

**EAST BRANDYWINE TOWNSHIP PLANNING COMMISSION
REGULAR SESSION
Wednesday, May 4, 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
Mrs. Beth Valocchi, Ex Officio Member
Mr. Scott T. Piersol, Township Manager
Mr. Albert Giannantonio, Township Engineer
Mrs. Mary Beth Smedley, Township Secretary/Treasurer

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

Planning Commission Minutes – April 6, 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.

Township Municipal Complex

The applicant for the land development plan is East Brandywine Township. The property is located on the south side of Horseshoe Pike between North Guthriesville Road and Bondsville Road and is located in the Village Commercial Zoning District. Access to the site is from two driveway entrances on Horseshoe Pike.

The existing property is Lot #2 of a recently approved and recorded subdivision and has a net size of 10.487 acres. The site currently contains two paved driveway entrances, three stucco buildings, a garage, an aluminum shed, a block shed, lawn and sidewalk areas. The property will be served by public sewer and water.

All of the existing buildings on the site are to be demolished except the Township office building labeled “McCausland Hall”. The plan proposes to construct a new Municipal Building incorporating “McCausland Hall” and a new seven-bay garage and salt shed toward the western end of the property. In addition, there is a provision on the plan for a future salt shed and garage. The site will have access from a proposed single two-way driveway entrance intersection on Horseshoe Pike opposite North Guthriesville Road. A 135-space parking lot is proposed. A stormwater management forebay/detention basin and a smaller sub-basin are proposed to control runoff. A sanitary sewer main extension is to be installed from an existing stub.

Architect, Patrick Szustak and Engineer Greg Bogia from Stackhouse Bensinger discussed the April 28, 2005 Yerkes review letter. Mr. Bogia stated that most of the items were minor in nature.

Zoning Ordinance

Section 399-79: Buffering and Screening of Visual Impacts

Section 399-83: Lighting

1. Sections 399-83.A & 399-106.B. (3): Mr. Giannantonio stated a lighting plan should be provided illustrating lighting details, which will show compliance with this section of the ordinance. Lighting photometric information and details should be provided on the plan. Mr. Bogia will submit these details as part of final plan submittal.

Mr. Corbin stated he was concerned with the possibility of light pollution affecting residents on adjoining properties. Mr. Bogia assured him that the lighting plan has been designed so that lighting will not spill outside of the parking area. Mr. Corbin suggested that Mr. Bogia considering using downshields to ensure the light spills downward rather than out. Mr. Bogia said that he would discuss this with the Building Committee.

Stormwater Management and Erosion and Sedimentation Control

9. Section 350-52.D(4): The plans have been significantly revised and a new NPDES permit from DEP and a letter of adequacy from the Chester County Conservation District may be needed prior to final plan approval. Mr. Bogia stated that the Chester County Conservation District has acknowledged receipt of the addendum submitted for their review. He said that the Chester County Conservation District would not provide a letter of adequacy for submissions of additional information, but he does expect to have comments from them on the addendum to the original Conservation District and NPDES submissions within 30 days.

Mr. Corbin asked about the stormwater details for the plan. The Planning Commission would like to maximize groundwater discharge on the property. The plan shows a detention pond on the property and an infiltration bench on the side of the parking lot.

Proposed Building

Mr. Szustak stated that he presented the building plans to the Township Historic Commission earlier this month. The new building will be directly attached to

McCausland Hall, with the Township wing to the west and the Police wing to the east. The building will have an elevator and be ADA compliant. The outside of the building will be constructed of cultured stone, a product called EIFS (Exterior Insulation and Finish Systems) that is similar to drivit, as a stucco alternative, and stucco on a portion of the Police wing for security reasons. The Planning Commission had some concerns about the use of EIFS, citing instances where it was used and had to be replaced because of cracks in the product. Mr. Szustak stated that problems with using EIFS in the past were primarily caused because it wasn't installed correctly. If properly detailed, and the right product is used for this region of the country, there shouldn't be a problem. The Planning Commission asked Township Engineer Al Giannantonio to investigate the use of this material and provide his input prior to the May 18th Board of Supervisor's meeting.

