at least 45,000 s.f. net area are proposed.

The new Lot #27B is a flag lot with a 50-foot wide access strip fronting on Newlin Drive. Access to the new lot is proposed via a 20-foot wide common drive easement that will be used by both properties.

Mr. Leisey provided the Planning Commission with a letter dated April 4, 2005 that responds to the outstanding items in Mr. Giannantonio's March 21st review letter.

Section 350-29.F(1) – Allows no more than two contiguous interior lots to be created. Two such lots already exist to the immediate north of proposed Lot #27B. Creation of Lot #27B as an interior lot will result in three contiguous lots, which is not permitted. Mr. Giannantonio supports this waiver request. At their last meeting, the Planning Commission agreed to recommend the Board of Supervisors grant a waiver from this section of the Ordinance. A note will be added to the plan. Mr. Leisey will ask that the Board grant this waiver at their April 20th meeting.

Mr. Leisey asked the Planning Commission to recommend that the Board of Supervisor's grant preliminary plan approval pending Mr. Giannantonio's review of the April 4th letter and his agreement that the outstanding issues in his March 21, 2005 review letter are resolved. Mr. Rawlings then made a recommendation that the Board of Supervisors grant preliminary plan approval for this subdivision with the condition that all outstanding items in the Yerkes March 21, 2005 are resolved to the satisfaction of Mr. Giannantonio. Mrs. Moser seconded the motion, with all voting Aye.

Lyndell Pointe

Mr. Tim Townes stated that he is planning to submit final plans for the Lyndell Pointe subdivision prior to the next Planning Commission meeting. He said that the plan shows a minor change to the size of the parcel to be retained by the property owners. The parcel the property owners will keep is 3.852 acres and has an existing cell tower on site.

The Board of Supervisors formed a committee to review the issue of the Waring Drive interconnection between the existing Keats Glen development and the proposed Lyndell Pointe subdivision. The Committee recommended that the Supervisors consider an interconnection with a 12-foot wide cartway and a 50-foot right-of-way in the event the Township decided to make future changes. The road will be paved to Township specifications with signage to limit access to "Emergency Vehicles Only" from the Waring Drive cul-de-sac side, and "Emergency Vehicles and Private Drive Access Only" on the Butterworth Drive approach and to permit access for the owners of Lot #1 to their driveway from Butterworth Drive only. Southdown Homes has agreed to install a depressed curb at the Waring Drive cul-de-sac, install the signage recommended, and revise the intersection of Waring and Butterworth Drives. At an earlier Planning Commission meeting it was recommended that the Supervisors install a gate between Waring Drive and Butterworth Drive. Members of the Planning Commission were disappointed that one of their members was not asked to serve on the Committee. The Planning Commission did not support the Committee's recommendation to the Supervisors and again recommended that the Supervisors either have Waring Drive constructed as a through street or install a gate.

Mr. Townes stated that the remediation plan for Lot 21 has been approved by PADEP. Mr. Piersol spoke to Township Solicitor John Halsted regarding the landfill issue. Mr. Halsted stated that the remediation plan from PADEP should provide requirements for closing this part of the property to which the developer and subsequent owners must adhere. The developer should resolve this to the satisfaction of PADEP, as they are the regulatory authority having jurisdiction in this matter.

Mr. Halsted also suggested that the developer make a clear disclosure in the homeowner's documents relative to the issues with this lot, and in the deed for open space. He also suggested that a plan note be added documenting the restrictions of Lot 21. A closure bond may be appropriate, but PA DEP would be the agency to require a bond for security. Mr. Townes stated that remediation work will be escrowed as part of the public improvements.

Brandywine Wallace Elementary School

The property owner and applicant is the Downingtown Area School District. The property is located on the east side of Dilworth Road between School Lane and Keller Way North and is within the R-2 Residential Zoning District. Access to the site is from

Dilworth Road. The existing gross property area is 19.179 acres and the lot contains an existing 52,719 s.f. school building, paved driveway, paved parking areas, on-site sewer and water, lawn and woodland areas. The plan proposes to construct a new 86,400 s.f. two story school building, driveway and parking area. The maximum student capacity for the new building will be 650. The school proposes to be connected to public water and the applicant is investigating methods to treat and dispose of the sewage. The existing school, parking areas and accessory facilities are to be demolished. At the request of residents living nearby, the school location was changed from the original design.

