

Minutes – November 7, 2005

The first regular meeting of the Board of Supervisors of Tredyffrin Township for the month of November was held on the above date at the Township Building. Board members present included Judy L. DiFilippo, Chairman; Paul Olson, Vice Chairman; Bill DeHaven, Warren Kampf, Brooks Keffer, and John Petersen. Also in attendance were Mimi Gleason, Township Manager; Supt. Richard Harkness; William J. Bryant, P.E., Township Engineer and Director of Public Works; David Brill, Finance Director; Vincent Pompo, Solicitor; and Jolene Buffman, Recording Secretary.

Call to Order

Mrs. DiFilippo called the meeting to order at 7:36 p.m.

Minutes

Motion was made by Mr. Olson, seconded by Mr. Keffer, and passed unanimously to approve the minutes of the regular meeting held October 17, 2005.

Miscellaneous – Discuss plans and support for commemorating Tredyffrin's Tricentennial in 2007

Mrs. DiFilippo said there have been two meetings with individuals who are interested in helping celebrate the 300th birthday of Tredyffrin Township. There are different ideas on how we should go about recognizing that achievement. Mrs. DiFilippo extended the invitation again to any individuals who are interested in joining the committee or who have suggestions or ideas for the 2007 celebration.

Miscellaneous – Schedule a public hearing on December 12, 2005, to consider amendments to all articles in the Zoning Ordinance, except Article XXV, Signs, and Article XVIII, Special Paoli Development District

Motion was made by Mr. Olson and seconded by Mr. Keffer to hold a public hearing on December 12, 2005, to consider amendments to all articles in the Zoning Ordinance, except Article XXV, Signs, and Article XVIII, Special Paoli Development District.

Ms. Gleason said this is a project that has been underway for 11 years, and for the past two years, the intent has been to finish it. Tredyffrin's Zoning Ordinance has been in effect since 1939, and revised countless times, some revisions in conflict with others. These inconsistencies make it difficult to administer.

Ms. Gleason said there are five different ordinance amendments: the entire twenty will be updated, except the sections on Signs and the SPDD; some sections of the Zoning Ordinance are to be moved to the Subdivision and Land Development Ordinance; properties in the C3 Commercial District would be rezoned to C2; making all properties in the Planned Apartment

District zoned PA, instead of a mix of PA-1 and PA-2; and the reference to the CS District in the Signs section would be deleted.

The major change in the Residential District in the Zoning Ordinance consists of adding a maximum limit on impervious surface in all districts.

Some of the changes in the Commercial District include: Increasing building height to 14 ft. per story, and changing the landscaped buffered area for commercial areas near residential properties. A section will be added to include Home Base Businesses.

Mrs. DiFilippo acknowledged the work that all individuals working with Staff on this project for 13 years, and she is glad to see it is finally coming to fruition. At the end of discussion, the motion passed unanimously.

Miscellaneous - Approve a contract with Building Inspection Underwriters, Inc., to perform plan reviews and inspections for construction permits as assigned by the Township to address backlogs or requests for expedited reviews.

Motion was made by Mr. Olson and seconded by Mr. Kampf to approve a contract with Building Inspection Underwriters, Inc., to perform plan reviews for inspections for construction permits as assigned by the Township to address backlogs or requests for expedited reviews.

Ms. Gleason said this is Part B of the contract the Board approved a month ago. This is the third party agency in place to do plan reviews and inspections on an expedited basis. Mrs. DiFilippo asked if the contract was on an as-needed basis. Ms. Gleason said the contract is for one year, but if both parties are satisfied, it can be extended two more years without additional Board approval. The contract can be terminated after one year if the parties are not satisfied.

At the end of discussion, motion passed unanimously.

Subdivisions - Approve Preliminary/Final Subdivision Plan: Larry Fondren; Proposal for a lot line change between 1223 Yellow Springs Road and 1924 Rochambeau Drive in an R-1/2 Residence District.

Motion was made by Mr. Olson and seconded by Mr. Keffer to approve a Preliminary/Final Subdivision Plan for Larry Fondren; Proposal for a lot line change between 1223 Yellow Springs Road and 1924 Rochambeau Drive in an R-1/2 Residence District.