Mr. Cushman made a motion to grant preliminary plan approval for this land development application contingent upon resolving the outstanding issues in the Yerkes April 29th review letter and Mr. Giannantonio's comments and recommendations regarding the use of EIFS on the outside of the building. Mr. Rawlings seconded the motion, with all voting Aye.

Forge Hill Cluster Subdivision – Yield Plan Lot Count Determination

Mr. Dennis O'Neill, engineer for the applicant, approached the Planning Commission to discuss the yield plan and the applicant's plan to develop the property using the "Cluster" option. The property is located in the R-1 Zoning District. Mr. Giannantonio reviewed a plan for approval of the number of lots permitted if the tract is developed under the "Cluster" concept in accordance with Section 399-25 of the Zoning Ordinance. The applicant is Pine Hill Associates. The property is located off of Dowlin Forge Road and Rt. 282 (Creek Road) in the eastern portion of the Township. The property shows a stream, floodplain, wetlands and steep slopes. The development will be served by on-lot septic systems and may be served by public water. The plan shows a 987 foot long cul-de-sac. The planned lot sizes are between 30,600 s.f and 56,000 s.f., if the applicant uses the cluster option. Mr. O'Neill stated that using the cluster option would minimize visual and environmental impact to the property.

1. The Planning Commission asked that the front yard building envelope be shown for Lot #1. This is an unusually shaped lot with a leg that extends to the proposed Hillendale Subdivision. A similar leg is proposed on Lot #2 of the cluster plan shown by Mr. O'Neill. Mr. O'Neill said that this leg was planned so that residents of the Hillendale subdivision could walk down to the proposed trail. This area is very steep. Mr. Thomas asked if the leg could be used as a public utility easement for water. Mr. O'Neill acknowledged that was a possibility. There is no guarantee that public water will be available for the property.

2. Lot #12 will probably have a slab on grade house because of the high water table. If the cluster option were used, Lot #13 would be part of a larger 10-acre parcel.
3. The plan shows approximately 19 acres of open space.
4. The Planning Commission would like to see a trail on future submissions. Mr. O'Neill agreed to show a trail.
5. The applicant is discussing the road location with PADOT. The Planning Commission was concerned about sight distance along Rt. 282.

The yield plan showed the property being developed with 12 lots. After review of the plan the Planning Commission stated that 13 lots may be feasible using the Cluster Option, but could not support or oppose the plan until a natural features plan of the property has been submitted and reviewed by the Township Engineer.

Dilworth Property

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

Steep slopes on the site are almost non-existent, but there is a small area near the proposed Hide-A-Way Farms subdivision. There are wetlands near the northeast corner of the tract.

A meeting has been scheduled with PADEP for May 11th to discuss the applicant's plan to install community septic systems that will each serve several homes in the development.

It is the applicant's intention to design the subdivision using the R-2 Cluster option. The plan shows 38 single family homes, most well off Dilworth Road in order to protect the view shed. The plan proposes over 40% open space including 16.2 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 s.f. and 4,200 s.f. in size. Mr. Penders pointed out that the plan has been slightly changed to relocate Lots #24 and #27 toward the northern most section of the property. This was done at the Planning Commission's request in order to preserve the viewshed from Dilworth Road. Those lots are now shown as Lots #37 and #38. Those houses will have front yards that are higher than the cartway. There will be a detention basin near the back of the home that will be reachable from a gravity system. It is important that water runoff be captured before it reaches the Cross Keys development. Stormwater management will be addressed as part of the subdivision application.

The private open space has been reduced from approximately 21 acres to 16.2 acres. The basin shown on the private open space is now part of the common open space. A Phase I Environmental study was completed. Mr. Penders stated that results showed no evidence of any environmental problems on the site.

