

**EAST BRANDYWINE TOWNSHIP PLANNING COMMISSION
REGULAR SESSION
Wednesday, June 7, 2006 – 7:30 P.M.**

Those in Attendance:

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

Absent:

Mrs. Deborah Marshman, Member
Mrs. Beth Valocchi, Ex Officio Member

Mr. Rawlings opened the meeting at 7:30 P.M. There were five visitors present.

Planning Commission Minutes – May 3, 2006

Mr. Rawlings asked if there were additions or corrections to the June 7, 2006 minutes as presented. There were none. Mrs. Moser made a motion to approve the minutes as presented. Mr. Thomas seconded the motion, with all voting Aye.

Hopewell Methodist Church

At the last Planning Commission meeting, the Hopewell Methodist Church Trustees stated that they should be able to resolve their outstanding fence issue within 60 days. They will be invited to the July meeting to update the Planning Commission on this matter.

Applecross AKA Overlook Road Farm

Extension

The applicant is granting an extension to review this subdivision until July 20, 2006. Mr. Giannantonio stated that the applicant has received a review letter from Yerkes dated June 2, 2006. Although there are no major issues, the developer's engineers will submit a revised plan showing the requested changes in the next month. The applicant continues to work on outstanding issues with the Chester County Conservation District and the Chester County Water Resources Authority. Mr. Rawlings made a motion to recommend the Board of Supervisors accept this extension. Mrs. Moser seconded the motion, with all voting Aye.

CMR Development Corporation

Extension

The applicant is granting an extension to review this subdivision until August 30, 2006. Mr. Rawlings made a motion to recommend the Board of Supervisors accept this extension. Mr. Cushman seconded the motion, with all voting Aye.

Rothman Tract

Extension

The applicant is granting an extension to review this subdivision until September 29, 2006. Mr. Rawlings made a motion to recommend the Board of Supervisors accept this extension. Mr. Giordano seconded the motion, with all voting Aye.

The Open Space Committee has attempted to contact the applicant on several occasions to discuss the possibility of purchasing easements. To date, they have not been successful. In addition, the Bondsville Mill Committee will be reviewing the plan to ensure that the trail shown on their property can interconnect with the trail on the mill property. The Committee would also like to make sure the millrace remains open and protected.

Former Guthriesville Service Center – Sketch Plan for a Car Wash

Mr. Dennis Whitely, owner of the property in question, approached the Planning Commission to discuss the possibility of opening a car wash at the intersection of Rt. 322 and Hopewell Road. The parcel is .6 acres and contains the former Guthriesville Service Center, which moved to West Brandywine Township five years ago. There were underground gas tanks on the property that were removed by Mr. Whitely. Although Mr. Whitely has not pursued it, the property can be connected to public water and sewer. The parcel is a non-conforming lot in the Village Commercial District. The historic status of the building is not known.

Mr. Whitely stated he would like to demolish the existing building and construct a car wash, using architectural details from the 1930's or 1940's. Trying to keep in mind the historic nature of the Village of Guthriesville, he thought this style would blend well with the existing buildings. He also mentioned that other businesses had done this successfully, namely the Wawa building in Chadds Ford and the Wawa in Wildwood, New Jersey. The car wash would not be staffed, but would be operated using computers.

The plan shows vehicles entering and exiting off of Hopewell Road, with a right turn only exit. The entrance off of Rt. 322 would be closed and landscaped. Six vehicles could be in line at one time. There are two parking stalls for vacuuming of cars.

Mr. Rawlings stated that there might be some improvements at the intersection such as widening Rt. 322 or constructing a roundabout; these improvements would likely affect the plan that Mr. Whitely presented.

Mr. Giannantonio asked Mr. Whitely if .6 acres is the gross tract area. Mr. Whitely said it is. Mr. Giannantonio then asked if Mr. Whitely knew the net tract area. This isn't known. It was also asked how much of the property is within the road right-of-way. This will need to be investigated. Mr. Giannantonio asked how much of the property is covered by an impervious surface. It is 100% of the lot. According to the Village Commercial zoning, not more than 75% of the net area of any lot may be covered by impervious surfaces.