Ms. Gleason said the applicant is proposing to shift a small piece from 1924 Rochambeau to his property on Yellow Springs Road to provide for utility access for a carriage house. The Rochambeau subdivision is a cluster subdivision. The Zoning Ordinance prohibits further subdivision of cluster lots, but allows for lot line changes that do not create additional lots.

Margaret Panos of 1934 Rochambeau Drive said moving the lot line would be changing the street. She is concerned about more noise, and that this path may become a horse trail. Mr. Pompo said as long as the new lot would result in lots that would conform to the Zoning Ordinance, there wouldn't be any reason to deny a subdivision plan. Mr. Panos asked about restrictions imposed on the use of the property. Mrs. Fondren, the applicant, said they had a 20-year agreement with Mrs. Mayes, the other affected landowner in the lot line change, that the land will never be used for a driveway, and this will be recorded on their deed.

At the end of discussion, Mr. Olson amended his motion to include a note will be added to the plan referring to the 20-year agreement. Mr. Kampf seconded the motion, and it passed unanimously.

Escrows

Motion was made by Mr. Olson, seconded by Mr. Kampf, and passed unanimously to accept a Subdivision and Land Development Agreement and a Financial Security Agreement between St. Davids Golf Club and Tredyffrin Township, and a Letter of Credit in the amount of \$284,616.28 from Bryn Mawr Trust Company, covering site improvements at 845 Radnor Road, Wayne.

Motion was made by Mr. Keffer, seconded by Mr. Kampf, and passed unanimously to accept the following escrows:

Release of \$38,498.00 from Commerce Bank, NA to Toad Hollow Athletics, covering site improvements at 1590 East Lancaster Avenue, Paoli; balance remaining \$3,849.00.

Release of \$16,151.60 from Royal American Bank to RKG Developments, LP, covering site improvements at 131 Devon Road; balance remaining \$34,008.40.

Release of \$92,909.75 from Wilmington Trust of Pennsylvania to F. Brian Forcine, covering site improvements at 1875 Church Road, Malvern; balance remaining \$384,255.85.

Release of \$8,263.00 from 1st National Bank of Chester County to Robert Bruce Custom Homes, covering site improvements at Lot #1, Hidden Way Development; balance remaining \$7,360.30.

Release of \$60,642.60 from 1st National Bank of Chester County to Robert Bruce Custom Homes, covering site improvements at Hidden Way Development; balance remaining \$6,064.27.

Release of \$49,410.00 from Patriot Commercial Lending to Walnut Glen, LLC, covering site improvements at the Walnut Glen subdivision; balance remaining \$0.

Release of \$99,991.98 from National Penn Bank to Church of the Saviour, covering site improvements at 651 North Wayne Avenue, Wayne; balance remaining \$0.

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Release of \$51,344.00 from First Keystone Bank to D'Agostino Builders, covering site improvements at Berkley Road and Grove Avenue; balance remaining \$290,781.30.

Release of \$41,974.95 from Wachovia Bank to United Church of Christ of Valley Forge, Tredyffrin Township, covering site improvements at 45 Walker Road, Wayne; balance remaining \$43,409.00.

Release of \$34,460.00 from Wachovia Bank to St. Peter's Church in the Great Valley, covering site improvements at St. Peter's and Church Roads, Paoli; balance remaining \$225,931.00.

Release of \$34,750.00 from PNC Bank, NA to Toppers Spa, covering site improvements at 745 W. Lancaster Avenue and 305 E. Conestoga Road; balance remaining \$127,500.00.

New Matters – Board

Mrs. DiFilippo said the Board convened at 7:00 p.m. in Executive Session to discuss legal matters. She asked the Board to reconvene at the conclusion of the Public Hearing for discussion of personnel matters.

Mrs. DiFilippo said the Township received two grants from Chester County; one for the final phase of development at Wilson Park, and the other for the acquisition of the Swedesford Road Property to become open space in Tredyffrin Township.

New Matters – Citizens

None

The meeting was adjourned at 8:30 p.m.

Public Hearing - Consider and adopt an Ordinance amending Chapter 208, Article II, Terminology, and Article XVI, Hotel Office (HO) Districts,

At the conclusion of testimony, the Board agreed to continue the Public Hearing to the December 5th meeting.

Complete notes of testimony were taken by Arlene LaRosa Court Reporter, and are on file at the Township Building.

Respectfully submitted,

Jolene E. Buffman, Recording Secretary