

**EAST BRANDYWINE TOWNSHIP PLANNING COMMISSION
REGULAR SESSION
Wednesday, July 6, 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
Mr. Charles Jackson, Township Engineer
Mrs. Mary Beth Smedley, Township Secretary/Treasurer

Absent:

Mrs. Beth Valocchi, Ex Officio Member

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

Mrs. Smedley announced that beginning in August, Planning Commission meetings will be held at the East Brandywine Fire Company, 2096 Bondsville Road, Guthriesville, Pa. The Municipal office building will be temporarily located at the Laird Building, 110 Hopewell Road, Suite 2, also in Guthriesville.

Planning Commission Minutes – June 1, 2005

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. Thomas seconded the motion, with all voting Aye.

Mullray Builders Subdivision

The plans propose the creation of two lots from a single 6.0319-acre tract on the west side of Bondsville Road, and have been revised to address the comments of the May 31, 2005 Yerkes review letter. The plan was originally submitted as a sketch plan. The property is owned by Stacey Porter and Charles Petroff on Bondsville Road. Mr. William Mullray is the equitable owner of the property. The applicant proposes to subdivide the six acre property into two lots in the R-2 Zoning District. Lot #1 has an existing dwelling, swimming pool and stone deck. Lot #2 has a stable that the applicant plans to demolish.

Mr. John Smirga, engineer for the applicant discussed the Yerkes June 30, 2005 review letter. Mr. Smirga has agreed to update the plan according to Mr. Giannantonio's review letter. He provided Mr. Giannantonio with a revised plan, but still needs to add significant features within 300 ft. of the property. The Township is still waiting for reviews from the Chester County Planning Commission, the Chester County Health Department and the Chester County Conservation District. Mr. Smirga will resubmit a revised plan to the Township for review prior to the August 4th Planning Commission meeting.

Overlook Road Farm – Final Plan Review

The applicant is proposing to build a combination of single family homes, carriage homes, and townhouses for a total of 655 units on both the north and south side of East Reeceville Road. The plan also shows an 18-hole Jack Nicholas designed golf course with a clubhouse. The property encompasses approximately 621.74 acres of land, comprised of 307.58 acres north of East Reeceville Road and 314.16 acres south of East Reeceville Road. The southern portion is a 310 acre tract located in the R-2 Zoning district and proposes single family homes on individual lots and approximately half of the golf course. The portion of the property north of East Reeceville Road was part of settlement agreement that concluded in April of 2004. The applicant submitted a subdivision plan for the south side of East Reeceville Road based on the requirements of the R-2 Zoning District and was granted preliminary plan approval in March of 2004.

The site historically consists of a total of four farms and is divided into two tracts designated the "North Tract" (north of East Reeceville Road) and the "South Tract" (south of East Reeceville Road). On the "North Tract" are the Henry Steward and William Moore farms and on the South Tract are the William Davis and Charles Trego Farms. The site contains various farmhouses, dwellings, barns and miscellaneous outbuildings. The remainder of the site contains the Beaver Creek Dam and its lake, open farmland, steep slopes, wooded areas, wetlands, creeks and a network of farm roads. The Beaver Creek Dam and lake are within an easement of the Chester County Water Resources Authority and will be retained by them. The plan proposes to preserve and relocate the William Moore farm farmhouse and barn, and preserve the Charles Trego farmhouse. All other structures are to be razed.

The "North Tract" is being reviewed under the "Clustered Residential Development" regulations of the R-3 Residential Zoning District in conjunction with the Settlement Agreement dated April 1, 2004. The "South Tract" is being reviewed under the "Clustered Residential Development" regulation of the R-2 Residential Zoning District. The project is proposed to be constructed in five phases.

Ray Grochowski and Tony Sabatini from Pulte Homes, Theresa Lemley, Esq. from Riley, Riper, Hollin and Colagreco, and Jeremy Madaras from Chester Valley Engineers attended the meeting on behalf of Pulte Homes.

Ms. Lemley stated that she wanted to clarify several issues regarding the Yerkes July 5, 2005 review letter. The first clarification was that the review letter stated it is a preliminary subdivision and land development review. In fact, this is a final plan review for both the north and south tracts. Mr. Grochowski stated that although the north and south tract are being reviewed under different criteria, this is a unified plan and they will be looking for final plan approval for the entire tract.

