

**TREDYFFRIN TOWNSHIP  
PLANNING COMMISSION MEETING MINUTES  
DECEMBER 16, 1999**

The second regular scheduled meeting of the Planning Commission for the month of December was held on the above date at the Township Building. Present were: Jeffrey C. May, Chairman, presiding and members: J. Thomas Cooper, Thomas D. Thiermann, Larry Segal, Janet S. Colesberry, Daniel Fishbein, Jonathan Kane, and Michael J. Samuels. Also in attendance: Terry Hone Woodman, Assistant Manager and William J. Bryant, P.E., Township Engineer/Director of Public Works.

The meeting was called to order at 7:35 p.m.

**ACTION**

Mr. Fishbein made a motion to approve the November 18, 1999 minutes; seconded by Mr. Cooper; unanimously adopted.

**CARRYOVER MATTERS:**

Mr. May advised that the applicants for item #1 and item #3 would not be heard as applicants were not present.

2. Subdivision, Record Plan: Ollie F. Bower, two lots from a 67,800 sq. ft. parcel, one with an existing house at 1185 Seaton Ross Road in a R-1 Residence District. (App. #37-99)

Ms. Woodman advised that the applicant's engineer could not present this evening. Ms. Woodman continued stating the issue was the need to provide a useable driveway servicing the new lot, and presented the plan indicating that addition. Ms. Woodman stated that the present lot is serviced by a septic system, but upon completion of the second lot, both lots will be tied into public water and sewer systems; advised no other outstanding issues. Mr. Bryant advised that comments were received from Hyder and those items, were addressed and the plan was acceptable. Mr. May inquired if Mr. Bryant was comfortable with the grade; Mr. Bryant advised it was acceptable.

**ACTION**

Mr. Cooper made a motion to recommend approval to the Board of Supervisors of the Subdivision, Record Plan, submitted by Ollie F. Bower, for two lots from a 67,800 sq. ft. parcel,

one with an existing house at 1185 Seaton Ross Road in a R-1 Residence District. (App. #37-99), dated October 11, 1999 and last revised December 9, 1999; seconded by Ms. Colesberry; unanimously approved.

**NEW MATTERS:**

(7:50 p.m.)

1. Land Development, Preliminary Plan: Hardin Capital, LLC, 223,200 sq. ft. hotel on 6.02 net acres at 1001 Chesterbrook Blvd. in the HO - Hotel Office District. (App.#40-99)

Denise Yarnoff advised that Hardin Capital had been before the Commission previously and presented a sketch plan for a Marriott Hotel. Ms. Yarnoff advised that the preliminary plans are consistent with the approved bonus plan. She advised the one difference from the bonus plan is that the hotel would consist of 315 rooms, 315 parking spaces, which is an increase from the 300 rooms and 312 parking spaces originally proposed; she advised that the plans comply with all ordinances.

Bob Neil, architect, advised the Commission that his firm has designed two dozen Marriott hotels and is familiar with the chain; he presented several drawings. Mr. Neil advised that the bonus plan could accommodate the 315 parking spaces. Mr. Neil gave a description of the landscape plan; coming off of Chesterbrook Blvd. proposing a park like boulevard with stone fences and timber fences, and manicured landscape areas and would drop off into a courtyard of natural stone materials in the front of the hotel. He continued stating the elevation at exit ramp of Rt. 202 was approximately eight feet higher than the rendering and that the building is the lowest part of the site and located next to the landscape buffer to the back of the property. Mr. Neil advised that service vehicles will enter around the back of the building; parking is contained adjacent to the building pad. He continued stating that the exterior of the hotel consists of a synthetic stucco, with a residential gable roof; lobby designed as a see through lobby to view landscape; registration on one side, restaurant on other side with kitchen and adjacent to that approximately 10,000 square feet conference facility, ballroom and other break out meeting rooms with an entrance directly from the courtyard into that facility. He continued stating the hotel tower is an L shape and pressed up to the buffer line, all retaining for the site is the existing detention pond, fire truck access can get around the pond to the hotel; building height is about 49.9 feet above the highest point on the site. Presented elevation comparisons with existing building on adjacent properties, Wyndham Hotel elevation 290; 271.3 for Marriot below Wyndham. Mr. May inquired as to the horizontal difference between the two buildings; Mr. Neal advised he did not know, could only approximate; Mr. May responded that was not a true proportion and the issue is what are the relevant elevations; what is your net height above ground at your entrance relevant to your highest roof point and what is it on the other building you are using as reference; Mr. Neal stated he did not know. Mr. Samuels inquired about the height of