Mr. Whitely was under the impression that since the property was used for automotive purposes in the past, the property would be afforded a "grandfathered status". However, since the use was abandoned more than four years ago, there would be no provisions to "grandfather" this business. In addition, if the existing building was demolished, any new building would need to meet the area and bulk requirements outlined in Section 399-40 of the Zoning Ordinance.

In order to construct a car wash at that site Mr. Whitely would need to make application with the Zoning Hearing Board for the proposed land use. In addition, it is likely that zoning relief may be needed for a variety of other issues including the impervious coverage and building setbacks.

There is only a limited capacity in the Guthriesville Sewer District. Mr. Corbin mentioned that there may not be additional capacity for a car wash. Mr. Whitely stated that the system he plans to use normally discharges no more than five gallons of water per car to the sewer system. The property has probably been allocated 1 edu, which is equal to discharging 275 gallons per day into the sewer system.

Members of the Planning Commission expressed concern about traffic for the car wash. The area may be too small for this business and there are concerns about traffic backing up onto Hopewell Road if more than six cars tried to line up for the car wash. There are only two stalls that will be used for vacuuming, wiping off cars and having deliveries. The Planning Commission again feels this is inadequate for that sort of business. A traffic study would need to be done prior to determining if the configuration shown on the sketch plan is possible.

Mr. Cushman asked if Mr. Whitely knew the traffic count needed to make this business profitable. Mr. Whitely didn't know, but did say that there was a firm he could contract with to determine this.

Mr. Whitely stated that trying to determine what sort of business could be successful in the property was difficult because the businesses allowed in the Village Commercial District were not ones that would necessarily do well on his property. A car wash is

allowed as a permitted use in the MU District, so there are provisions in the Zoning Ordinance to construct one within Township boundaries.

The Planning Commission feels that additional information is needed including:

- 1 What sort of zoning relief would be needed to construct the car wash, including?
- 2 Environmental issues that may be related to the property.
- 3 The number of edus needed for a car wash.
- 4 A traffic study, including traffic circulation information.
- 5 The historic nature of the building.

Mr. Whitely stated he may look into gathering information on the traffic counts and then discuss this again with the Planning Commission.

Mr. Rawlings thanked Mr. Whitely for attending the meeting and trying to find a way to improve the property and the Village.

Agricultural Security District Additions

The East Brandywine Township Board of Supervisors has received proposals to make the following additions for properties located in West Pikeland Township to the East Brandywine Township Agricultural Security Area:

<u>Tax Parcel #</u>	<u>Description</u>	<u>Acres</u>
34-04-0105.050	Gesa Sklaroff 1509 Yellow Springs Road	11.00
34-01-0056.010	Craig and Margaret Adams 1020 Dewees Lane	10.00
34-03-0004	Ralph T. & Julianna E. Geer 1944 Conestoga Road	LOT
34-03-0003	Ralph T. and Julianna E. Geer 1944 Conestoga Road	24.400
34-03-0003.010	Ralph T. and Julianna E. Geer 1944 Conestoga Road	24.30
34-01-0056.02A	James P. and Patricia Shinehouse 1954 Horseshoe Trail	13.20

<u>Tax Parcel #</u>	<u>Description</u>	<u>Acres</u>
34-01-0056	Gertrude Logan-Stewart 1064 Horseshoe Trail	10.00
34-05-0007	Edward A. & Patricia Theurkauf, Jr. 1240 Elbow Lane	21.483
34-05-0007.010	Edward A. & Patricia Theurkauf, Jr. 1240 Elbow Lane	2.0
34-01-0007.020	Edward A. & Patricia Theurkauf, Jr. 1240 Elbow Lane	67.919
34-05-0056.020	Centa Logan 1010 Dewees Lane	17.40
34-05-0026-010	William J. & Joann M. Quain 1380 Street Road	17.90
34-04-0020.020	Collin F. & Virginia J. McNeill 1701 Horseshoe Trail	14.50
34-04-022	Collin F. & Virginia J. McNeill 1701 Horseshoe Trail	66.80
34-04-0163	Collin F. & Virginia J. McNeill 1701 Horseshoe Trail	10.30