Mr. Giannantonio stated that the "South Tract" plan of the property was substantially different than the plan given preliminary plan approval in March of 2004. Mr. Grochowski stated that it wasn't different because exhibits attached to the settlement agreement actually set the lot configurations, road layout, stormwater basins, sewer layout, etc. Ms. Lemley stated she would provide Mr. Giannantonio with a copy of the exhibits. Mr. Giannantonio asked that Mr. Grochowski provide a legend or table comparing changes since there are many differences on the plan, including lot numbers. Mr. Grochowski agreed to provide this information. Mr. Giannantonio expects that additional letters will be issued on the plan prior to the August 4th Planning Commission meeting. Since the plans are quite extensive, Mr. Giannantonio stated that extensions might be needed to review the plan in its entirety. Mr. Grochowski assured the Planning Commission that they would be reasonable in granting extensions. It is also expected that the engineers will likely meet outside of the Planning Commission meeting to review the more technical aspects of the plan.

Mr. Grochowski stated that there are several instances where the review letter suggested zoning relief might be needed. It is the applicant's intention not to ask for zoning relief, so in those cases he will make sure that the plan meets all required zoning ordinances.

Mr. Grochowski reviewed the plan layout with the Planning Commission. The southern portion of the property has remained essentially the same. One difference is that a portion of the property directly west of Bondsville Road is now proposed to be a gated community. Residents will access the community by using security cards. These cards will also be provided to emergency personnel. Although the roads for the gated portion of the community were originally to be dedicated to the Township, Mr. Grochowski suggested they be maintained by the Homeowner's Association. These roads will have Belgian block curbing similar to that proposed on the "North tract" roads. The Planning Commission had no objection to this plan.

The road directly across from Bollinger Road will now be aligned with Bollinger Road instead of offset, at the request of PADOT. Instead of a pond to the right, there will now be a dry detention basin to the right and a pond on the left. The engineer attempted to align the two roads coming off of Bondsville Road, but was unable to do that because it would have impacted steep slope and wetland areas. There are no lane improvements proposed for the Bollinger Road and East Reeceville Road intersection. PADOT stated that a traffic signal is not warranted at East Reeceville Road and Bondsville Road at the present time.

Most of the plan changes occurred on the northern portion of the property. The carriage houses situated on the south western portion of the tract will remain the same, but at PADOT's request, the road will align with Mr. Kay's driveway. The golf course has remained essentially the same except some of the holes have been moved away from the dam spillway. Chester County Water Resources Authority has an easement in the area of the dam. Pulte is giving additional land to CCWRA around the dam to add to the easement. A Letter of Map Revision has been submitted to FEMA so that the floodplain can be revised.

The revised plan shows a boulevard street directly off of Bollinger Road. This road has been changed so that no homes front on it. It will be tree-lined with the trees planted between the sidewalk and the road to create an open feel. This and other changes to the northern portion of the property were done in an attempt to open up the viewshed. In addition, the applicant has attempted to create "courtyards" that groups of townhouses surround. Mr. Giannantonio complimented the designer of the plan and suggested the applicant consider redesigning the group of townhouses in the northeastern portion of the property.

The unit count has changed. There were originally a group of single homes on the north side of the property that have been eliminated, as well as the twin homes shown on the original plan. Mr. Grochowski stated that on the previous plan many different home and townhouse styles were going to be offered. The applicant decided to concentrate on certain models so that there wouldn't be too many different types of homes on the property.

There are few changes to the golf course, the sewage treatment plant or the proposed lagoons. There will be aeration in the lagoons as required by PADEP. The golf course will be constructed in two Phases. Mr. Grochowski stated that the Conservation District would not allow them to construct the golf course in one phase since there is so much earth moving involved. The tunnel under East Reeceville Road will remain at the same location. The tunnel connection will require that East Reeceville Road will be shut down for approximately 45 days. The bridge on East Reeceville Road is in need of reconstruction. The Planning Commission asked Mr. Grochowski to discuss this with PADOT so that the construction of the bridge and the tunnel could be coordinated. The clubhouse is planned to be constructed approximately 3 years after construction begins. The community center will be built immediately. The golf course will be private, but will be open to the public approximately 4 times a year. A vintage looking barn will be built at the corner of Rt. 322 and Bollinger Road to house the sewage treatment equipment.

The sewer treatment plant is being constructed so that it has extra capacity to treat the effluent from the proposed K. Hovnanian development. The applicant will be signaling the intersection at Rt. 322 and Bollinger Road, and will widen Bollinger Road. A trail system will be constructed throughout the northern portion of the development. There are no proposed trails on the south side.

Mr. Grochowski envisions a Master Homeowner's Association with three sub-associations. The golf course entity will not be governed by a homeowners association.

