

**EAST BRANDYWINE TOWNSHIP PLANNING COMMISSION
REGULAR SESSION
Wednesday, March 2, 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
Mr. Albert Giannantonio, Township Engineer
Mrs. Mary Beth Smedley, Township Secretary/Treasurer

Absent:

Mr. Charles Giordano, Member
Mr. Mervin Thomas, Member

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

Planning Commission Minutes – February 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. Mrs. Marshman seconded the motion, with all voting Aye.

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 58,612 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. Mr. Gil Lappano, Director of Facilities, Planning and Management for the School District, Mr. Michael Dirks, Engineer, and attorney Guy Donatelli discussed the revised plan. Mr. Lappano stated that the School District may also explore building the school in Wallace Township if a solution is not readily available to treat the School's sewage.

The 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 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. Mr. Lappano stated that 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. Rawlings asked Mr. Lappano to update the Planning Commission on sewage issues for the proposed school building. Representatives from the School District and Township met with representatives from PA DEP on February 14th to discuss how best to proceed with the issue of treating and disposing of the effluent.

According to Mr. Lappano, PA DEP requires a planned peak discharge flow of 14,700 gpd or 20/gallons/person/day, in accordance with Chapter 73. Dr. David Sheridan from Aqua Cura investigated areas on the school site that might be appropriate to dispose of the effluent. It is his opinion that there is not sufficient land area on the site to accommodate the treated wastewater based on DEP requirements.

The School District might be able to install a septic system under Chapter 71, but additional testing would need to be done that could be time consuming and costly. In addition, treating the sewage on site would require hiring a plant operator to be on-site seven days a week, another very expensive option. It is difficult for small systems serving schools to meet the required nitrogen limit since they only operate sporadically on evenings, weekends and in the summer. There is the risk that the system may not work.

The School District is still investigating other options including treating the effluent at the Community Park and buying property from another developer.

Mr. Lappano will attend the next Municipal Authority meeting on March 8, 2005 at 7:30 A.M. to continue this discussion.

The plans have been revised in response to the Yerkes review letter dated January 27, 2005. The Township Engineer offered the following comments in their February 23, 2005 Yerkes review letter.

Emergency/Fire Access

Mr. Dirks from Chester County Engineers stated that the fire access has been revised as recommended by Mr. Piersol. There is a turnaround area in the back of the school and a passing area near the northwest corner of the school. The emergency access will be designed using grass pavers.

Trail

The applicant has agreed to install a trail connecting the school property to the Highland Pointe subdivision and to install a crosswalk along Dilworth Road.

School Zone

A note has been added to the plan that the School District will establish a School Zone and install flashing lights along Dilworth Road.

Stormwater Management Plan

The revised stormwater management plan has been reviewed by Yerkes Associates. The applicant has requested waivers from Sections 350-52.D(1), 350-52D.(2)(a) & (b) and Section 350-52.F(1) of the Subdivision and Land Development Ordinance. Mr. Giannantonio has no objections to these requests.

When located in undedicated land, storm sewers shall be placed within an easement not less than 20 feet wide as approved by the Township Engineer. Storm sewer easements should be provided on the plan to comply. The applicant requested that easement be shown during final plan review pending further design refinements. Mr. Giannantonio has no objection to this.

Mr. Corbin stated that both the Planning Commission and Municipal Authority would like to make sure the applicant maximizes recharge on the site and uses Best Management Practices.

Traffic Comments

Mr. Dirk's will submit a revised plan to Mr. Heinrich that addresses his January 28, 2005 comments.

The applicant has agreed to pay \$25,860.00 in traffic impact fees.

Fencing

Fencing will be installed near sports fields adjacent to Dilworth Road and along the driveway.

Zoning Comments

Article IVI, Signs – The applicant wishes to obtain a separate approval for the construction of the sign. Mr. Giannantonio has no objection to this. A note will be placed on the plan that no school signage may be erected until submission of a sign design has been made and approved by the Township.