There are approximately 1,400 acres in the District at present. West Pikeland Township would like to add an additional 311+ acres to the District. Notice of a public hearing to discuss adding these additions will be placed in the Daily Local News. The parcel owners will be notified and notice will be posted at the affected parcels.

The Agricultural Security Committee reviewed this information on June 5, 2006 and is recommending the Board of Supervisors add these parcels to the Security Area.

After review of the documents, Mrs. Moser made a motion to recommend the Board of Supervisors include the above parcels in the Agricultural Security Area. Mr. Rawlings seconded the motion, with all voting Aye.

Ordinance Task Force

Mr. Piersol distributed a packet of information that was discussed at the May 24th Ordinance Task Force meeting.

Traffic Signals and Related Specifications Ordinance

Mr. Piersol stated that East and West Brandywine Townships have been working on these traffic signal specifications for several months. It was recommended that the best way to implement this ordinance was to add it to the Subdivision and Land Development Ordinance under Subsection 350-37. The specifications spell out standards and technical details that developers need to adhere to when designing traffic signal improvements when preparing a subdivision or land development plan. These specifications are consistent with PennDOT standards, although there are additional provisions regarding LED lights and pre-emption of signals for emergency vehicles. This Ordinance has been reviewed by the County Planning Commission. If the East Brandywine Township Planning Commission recommends passing this Ordinance, it will be considered by the Board of Supervisors at their July 6th meeting. Mr. Thomas made a motion that the Board adopt this Ordinance that will add information to the Subdivision and Land Development Ordinance and the corresponding Resolution that adopts the specifications. Mrs. Moser seconded the motion, with all voting Aye.

Historic Resource Preservation Standards

Mr. Cushman and Mr. Piersol will discuss these standards after the meeting. This will be an item for discussion at the next Ordinance Task Force meeting.

Subdivision and Land Development Ordinance Pipe Standard

The Ordinance Task Force has been working on an amendment to the Stormwater Management Ordinance in part because the Gambone Development Company has requested a waiver from Section 350-52 F (2) of the Subdivision and Land Development Ordinance to use corrugated HDPE pipe in their developments. The reason for this request is that there is a shortage of corrugated aluminized pipe. Mr. Giannantonio provided a specification detail to allow the use of other types of pipes than are currently not allowed. Gambone Development has agreed to follow those specifications. After review of the information, Mr. Rawlings made a motion to recommend the Board of Supervisors advertise and adopt the above amendment. Mr. Corbin seconded the motion, with all voting Aye.

Lighting Standards

Mr. Piersol reported that Mrs. Jane Kessler provided a lighting ordinance from Nantucket to use as a model ordinance for both commercial and residential use. A copy of Londonderry Township's ordinance will also be reviewed. Mr. Cushman stated that he has a copy of Highland Township's ordinance and he will provide a copy for Mr. Piersol to review. This item will be discussed at the next Ordinance Task Force meeting.

Next Meeting

The next Ordinance Task Force meeting will be held Wednesday, June 28, 2006 at 7:30 P.M. in Room 238.

Smokehouse Farms

Mr. Piersol was asked if there was any additional information on Delaney Drive in the Smokehouse Farm development. To date, Mr. Bates hasn't provided the Township with any new information to review.

Mr. Rawlings asked how the Township can make sure that what is on the approved plan for any subdivision or land development is reflected in what actually takes place in the field. He feels that the Township should be proactive in making sure items such as tree removal and installation and maintenance of silt fencing should not only follow the plan, but that the Township should ensure that the plan is followed throughout every phase of development. Mr. Giannantonio will speak to Mr. Yerkes about this and report back to the Planning Commission.