A Conditional Use Hearing is scheduled for Thursday, June 2, 2005 at 8:30 A.M. to hear the applicant's request to use private open space as part of the common open space area as provided under Section 399-58 of the Zoning Ordinance. Mr. Cushman stated that some of the goals in allowing the private open space would be to protect natural features, viewsheds and forested areas.

The Planning Commission discussed conditions they may suggest to the Board of Supervisors prior to the June 2nd hearing. Solicitor John Spangler will attend the hearing on behalf of the Planning Commission. Some of the conditions discussed include:

1. The trail system.
2. A provision that the private open space can never be subdivided.
3. A provision for emergency use of the private open space in the event of septic system failures. Mr. Penders stated that they would not want to be penalized in calculating the amount of open space, if this was a suggested condition.
4. Fee-in-lieu of open space.
5. Restricting placement of outbuildings that may affect the viewshed.
6. Tree replacement in disturbed forested areas.

The Planning Commission will continue the discussion about possible conditions at the May 25th Ordinance Task Force meeting and the June 1st Planning Commission meeting.

After review of the plan, Mrs. Kate Okie stated that reducing lots on the southwest corner of the property was an improvement. She stated that whenever possible the Open Space Committee would like to see lots removed and the viewshed protected. Mr. Cushman asked Mr. Pender whether they would have any interest in selling conservation easements or lots in the front of the property. Mr. Penders said they would consider this if there was an interest by the Open Space Committee and the Board of Supervisors.

Sotheran/Barnett Zoning Hearing

The Zoning Hearing Board of East Brandywine Township will meet on Thursday, June 2, 2005 at 7:30 P.M. in McCausland Hall, 1214 Horseshoe Pike, to hear the application of George Barnett and Annette Sotheran for permission to use the first floor of the building known as the Lyndell Country Store for the purpose of infant and toddler care. The applicants propose to live on the second floor of the property. The property is owned by TCGW Limited Partnership and is located at 1081 Creek Road, Lyndell, Pa. The property is located in the VC Village Commercial Zoning District. The applicant is requesting a special exception pursuant to Section 399-390.B(1) of the Zoning Ordinance

which allows the Zoning Hearing Board to permit uses of the same general character as uses specifically permitted by Section 399-39A of the Zoning Ordinance.

Ms. Sotheran, who will be joint owner of the daycare, stated that, if approved, she plans to accept up to six children in the daycare and eventually accept twelve children after all proper permits and licenses are received from the State. The daycare will not be expanded beyond accepting twelve children. Initially, the daycare will employ Ms. Sotheran and a part-time aide. As the daycare grows, she plans to also employ a full-time teacher. The outdoor play area is an elevated deck.

There will be three parking spaces available for staff, which includes one owner space, on the side yard next to Creek Road. It is expected that parents will only park briefly to drop off or pick up their children. There are also designated parking spaces for patrons using the Lyndell Post Office, which is opened from 8 A.M. to 5 P.M. Monday through Friday. In addition, Ms. Sotheran stated that she has the permission of the owners of Lyndell Landscape and Supply to use their property for additional parking, if needed.

The Planning Commission supported the concept of a daycare in the Village Commercial District, but was very concerned about parking. The area of Creek Road and Highspire Road is heavily traveled and is considered a very hazardous stretch of road. They thought that ingress and egress might be difficult. It was suggested that the applicant consider segregating the daycare parking from the Post Office Parking or possibly have cars pull off on the Lyndell Road side of the property, rather than Creek Road.

Although the Planning Commission was not opposed to the daycare, they didn't feel they had enough information to render an opinion. They asked Ms. Sotheran to provide an overall site plan, along with a parking and traffic circulation plan for their review at least two weeks prior to the next Planning Commission meeting. With this information, the Planning Commission will give their opinion at the June 1st Planning Commission meeting.