Mr. Giannantonio stated that additional erosion controls should be provided at the downstream discharge from proposed SW C100 which is located on the west side of Dilworth Road adjacent to the Township's park property. The applicant's engineer has requested that no downstream E & S controls be provided at that location since runoff is reduced. While technically total runoff to that area has been reduced due to a reduction in the watershed size due to grading and impervious changes, peak discharges will be of greater intensity because of the new inlets installed in the school's access drive. Runoff from the drive will be piped directly to the pipe crossing under Dilworth Road. The proposed endwall is approximately six feet from the walking trail in the park. Mr. Giannantonio recommends that the proposed culvert be extended to some convenient point west of the walking trail so that runoff can discharge to the basin in the park without eroding the trail. The applicant has agreed to this plan.

Comments from the Audience Regarding the Brandywine Wallace School

Lisa Conklin from the Hopewell Development asked for clarification of the Chapter 73 regulations. Mr. Lappano stated that Chapter 73 regulations require a peak discharge flow of 20 gallons per person per day. According to Mr. Lappano the School District asked DEP to consider reducing this requirement, but DEP held firm to this number. He went on to explain that to design an on-site system would be difficult since it would require the School District to hire an on-site operator and these small systems are difficult to maintain.

The School District may explore working with one of the developers in the Township to see if the treated effluent can be discharged at another site. There is also the possibility the effluent can be disposed of at the Community Park.

Although the School District will investigate building the school in Wallace Township if the sewage issue can't be resolved, it is not their intention to sell the Brandywine Wallace site. The area is growing rapidly and will likely need two elementary schools in the future. The School District may build an elementary school in Wallace Township, then once that project is finished, revisit building the Brandywine Wallace School. If this were done, it would eliminate children attending school adjacent to a construction site. The School District plans to look at redistricting in 2007.

Mrs. Diane Toomey stated that she owns two homes in the Hopewell Development. When she purchased her homes it was with the understanding that Brandywine Wallace would be rebuilt on the Dilworth Road site. Mrs. Toomey wanted to know where the school would be built.

Mr. Donatelli explained that there were no guarantees regarding the elementary school a child might attend in the School District.

Mr. Rawlings explained that these questions would be more appropriate at the School Board meeting rather than at this meeting since the Planning Commission has no control over the sewer situation.

Mr. Cushman asked that if ground were set aside, would you be able to dispose of the effluent in the ground? Mr. Lappano stated that the effluent does need to be dispersed into the ground. As an example, he stated that DEP would not allow the effluent to go into a local creek. Mr. Cushman asked if the School District had to own the land, or could they rent it. Mr. Lappano stated that renting or obtaining an easement on land not owned by the School District might be an alternative. Another alternative would be for the Little Washington plant to expand, but they would need to find additional land for disposal.

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 SF 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. Larry Leisey reviewed the February 22, 2005 Yerkes review letter with the Planning Commission.

Zoning Ordinance

1. Section 399-28.A.(1) – Mr. Giannantonio stated that this section requires a net lot area of 45,000 SF. Lot #27B contains wetlands, Worsham soils and a pond, which are to be subtracted from the gross lot area. The plan shows a partial Worsham soils line which has been field delineated, but only an assumed “Net Calculation Line” extending to the northern property line. The field located extent of the Worsham soils should be shown to verify compliance with the minimum required “Net Lot Area”. This lot is also an “Interior Lot”. By definition, the net lot area calculation cannot include the access strip of the interior lot. Area tabulation should be shown on the plan to confirm that Lot 27B has the required minimum area. Mr. Leisey stated that the net lot area of Lot 27B is 45,354 and that the Worsham Soils boundary and wetlands boundary have been delineated. The Worsham soils and wetlands are shown in their field located position on the plan. Mr. Giannantonio suggested adding the lot tabulation to the plan and indicate areas of Worsham soils and wetlands.
2. Section 399-28.A(5) – The maximum impervious surface permitted on a lot is 12% of the Net Lot Area. The plan indicated that Lot 27A has 11.1% impervious cover, but it does not indicate if that percentage includes the proposed drive surface to Lot #27B. Mr. Giannantonio stated that the total coverage proposed should be noted. Mr. Leisey stated that the net lot area for Lot 27A has been recalculated to include the area within the common portion of the driveway easement and the area west of the easement free of wetlands and Worsham Soil.