the building itself; Mr. Neil advised approximately 74 feet, in that area. Further discussion of elevations and height of adjacent points. Mr. Neil presented a model scale for the proposed Marriott. Mr. Samuels said no problem with height, creates a landmark type statement and disappointed in the exterior material for the building and advised Mr. Neil should give consideration to other materials and finishes on the upper floors. Mr. Neil stated the hotels being designed, 92% of hotels using this material, presented photographs of hotel completed in Virginia with like material and is an appropriate material for this building type. Ms. Colesberry wants to see sample of colors, and what is presented does not look like what the new office building looked like. Mr. Neil stated they would work with Commission on this issue. Mr. May stated what is being offered for buffering landscape off ramp and Chesterbrook Blvd. is grossly deficient and major rework is required. Mr. Neil advised the Commission they would look at that; Mr. Samuels asked that the signage could be removed from the top of the building and is not fitting with the image; Mr. Neil stated he is working with the Marriott people also, and will work with Township the best they can.

Ms. Yarnoff advised that the traffic engineer was present for questions. Mr. May stated no questions. Mr. Samuels asked if traffic studies were presented previously; Ms. Yarnoff advised yes; asked if the traffic studies reflected the meeting facility. Dennis Maloomian, Realen Properties, responded that the meeting space is reduced, the restaurant seating is similar, and there are no issues, as the traffic study indicated that the hotel was more favorable than an office building.

Bob Neil presented how service enters the building, also advised that level includes the health club; five levels above entry level, and service and health club below that. Mr. Samuels inquired as to the elevation at the top of the retaining wall, and the ground level of the receiving area; 185 feet for the service area Mr. Neil responded, and top of wall 187 feet; Mr. Samuels asked what is the elevation of the ramp at that point; Mr. Neil advised 210 feet and slopes down. Discussion of landscape buffer for service area.

Ms. Yarnoff stated need to address the 315 rooms, since the bonus plan stipulated 300 rooms, need Board of Supervisors approval to amend, and wanted to discuss this with the Planning Commission first for a recommendation. Mr. May suggested it is part of the overall assessment of this plan, and the Commission is seeing these plans for the first time and would like to review the plans and comment at the next meeting; Mr. Kane concurred.

Mr. May inquired if the detention basin shown is the one to be tied in with the Rt. 202 project; Ms. Yarnoff confirmed; and asked if this was sized to handle this project as well. Mr. Bryant advised that it was oversized and applicant will need to apply to NPDES for a permit and they can reduce some of the volume due the 202 project stabilization; applicant has some staging and timing issues to address. Mr. Bryant inquired about basin closest to entrance; was advised not a basin by Chris Burket with Gilmore & Assoc., who explained was originally designed as a

permanent pond, will function as a sediment trap during construction and post construction will line and turn into a water feature. Mr. Burket continued stating that the rear basin was designed to handle the improvements and construction on Route 202, and at this point, 60% of the improvements have been completed, and expect to have 90% of the capacity available with a loss of only 10% due to applicant's construction activity. Mr. May stated this is an issue that has to be developed and documented; and asked for any more questions; (none) and suggested Commission take the time to review the model presented. (Viewing of model and informal discussion).