The Planning Commission also asked about the status of the second dry hydrant in the subdivision. Mr. Piersol stated that a Use and Occupancy Certificate will not be issued for the house being constructed on Lot 10 until the dry hydrant issue is resolved. The Planning Commission would like dry hydrants installed prior to issuing Use and Occupancy Permits for any home in a subdivision. This is a requirement for all subdivisions. The Planning Commission would also like a note added to the plan for any future subdivisions so that developers know the timeline for constructing fire protection reservoirs prior to completion of the construction of a house.

Notice – Sunoco Zoning Hearing

The Sunoco Zoning Hearing is scheduled for August 3, 2006 at 7:30 P.M. at the East Brandywine Fire House, 2096 Bondsville Road, Guthriesville, Pa. The Planning Commission commented on this zoning hearing at their May meeting. The Board of Supervisors will comment on the application at their July 19th meeting.

Cushman Subdivision Sketch Plan

Mr. Cushman stepped down from the Planning Commission to discuss this subdivision.

The owners and applicants of the subdivision are Stephen Cushman and Vernon MacIntyre. The project site is located on the north side of Hopewell Road and the west side of Corner Ketch/Lyndell Road between Rolling Glen Lane and Hopewell Road in the R-2 Residential District. The site currently consists of two existing properties, parcels 30-05-49 and 52. The total combined property area is 8.128 acres gross and 7.868 acres net. The properties contain an existing two-story dwelling, driveway,

detached block garage, sheds, ruins and a mostly wooded area. The existing driveway has access from Corner Ketch/Lyndell Road.

The plans propose to combine the two parcels and re-subdivide the property into five new lots. Lot 1 retains the existing dwelling and proposes no new improvements. The remaining 4 lots propose new single family dwellings. Lots 2, 3 and 4 propose access from Hopewell Road via a common driveway. Lot 5 will also have a separate access from Hopewell Road. Each lot proposes on-lot stormwater management, on-site septic and on-site water.

Mr. Cushman stated that the plans would be revised in accordance with the Yerkes June 1, 2006 review letter.

Hillendale

Mrs. Smedley will schedule a site meeting with Mr. Rawlings, Mr. Giannantonio and Mr. Townes to review proposed changes to the limits of disturbance in the proposed development on Creek Road.

Other Business

Mr. Rawlings stated that he has been noticing a lot of development signs along Rt. 322. These signs are not allowed by ordinance. Mr. Piersol stated that the Road Department does remove these signs periodically and he will speak to Township Roadmaster Matthew VanLew about this.

Brandywine Creek Campground – Mr. Rawlings noticed that decks were installed at several of the campground sites. He wanted to make sure that residents were not living there all year round and that the campground owners were adhering to the conditions agreed upon in their Conditional Use decision.

Buck Road Bridge – Mr. Thomas stated that it appears that grass hasn't been planted, the silt fence is down and mud is going into the stream. Mr. Piersol will have Mr. VanLew or Mr. Cantlin check on this.

Wawa – Board of Supervisor Chairman Jay Fischer, Mr. Piersol and Township Solicitor Stacey Fuller discussed Wawa's request for an extension. Mrs. Fuller will draft a letter to be sent to the applicant.

Guthriesville Service Center – Mr. Carl Walker from the Open Space Committee discussed the environmental issues on the property. Mr. Cushman stated that a Phase I environmental study would need to be done and it is likely that a Phase II study will also need to be conducted. Mr. Walker stated that the Open Space Committee has some interest in the property, but the possibility of road improvements and environmental issues are of concern.

Comments from the Audience

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

Adjournment

There being no further business Mr. Thomas made a motion to adjourn the meeting. Mr. Giordano seconded the motion, with all voting Aye. The meeting was adjourned at 9:25 P.M.

Respectfully submitted,

Mary Beth Smedley
Secretary/Treasurer