The same building design will also be used at the Pickering Valley Elementary School site in Upper Uwchlan Township. If the school is built in East Brandywine Township, both existing schools will remain in use while the site and building construction occur. The applicant will construct a separate entrance for construction vehicles to use while school is in session. The construction area will be fenced. Some playground equipment would be moved during construction. The applicant will provide a construction phasing plan for the Township's review and approval.

The school will be two stories in height, with the kindergarten, first and second grades in the rear of the ground level floor, and the public spaces, including the gym, cafeteria and administration areas will be in the front of the building. The public spaces are proposed to be open for public use after school hours. The third, fourth and fifth grades will be located on the lower level. This level will also exit at ground level from the rear toward School Lane. The plan is to construct a long building with a curved central hallway to take advantage of the topography of the existing site.

The Township would like the applicant to install a sidewalk as part of the trail extension to interconnect with the trail easement in the Highland Pointe Development off of Corner Ketch Road. The applicant agreed to provide and install an asphalt trail and provide an easement. Mr. Piersol provided a copy of the Highland Pointe Subdivision for the applicant's engineer to review. This will be addressed on subsequent submissions.

Although the Planning Commission was reviewing the revised plans at the request of the Township, there is not a formal land development application submitted at this time.

Mr. Lee Snodgrass, Assistant Director of Facilities, Planning and Management for the School District, Mr. Michael Dirks, Engineer and John Yurick, Traffic Engineer discussed Township's Traffic Engineer Andy Heinrich's response dated March 14, 2005 to McMahon and Associates February 2, 2005 submission. The March 4, 2005 review of the Landscape and Lighting Plans will be reviewed at the May Planning Commission meeting.

Mr. Heinrich stated that the orientation of the parking bays in the west parking area is satisfactory. It was suggested that the parking bay closest to the access road be designed as a double loaded parking bay, with elimination of one of the shortened rows of parking in the bay closest to the building, so as to provide a short stacking area existing from the two access points to the west parking area. Mr. Yurick stated that in the main parking area Mr. Heinrich would like to see an end of aisle treatment so there is room to turn. The applicant has shifted some parking spaces to achieve the suggested end of aisle treatment. Mr. Giannantonio has no opposition to Mr. Yurick's plan.

According to Mr. Heinrich, regardless of the usage of the east parking area, or the frequency of delivery truck activity, access to the loading dock area must be properly aligned. In his review, he stated that it appears that the simplest solution is to eliminate the last two of nine parking spaces or slip the last row to the other side of the aisle. Mr. Yurick stated that the circulation plan shows that truck deliveries should not encroach on the parking area. The overflow parking area is only for special events and is gated during the day. In addition, these parking spaces generally won't be used when deliveries are taking place. Most deliveries will take place early in the morning. Mr. Giannantonio does not see any problems with the applicant's plan.

In the east parking lot, one or two parking spaces at the end of all but the first row of parking spaces should be eliminated in favor of a painted or concrete island so that vehicles do not maneuver into/out of the end parking space into the main aisle. The applicant will comply with this recommendation.

Mr. Heinrich stated that Mr. Yurick's response to the potential usage of the passenger car pick-up/drop-off area was somewhat contradictory. The first sentence indicated that there will be no parking or standing in the passenger car pick-up/drop-off area. The last sentence indicated that the passenger pick-up/drop-off area may be used for pick-up of kindergarten students, which will require slightly more stopping time. Mr. Heinrich stated that the passenger car pick-up/drop-off area must be designed for the worst case. He also indicated that if there were to be no stopping or standing in the passenger car pick-up/drop-off area, the width of 24 feet would appear to be excessive unless it is intended to provide a bypass lane. A narrowing of the lane width to less than 20 feet is not desirable, however, since a vehicle breakdown could block the entire pick-up/drop-off area. Mr. Heinrich pointed out that the width of the center median may be deficient; a larger radius may be required similar to the design of a cul-de-sac. Mr. Yurick stated that the drop-off area is for student drop-offs only. He also stated there would be no stopping or loading along the radius. If a parent is picking up a student they must park their car in the parking lot and walk up to the school. The school will be responsible for enforcing this plan. Brandywine Wallace Principal Richard Orth stated that he was satisfied with the plan. The Planning Commission asked Mr. Yurick to discuss this item with Mr. Heinrich one last time.