The total impervious area including the area of existing driveway and proposed driveway to Lot #27B is 12%. Mr. Giannantonio still has questions about how the impervious surface was calculated. He and Mr. Leisey will discuss this prior to the next meeting.

Subdivision Ordinance

5. Section 350-24.D.(1)(d) – The soils information required by this section will be added to the information already given as “Soil Types”, Sheet 1 of 3.
6. Section 350-24.D.(1)(e) – The vegetative cover conditions for the site are required to be shown including all specimen trees. Mr. Leisey stated that no specimen trees will be affected by this subdivision. A note will be added to the plan.

7. Section 350-24.D.(2) – An assessment describing impacts, if any, that the proposed subdivision will create on existing natural features is required. Mr. Leisey stated that there are no impacts on natural features.
8. Section 350-29.F(1) – Allows no more than two contiguous interior lots to be created. Two such lots already existing 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. 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.
12. Section 350-50.A(B)(a) – The applicant has agreed to pay \$2000 fee in lieu of open space and has also agreed to pay the traffic impact fee.

Stormwater Management Plan

13. Mr. Giannantonio stated that the Erosion Control Narrative indicates that the topsoil storage will be used as a diversion, but the plan shows only a typical circular topsoil storage pile. He asked the designer to clarify what was intended and revise either the plan or narrative as necessary. The applicant has revised the narrative to indicate that soil stockpile is a partial diversion which aids in impeding the overland flow and provides sediment removal/settling.
14. The super silt fence proposed to be installed between the pond and the area of disturbance runs continuously downgrade and will act as a diversion discharging silt-laden runoff near the east end of the pond. The silt fencing must turn upslope at the north end of its length to trap sediment to the greatest degree possible as is required by “Standard Construction Detail #22” on Sheet #3. The applicant has revised the super silt fence per this comment to align with contours and upturn at the northern end.
15. The limit of disturbance line and the silt fencing installed at the north end of the sediment trap appear to encroach on the adjacent property. The applicant will revise the features of construction to be entirely within the owner’s property.
16. The width of the top of the sediment trap berm on sheet #2 is approximately 2’. On sheet #3, it is shown as 5’ in width. Sheet #2 should be revised to comply with the correct berm top width.
17. Sheet #2 shows the sediment trap standpipe invert elevation as 645.5. This should be revised to the proper elevation.

General Comments

18. Mr. Giannantonio stated that the original subdivision for Green Point Farm should be reviewed by the Township to insure that there are no conditions attached to the development of original Lot #27 that would preclude further subdivision of this parcel. Mr. Piersol reviewed the subdivision and there are no restrictions or conditions attached to development of this parcel.
19. The existing dwelling on Lot #27A has two points of access from the road. Mr. Giannantonio stated that the most easterly of these should be eliminated. Mr. Newlin explained that driveways are currently in use and he would prefer to keep both.

Dilworth Property

Mr. Jonathan Penders and Mr. Stephen Gallo approached the Planning Commission to discuss Rouse/Chamberlin Homes' 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 to the north, the Cross Keys development to the west and the Okie and Clavier properties and the East Brandywine Township Community Park to the south.

Steep slopes on the site are almost non-existent. 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 37 single family homes, most well off Dilworth Road in order to protect the view shed. The plan proposes 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 SF and 4,200 SF in size.

There is a proposed cul-de-sac that is 3,000 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 applicant suggested an emergency access off of Elmwood Drive or Evergreen Drive. While visually interesting, the courtyards would be difficult for the Township to maintain. The applicant stated they could possibly be maintained by the Homeowners' Association. Mr. Giannantonio stated the courtyards would not be eligible for State Liquid Fuel reimbursement.

