

EAST BRANDYWINE TOWNSHIP PLANNING COMMISSION
Special Meeting
Wednesday, December 14, 2005 - 7:30 PM

Those in Attendance:

Mr. Bruce Rawlings, Chairman
Mr. Stephen Cushman, Vice-Chairman
Mr. Michael Corbin, Member
Mr. Charles Giordano, Member
Mrs. Deborah Marshman, Member
Mrs. Sandra Moser, Member
Mr. Mervin Thomas, Member
Mr. Scott T. Piersol, Township Manager
Mr. Albert Giannantonio, Township Engineer
John Spangler, Esq. Planning Commission Solicitor
Mrs. Mary Beth Smedley, Township Secretary/Treasurer

Absent:

Mrs. Beth Valocchi, Ex Officio Member

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

The East Brandywine Township Planning Commission scheduled a special meeting on Wednesday, December 14, 2005 at 7:30 P.M. to consider making a recommendation to the Board of Supervisors regarding the subject of approval or denial of the Forge Hill Subdivision preliminary plan, and any other business the Planning Commission wished to discuss.

Forge Hill Subdivision

At the December 7, 2005 Planning Commission meeting, Mr. John Shelton asked the Planning Commission for a recommendation for or against preliminary plan approval of the Forge Hill Subdivision. The Planning Commission and Mr. Giannantonio felt that there were numerous outstanding issues that would not allow them to make a recommendation for preliminary plan approval at this time. In order to specifically outline all areas where the plan is deficient, the Planning Commission scheduled this special meeting to discuss recommending that the Board of Supervisors either grant preliminary plan approval or turn down the plan by citing specific areas where the plan failed to meet the criteria for preliminary plan approval. Planning Commission Solicitor John Spangler was asked to attend the meeting on behalf of the Planning Commission. Mrs. Smedley stated that the applicant had submitted an initial preliminary plan with one revision, not three plans as Mr. Shelton stated at the December 7th meeting. In her discussions with Mr. Dennis O'Neill, engineer for the applicant, he stated he was not aware that any plans submitted to the Township had disappeared.

On December 8, 2005 Mr. Shelton's attorney, Sean O'Neill, contacted Mr. Spangler and reported that his client had decided to grant an extension to review the subdivision plan until February 16, 2005. In addition, Mr. Shelton's engineer, Dennis O'Neill, called Mr. Giannantonio, also stating that Mr. Shelton would grant an extension to review the Forge Hill application. Mr. Sean O'Neill sent the extension letter to Mrs. Smedley via fax and first class mail.

Extension

Mr. Rawlings made a motion to recommend the Board of Supervisors accept an extension to review this subdivision plan until February 16, 2005. Mr. Giordano seconded the motion, with all voting Aye.

S/LDO Ordinances Related to Review of Preliminary Plan Approval

Mr. Piersol stated that Mr. Shelton's request for preliminary plan approval likely came from his interpretation of provisions of the Subdivision and Land Development Ordinance Section § 350-14.A(3) that state:

- (3) After such review, the Secretary of the Planning Commission shall send written notice of the recommendation of the Planning Commission and the reasons therefore, citing specific sections of statutes or ordinances relied upon, to the following:
 - (a) Board of Supervisors;
 - (b) Applicant;
 - (c) Governing body of any adjacent municipality, if the proposed project included land in that municipality or directly abuts its boundary.

It is Mr. Spangler's and Mr. Giannantonio's opinion that this section of the Ordinance pertains to the review process in its entirety, not just to a specific submission. In addition, the review should include comments from other agencies including, but not limited to, the Chester County Health Department, the Chester County Planning Commission, the Chester County Soil and Conservation District, and the Pennsylvania Department of Environmental Protection.

In response to this issue, the Planning Commission has asked Mrs. Smedley to send a copy of the Planning Commission minutes, once approved by the Board of Supervisors, along with a cover letter to each applicant that had business before the Planning Commission that month. This way, the applicant will have formal documentation of the Planning Commission's comments and/or recommendations regarding their plans.

Hopewell Subdivision Trail Interconnection

Mr. Piersol will meet with two members of the Hopewell Subdivision Homeowner's Association on Friday, December 16th to discuss obtaining an easement for a trail interconnection in the vicinity of Lots 82 and 83 near Tarrytown Lane. Mr. Piersol had discussed this issue previously with the Homeowners' Association, who were to make a decision about the easement, but to date, haven't done so. Some of the residents concerns include trash removal, winter maintenance and possible criminal mischief complaints. One question residents have is why wasn't a trail easement part of the original subdivision plan. At the time Hopewell was being subdivided, surrounding properties were not developed, and it has just been the policy of the Township to obtain easement connections for trails in all new developments for the past several years.

Ordinance Task Force

The Ordinance Task Force meeting scheduled for December 28, 2005 at 7:30 P.M has been moved from the Laird Professional Building to the East Brandywine Fire House at 2096 Bondsville Road, Downingtown, Pa.

Ordinance Task Force meetings for 2006 will be held the fourth Wednesday of every month at 7:30. The meetings will be held at the Delaware County Community College – Room 238.

Comments from the Audience

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

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 8:15 P.M.

Respectfully submitted,

Mary Beth Smedley
Secretary/Treasurer
East Brandywine Township