Mr. Grochowski will work with the Township engineer on street lighting. It is anticipated that the street lights will be spaced apart since the Planning Commission does not want the development lights to affect neighboring properties.

Mrs. Moser asked if there would be sharing of utilities with East Brandywine Township and West Brandywine Township. There will be no shared utilities.

FEMA has provided a review letter. Although they have a number of comments, Mr. Grochowski stated that none of the comments should be problematic. They are having their consultant review the letter. He went on to say that the dam will not be used to control stormwater from the development.

The impervious coverage on specific lots has changed, but the maximum allowable impervious cover will not increase over what is allowed in the settlement agreement. Mr. Grochowski stated that the amount of impervious cover does meet the intent of the ordinance.

The Kay Wells are operated by Aqua Pennsylvania. There is a required well head protection area that doesn't allow grading, spills or sanitary septic systems in order to protect the aquifer from above.

Phase I and II environmental studies have been completed. Mr. Grochowski stated they revealed no problems. The Planning Commission is concerned because of known dumping of water treatment lagoon sludge on the property. They asked Mr. Grochowski if he would provide copies of the Phase I and II studies. He stated he would provide them as long as there are no corporate conflicts in doing so. He will provide a copy of the soils report.

The logging on the property has stopped. Mr. Grochowski was asked if the logging affected the tree counts. He will look into this issue.

The settlement agreement stated that the applicant must show significant features within 100 ft. of the subject property. This will be added to the plan.

Mr. Rawlings complimented Mr. Grochowski on the landscaping plan for the development. He did ask if the evergreen plants at the pump station could be a little larger.

Mr. Grochowski was asked if there were any plans to control the Canada goose population. He stated that he would discuss this with the firm that is constructing the golf course. It was suggested that certain plantings around the pond borders would discourage the geese from stopping there.

There is a proposed road in the West Brandywine Township portion of the property that may need to transverse a portion of the property near the proposed Lot #629. Mr. Piersol and Mr. Rambo from West Brandywine Township have had conversations about this. Mr. Grochowski will review the road configuration and determine how that might impact Lot #629.

There were several comments in the July 5th Yerkes review letter that pertained to steep slopes (comments #72, #73 and #74). Mr. Grochowski stated they would comply with all requirements regarding steep slopes. It is not the applicant's intention to seek zoning relief regarding these issues.

Mr. Rawlings stated that there is an emergency access road near Road A and Road B that needs to be marked on the plan. In addition, there is no key in the legend for foot bridges and some of the foot bridges are in the wrong location.

The treatment plant will be constructed to treat 300,000 gpd. Mr. Grochowski indicated they need an initial daily flow of 20,000 gpd to operate the treatment facility. Mr. Grochowski asked who would be conducting the trench backfill inspections. Yerkes will do those inspections.

The applicant will submit a list of road names to Mr. Piersol for his review and approval.

DeCovny Property

Extension

Mrs. Smedley reported that the applicant is granting an extension to review this subdivision application until September 22, 2005. Mr. Rawlings made a motion to recommend the Board of Supervisors accept this extension until September 22, 2005. Mr. Giordano 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 October 20, 2005. Mr. Rawlings made a motion to recommend the Board of Supervisors accept this extension until October, 2005. If the applicant does not resubmit a plan by that date it is the Planning Commission's recommendation that the applicant withdraw the plan or the Township take steps to deny the plan. Mr. Cushman seconded the motion, with all voting Aye.

Ordinance Task Force Items

Mr. Piersol stated that the Vision Partnership Grant Agreement (3rd Round, Contract 98.09E) is scheduled to be signed by the Board of Supervisors tomorrow morning. Mr. Sweet and Mr. Ward from the County Planning Commission resolved the two outstanding issues so that this Agreement could be processed.

Brandywine Heights Subdivision

At an earlier Planning Commission meeting the Commission had recommended the Board of Supervisors accept an extension to review this subdivision with understanding that a meeting would be scheduled with the applicant and Caln Township. This meeting was to take place by July 15th. Mr. Piersol stated that Mr. Gregory Prowant, Caln Township Manager has been on vacation so the July 15th deadline would not be met. He expected the meeting to be scheduled shortly thereafter.

Other Business

The Planning Commission expressed their condolences to the Kessler family on the passing of Historical Commission Chairman John Kessler on July 5th.

Comment from the Audience

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

Adjournment

There being no further business Mrs. Moser made a recommendation to adjourn the meeting. Mr. Giordano seconded the motion, with all voting Aye. The meeting was adjourned at 9:35 P.M.

Respectfully submitted,

Mary Beth Smedley
Secretary/Treasurer
East Brandywine Township