A STOP sign will be posted on both sides of the exit from the passenger drop-off island

Horizontal Left and Horizontal Right One-Way signs will be installed to augment the directional pattern through the passenger drop off lane.

An EMERGENCY AND AUTHORIZED VEHICLES ONLY SIGN will be posted at the entrance to the Fire Access Road.

The PASSENGER DROP OFF sign will include an arrow pointing to the left.

In his review, Mr. Heinrich stated that it is not desirable to place parking spaces in the main access driveway, particularly when they are situated in an area where a parked vehicle may obstruct sight distance for a vehicle exiting the west parking lot. He recommended that parking be eliminated and prohibited along the entire length of the main access driveway. Mr. Yurick stated they have removed overflow spaces as requested. Mr. Rawlings said that he remains concerned about having adequate space for parking, especially during special events. Mr. Orth stated that there are only a few times during the year when parking is a problem (Back to School Nights, Spring and Winter Concerts and the Spring Fair). He said that most of the time parking is adequate and although there are challenges and limitations to the available parking there have not been a lot of problems. There are times when the School has used the parking area at the Community Park for additional parking. The plan shows a crosswalk between the School and the Park.

The applicant has agreed to pave the proposed trail to the property line.

Mrs. Moser asked if there were any plans to change the grades being taught in the schools. She read an article in the Wall Street Journal that stated elementary schools were now being built for kindergarten through eighth grades. The School District plans to keep elementary school from kindergarten through fifth grade, the middle school sixth through eighth grades and the high school ninth through twelfth grades.

According to Mr. Snodgrass it is the intention of the School District to pursue building at both the Brandywine Wallace and the Wallace site. The site that receives approvals first is the one likely to be built first.

Dilworth Property

Mr. Jonathan Penders and Mr. Stephen Gallo approached the Planning Commission to discuss Rouse/Chamberlin Homes' revised sketch plan for the Dilworth property. The property is 71 acres on the western side of Dilworth Road, in the R-2 Zoning District. It has an existing barn and equipment shed. The parcel is bordered by the Hide-A-Way Farms subdivision and the Okie property to the north, the Cross Keys development to the west and the Clavier property and the East Brandywine Township Community Park to the south.

Steep slopes on the site are almost non-existent, but there is a small area near the proposed Hide-A-Way Farms subdivision. There are wetlands near the northeast corner of the tract.

It is the applicant's intention to design the subdivision using the R-2 Cluster option. The plan shows 38 single family homes, most well off Dilworth Road in order to protect the view shed. The plan proposes over 40% open space including 21 acres of private open space that will include the shed, barn and a house. The open space will be maintained by a Homeowners Association. The homes will be between 3,200 s.f. and 4,200 s.f. in size.

There is a proposed cul-de-sac that is 2,500 to 2,700 feet in length, with portions of the road having homes off of courtyards to break up the streetscape. The Planning Commission would not support a waiver allowing this cul-de-sac without another entrance. The Planning Commission stated there must be an additional entrance to the subdivision from Elmwood Drive in the Cross Keys Development. Mr. Penders agreed to this. While visually interesting, the courtyards would be difficult for the Township to maintain. The applicant stated they could be maintained by the Homeowners' Association.

At the last Planning Commission meeting Mr. Penders showed a plan with a small strip of open space in back of the properties near the Cross Keys Development. Mr. Penders stated that this open space was a buffer between the Dilworth property and the Cross Keys Development. Mr. Penders reduced the size of the open space on the revised plan, but it still shows a 30-foot buffer around the perimeter of the track, as required by Ordinance. After reviewing the plan the Planning Commission preferred the larger buffer.

Mr. Penders has agreed to construct a trail from the Cross Keys Development to the Dilworth property and also a connection to the Community Park. At the March meeting they also asked that Mr. Penders calculate the density for the property as a traditional plan versus the cluster option. Although the density would not increase dramatically, a traditional plan would likely incorporate the entire site and would not preserve the viewshed.

The Planning Commission was uncertain if the proposed private open space meets the spirit of Section 399-58 of the Zoning Ordinance. There are concerns that a future homeowner might construct additional buildings on the lot and creation of this lot may remove or weaken the authority of the Homeowner's Association. The Planning Commission stated there must be certain restrictions placed on the property including restrictions on subdivision of the open space and calculation of the fee in lieu of open space.