Mr. Penders stated that the applicant would like to connect to the public sewer system and will be requesting public water. He plans to discuss this with the Municipal Authority at their March or April meeting. Mr. Corbin stated that there isn't capacity to treat and dispose of the effluent at the Little Washington Wastewater Treatment Plant and there may not be enough water available, since most of the Township's allocation has

been committed to other developments. He suggested the applicant consider an on-lot system with a sewer management plan similar to the plan done for the Cumberland Ridge Development.

Mr. Corbin asked about the small strip of open space shown 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. The Planning Commission suggested he remove that area from the open space tabulation, or move the

lots since that portion of the open space wasn't particularly useful. Mrs. Moser did not feel she could support the plan as shown.

The Planning Commission asked that the applicant show a trail system from the Cross Keys Development to the Dilworth property and also a connection to the Community Park. They also asked that Mr. Penders calculate the density for the property as a traditional plan versus the cluster option.

Mr. George Holmes asked about the price range for the proposed homes. Mr. Penders stated he expected the homes to be in the \$500,000+ range.

Mullray Sketch Plan

Mr. Bill Mullray showed the Planning Commission a sketch plan for a property owned by Stacey Porter and Charles Petroff on Bondsville Road. Mr. 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. The new lot line appears to either go through the existing deck or show the deck right on the property line. Mr. Mullray will investigate this. The plan should not impact the natural features on the property. Perc tests have not been done. Mr. Mullray plans to submit a formal subdivision application within the next several months.

Ripley Conditional Use Application

The Board of Supervisors will hold a public hearing on Thursday, April 7, 2004 at 8:30 A.M. to consider the application of Richard Scott Ripley and Christine Michelle Schofield for a conditional use to operate a home chiropractic office at their premises on Osborne Road.

Mr. Ripley plans to renovate the existing garage for use as his office. The area is approximately 449 square feet. Mr. Ripley is the principal practitioner and plans to hire one part-time employee for 16 hours a week. Mr. Ripley stated there will be no outside storage of any materials associated with the business. The exterior of the office will appear to be a residential dwelling. Access to the office will be via an exterior door on the side of the garage. Two additional parking spaces will be provided on the side of the

garage area in addition to residential spaces. Currently, there is seventy feet of available land from the side of the garage structure to the common drive. The parking area will be gravel.

The Planning Commission suggested Mr. Ripley provide a plot plan to the Board showing the septic system, drainage fields, well, and impervious cover on the property. They also suggested that Mr. Ripley provide a sketch of the sign he proposes to erect on the property.

DeCovny Subdivision

Extension

Mrs. Smedley reported that the applicant is granting an extension to review this subdivision application until April 30, 2005. Mr. Rawlings 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 April 30, 2005. Mrs. Marshman made a motion to recommend the Board of Supervisors accept an extension. Mr. Corbin seconded the motion, with all voting Aye.

Ordinance Task Force Items

Mr. Piersol distributed draft copies of the Codified Terminology Chapter that the Ordinance Task Force will review at the next meeting. Once this is approved it will eliminate the need for separate Definition Chapters in the Zoning and Subdivision and Land Development Ordinance.

The target date to submit the application for the Comprehensive Plan update is the March 16th Board of Supervisors meeting. Part of the revision will include incorporating the Open Space Plan into the Comprehensive Plan, rather than it being a stand-alone document.

John Kessler, Chairman of the Township's Historic Commission will be attending the next Task Force meeting to discuss Historic Resource and Planning Protection regulations.

Overlook Road Farm

The Planning Commission unanimously recommended that Pulte Homes conduct soils testing and a Phase II environmental study of the Overlook Road Farm property, particularly in areas where sludge or chicken waste was spread or deposited.

Hopewell Methodist Church

The Township will contact the Church again to determine when fencing will be placed around their basin as required as part of their land development approval, and request they replace the concrete curb stoppers in the parking lot.

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 9:40 P.M.

Respectfully submitted,

Mary Beth Smedley
Secretary/Treasurer
East Brandywine Township