

**EAST BRANDYWINE TOWNSHIP PLANNING COMMISSION
REGULAR SESSION
Wednesday, January 5, 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
Mrs. Beth Valocchi, Ex Officio Member
Mr. Scott T. Piersol, Township Manager
Mrs. Mary Beth Smedley, Township Secretary/Treasurer

Absent:

Mr. Mervin Thomas, Member

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

Planning Commission Minutes – December 1, 2004

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

DeCovny Subdivision

Extension

Mrs. Smedley reported that the applicant is granting an extension to review this subdivision application until March 1, 2005. Mr. Rawlings made a motion to recommend the Board of Supervisors accept this extension. Mrs. Moser seconded the motion, with all voting Aye.

Hillendale Development

Mr. Tim Townes stated that Southdown Homes is now the equitable owner of the Hillendale property off of Rt. 282. They will be proceeding with the civil engineering and sewage testing and expect to be submitting plans for the Planning Commission to review within the next several months.

The Planning Commission has continued safety concerns about the Rt. 282 entrance to the property. Mr. Townes was aware of those concerns and assured the members that he will work with the Township, PADOT and the traffic engineers to resolve those concerns.

Lyndell Point – Environmental Remediation Update

As outlined in his December 15, 2004 memo, Mr. Townes stated that Southdown Homes would abandon the development of Lot 21 as a residential lot. This area will now be deed-restricted open space. A note regarding this lot and restrictions placed on it will be recorded on the plan and will also be included in the Homeowners Association documents and covenants that are signed by each new homeowner at settlement.

Mr. Townes was asked who would be responsible for this lot. He stated that it would be owned by the Homeowners Association and would be their responsibility. Mr. Corbin asked if there would be fencing around this lot. The applicant does not plan to fence the area. The lot is separated from any of the building lots by another area of open space. Mr. Corbin is concerned about being able to identify this area as a former dumping site in the future. Although the applicant is taking precautions to make sure homeowners are aware of restrictions placed upon this lot, oftentimes homeowners don't read all of the fine print in their homeowner's documents and as homes are resold, residents tend to forget about restrictions. If environmental problems surface in the future regarding this lot, homeowners will likely look to the Township to solve them. One suggestion was to install monuments or a short fence post that can be clearly seen so that the perimeter of the lot is well marked.

As suggested by PADEP, the remediation plan includes capping the site with two feet of topsoil and using a geotextile fabric similar to silt fence as a barrier between the clean topsoil and the contaminated soil. There will be no landscaping or trees planted on the lot. Mr. Corbin stated that this methodology needed to be spelled out more clearly in the remediation plan.

The groundwater report submitted to PADEP on November 22, 2004 documented the lack of detectable contamination in the two wells installed on the property.

The Planning Commission asked Mr. Piersol to discuss this issue with Township Solicitor John Halsted to make sure he reviews the Homeowners' documents and can give an opinion of possible legal ramifications for the Township if a problem were to occur.

Corner Ketch Road Re-Alignment

Mr. Townes explained that in re-aligning Corner Ketch Road there are issues regarding creating a new road right-of-way that PennDOT will abandon and conveying certain property to East Brandywine Township. Mr. Halsted suggested that the Township could vacate the parcel created once it is in the Township's possession. The parcel would then

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revert to the owners of the property prior to the date when Corner Ketch Road was created. Mr. Townes will provide Mr. Halsted with information to review prior to final approval of this plan.

Keats Glen/Lyndell Point – Brantwyn Drive and Waring Drive

Mr. Piersol stated that Brandywine Regional Police conducted a traffic study on Brantwyn Drive. Results of the study indicate that the speed should be posted at 30 mph. At their January 19, 2005 meeting the Board of Supervisors will consider an amendment that would post the speed on Brantwyn Drive at 30 mph.

The continuation of the discussion with the Keats Glen residents on the Waring Drive interconnection with the proposed Lyndell Point subdivision will also be an agenda item for the January 19, 2005 Board of Supervisors meeting. Mr. Piersol has invited Keats Glen residents to attend this meeting.

Ordinance Task Force

Mr. Piersol reported that the Board of Supervisors adopted all of the zoning and subdivision amendments that were part of the County's Vision Partnership grant program, with the exception of the amendment regarding steep slopes. There have been ongoing discussions with the Whitaker Family on Rt. 282 and the Open Space Committee regarding placing a portion of their property in a conservation easement.. The Whitakers are concerned that a change in the Steep Slope Conservation District will negatively impact the marketability of their property.

The next Ordinance Task Force meeting will be held Wednesday, January 26, 2004 at 7:30 P.M.

Adjournment

There being no further business Mr. Rawlings made a recommendation to adjourn the meeting. Mrs. Moser seconded the motion, with all voting Aye. The meeting was adjourned at 8:10 P.M.

Respectfully submitted,

Mary Beth Smedley
Secretary/Treasurer

East Brandywine Township