Mrs. Kate Okie, Chairman of the East Brandywine Township Open Space Committee stated that this parcel was one targeted by the Committee as one they wanted to preserve. She stated they would like to see as much of the viewshed preserved as possible.

The Planning Commission asked if several lots could be moved in order to protect the view from Dilworth Road. It was suggested that Lot 24 be moved, as well as Lot 27 in order to open up the viewshed. Mr. Penders agreed to reconfigure the lots.

Mr. Piersol stated that residents in the Cross Keys development, along Elmwood Drive, have complained of stormwater runoff from the property. Mr. Penders stated that this can be addressed in the subdivision process.

The Planning Commission liked the idea of the courtyards and a turnaround area near the Cross Keys development. Mr. Piersol stated that the courtyards should not be part of the dedicated street system; maintenance and snowplowing would be the responsibility of the Homeowner's Association.

Mr. Penders is proposing to provide water via on-lot wells and several community septic systems, each septic tank serving 8 to 12 lots. The tanks would be placed in several locations in the open space. Mr. Penders stated there should be enough room since he has provided more open space than is required by the Township Ordinance. The Homeowners Association would have responsibility for operation and maintenance of the septic tanks and a sewage management plan would be implemented. Mr. Giannantonio stated that this plan should be reviewed by Municipal Authority Engineer, Joe Boldaz. Mr. Penders and Mr. Gallo will attend the next Municipal Authority Engineer to discuss this plan.

The Planning Commission asked Mr. Penders to look at the location of the basins. It was pointed out that one of the basins is located in the private open space. Mr. Penders will look at placement of the basins for his next submission.

CMR Development Corporation

Mr. Thomas McGrady approached the Planning Commission with a revised sketch plan for a subdivision in the 500 block of Corner Ketch Road, adjacent to Clover Lane. The applicant is proposing 4 lots in the R-1 Zoning District, using the R-1 Cluster option. The plan would keep the rear of the property open. There is an existing dwelling and barn on the property. Mr. McGrady stated that his plan was to demolish the existing house and other accessory buildings. The subdivision is to be served by a private drive that terminates at the end of the open space. Mobil Pipeline has a 50 foot easement for a gas pipeline. It is uncertain where the line is within the easement. Perc tests have not been completed. Mr. Rawlings stated that in December the Zoning Ordinance was amended to require a minimum of 20 acres to use the R-1 Cluster option. The proposed subdivision is slightly over 10 acres. Mr. McGrady will be provided with a copy of the most recent amendments to the Zoning and Subdivision Ordinances.

DeCovny Subdivision

Extension

Mrs. Smedley reported that the applicant is granting an extension to review this subdivision application until June 16, 2005. Mr. Giordano made a motion to recommend the Board of Supervisors accept this extension. Mrs. Marshman seconded the motion, with all voting Aye.

AWI Croppers

Extension

Mrs. Smedley reported that the applicant is granting an extension to review this subdivision application until July 31, 2005. Mrs. Moser made a motion to recommend the Board of Supervisors accept an extension. Mr. Cushman seconded the motion, with all voting Aye.

Ordinance Task Force Items

The Round III Vision Partnership Program grant application will be considered by the Board of Supervisors at their April 7th meeting. The scope of work includes updates to the 1987 Comprehensive Plan and 1992 Open Space, recreation & Environmental Resources Plan. The project costs are projected to be \$44,080.00; the Township's required 25% match is \$11,020.00.

Mr. Piersol and David Sweet met with David Ward of the County Planning Commission last week to discuss this project. Mr. Ward requested some modifications to our draft supporting documentation for the application, requesting additional delineation of the costs for each major work element, extending the time frame to at least 24 months, suggesting moving the Implementation Activities and Priorities to the front of the Comprehensive Plan, and referencing the County's Planning documents Landscapes, Watersheds and Linking Landscapes in our narrative. David Sweet is still working to complete the additional references in the narrative. If the Board of Supervisors authorizes this application, the County Planning Commission should act on the application at their May meeting. This would allow work to begin on this project in June or July.

East Brandywine Township Planning Commission

April 6, 2005

Page 10

Adjournment

There being no further business Mr. Cushman made a recommendation to adjourn the meeting. Mrs. Moser seconded the motion, with all voting Aye. The meeting was adjourned at 10:00 P.M.

Respectfully submitted,

Mary Beth Smedley
Secretary/Treasurer
East Brandywine Township