Whispering Pines Subdivision AKA Tipton Sketch Plan

Mr. Charlie Wanta from Wanta Development Consulting, Inc. provided the Planning Commission with a sketch plan of the Tipton sketch plan on Crawford Road. The site (Parcel # 30-3-48.10) is 6.845 acres in the R-1 Zoning District. The applicant proposes to subdivide the property into two lots. Lot #1 will have frontage on Crawford Road and will be approximately 2.42 acres. Lot #2 has the existing house and approximately 4.33 acres. A common driveway will serve both lots. Mr. Wanta said that the proposed house will not be large. The goal of the applicant is to preserve the natural features and integrity of the property. The Planning Commission had a favorable response to the sketch plan. Mr. Wanta will proceed with the necessary engineering of the property.

CMR Development Corporation

Mr. Thomas McGrady approached the Planning Commission with a revised sketch plan for a subdivision in the 500 block of Corner Ketch Road, adjacent to Clover Lane. The applicant is proposing 4 lots in the R-1 Zoning District to be served with onsite water and septic systems. The plan shows a 1,140 foot long private road. The Planning Commission stated that the road would need to be built to Township specifications and could not be longer than 1,000 feet in length. The applicant was asked to show a cul-de-sac at the end of the road, rather than it being stubbed off. The road will not be dedicated to the Township and will be maintained by the four property owners. Mobil Pipeline has a 50 foot easement for a gas pipeline. It is uncertain where the line is within the easement. Perc tests have not been completed. The Planning Commission suggested that the applicant make sure there was adequate road frontage for each of the lots and that he makes sure there is adequate area for Lot #4. The net area should exclude the underground pipe. It was also suggested that specimen trees be listed on future submissions.

Brandywine Heights

Extension

Mrs. Smedley reported that the applicant is granting an extension to review this subdivision application until October 31, 2005. Mr. Cushman made a motion to recommend the Board of Supervisors accept this extension until October 31st with the provisions that East Brandywine Township and Caln Township representatives meet with the applicant, not later than July 15th, to discuss progress with the plan. Mrs. Marshman seconded the motion, with all voting Aye.

Ordinance Task Force Items

The Planning Commission reviewed the changes recommended by the Ordinance Task Force regarding Landscaping issues in §350-8 Definitions, §350-54 and §350-53. Mr. Rawlings made a motion to recommend the Board of Supervisors authorize Mr. Piersol to forward the above changes to the Chester County Planning Commission and advertise for adoption. Mr. Cushman seconded the motion, with all voting Aye.

Mr. Piersol stated Mr. Penders from Rouse/Chamberlin Homes called today to discuss our present restaurant definition. He has a potential restaurant client interested in their Village Commercial lot on Horseshoe Pike. Mr. Penders stated that some changes might be needed in the definitions in order for his client to finalize a purchase of the property. Mr. Piersol suggested that the potential client contact him. He also suggested that a sketch plan should be provided showing their basic site plans and business style so it could be reviewed by the Planning Commission and Board of Supervisors.

Brandywine Wallace Elementary School

Mr. Piersol stated that he recently attended a breakfast meeting at the Downingtown Area School District. One item on the agenda was their construction plan update. During the meeting, Lee Snodgrass stated the School District was pursuing the Wallace Township site, and anticipated bidding for that project in February of 2006, closing the Brandywine-Wallace site in the summer of 2007 and open the Wallace site in September of 2007. They would return to the Brandywine Wallace site at a later date when enrollment demands required.

Mr. Rawlings asked that the Supervisors be polled to determine their support for a letter to the Downingtown Area School District requesting they formally submit their plan for the Township for preliminary plan review or suspend all reviews. To date, we have an incomplete submission due to missing information. We did agree to review portions of the plan submitted and did notify the School District in August of 2004. Mr. Piersol will poll the Supervisors at their May 5th meeting.

Adjournment

There being no further business Mr. Giordano made a recommendation to adjourn the meeting. Mrs. Marshman seconded the motion, with all voting Aye. The meeting was adjourned at 10:30 P.M.

Respectfully submitted,

Mary Beth Smedley
Secretary/Treasurer
East Brandywine Township