Mr. May summarized the issues:

1. Review of plans and study of increase of 300 rooms to 315 rooms;
2. Need perspective horizontal distance, net elevations, and heights of adjacent buildings, and Westlakes property;
3. Landscape buffering on Chesterbrook Blvd. and off-ramp, specifically view to service area; and
4. More information requested on material finishes for building.

(8:40)

2. Land Development, Final Plan: Liberty Property Trust, 300,700 sq. ft. of office space in three new buildings at 825 DuPortail Road in the OA - Office Apartment District. (App. 30-99)

Ms. Yarnoff stated that the one issue remaining was access through the parking area to easement and advised this area has been redesigned with a loss of 27 parking spaces and this should resolve the concerns of the Commission. (Presentation of plan). Mr. May stated one point being discussed was the detail of the connection to Morris Drive and if that information was available? Mr. Durkin stated they did not prepare the extension plan; Mr. May stated that has been a point of concern from the beginning and the Commission would like to see the details through the easement. Mr. Durkin showed that when the island was sketched in addressed the concern, and pass through with out going through the parking spaces; Mr. May asked how it operates going out into the cul-de-sac, the actual configuration. Ms. Yarnoff advised that was addressed at last meeting. Mr. Samuels asked if there was material available they could reference and go out to site to analyze, as he does not like the connection and thinks it is inappropriate, and can not burden others around you with traffic and acknowledged the applicant had solved the egress from the property, but shifted the problem to other locations. He further stated that the square footage being placed on the site is too much for the means in entering and exiting and would need to review the configuration to see how it would work and feels would burden Mill Road. Ms. Yarnoff stated that a lot of those issues were addressed at last meeting; Mr. Samuels apologized he was not at the last meeting, but did not see it reflected in the minutes; asked for copy of easement agreement; Ms. Yarnoff stated she would provide. Mr. May stated the focus is on the

intersection that exists today and the route out to the cul-de-sac. Discussion of widths, radii, merges within cul-de-sac, and that two different configurations had been presented. Mr. Durkin asked if the Commission was looking for specific geometry; Mr. May responded yes. Ms. Yarnoff indicated she was not certain what was being addressed about the easement. Mr. May advised that two items referenced at last meeting are being addressed by applicant and progress being made but didn't think applicant had addressed the first issue to the satisfaction of the Commission and was still looking at the actual function of this driveway. Ms. Yarnoff advised that the traffic report was presented by the traffic engineer at the last meeting; Mr. May responded that there were a lot of areas of the traffic engineers results that the Commission felt were not realistic, and a lot of assumptions. Ms. Yarnoff stated she must have misunderstood what the Commission wanted, and that the easement existed and the applicant had the legal right to use it. Mr. May asked Mr. Bryant about the storm water review; Mr. Bryant advised that issue still open. Mr. Samuels asked about water quality that is being emptied out of basins; Mr. Bryant advised boring logs received today indicating significant rock and Mr. Durkin will need to analyze, also open items are sedimentation and erosion control. Discussion. Mr. May asked if Fox Properties had anything to add. Mr. Lee stated that Fox is continuing to work with applicant regarding this and had designed a plan they felt would work; Mr. May asked Ms. Woodman to provide copies to the Commission.

Ms. Yarnoff said that the easement exists and is not restricted and from a legal perspective the applicant has the right to use it and discussed with the Fox Company in regards to moving the easement, but that has not happened, and advised the Fox Company that the applicant can not be delayed regarding this issue. Mr. May stated the Commission will not take a side, but there is a planning issue regarding traffic and how it will work and the Commission will look at this further. Ms. Yarnoff again said that the issue was addressed last meeting; Mr. May responded that the reports presented did not give the effects of how Morris Drive will be impacted, and reports did not address details. Further rebuttal from Ms. Yarnoff. Discussion of results of traffic engineer's study.

Virginia Duffy, counsel to present ownership, advised that Mr. Geis also represents ownership and stated she was confused with process. She understood that they have a right to build the square footage on site, have a preliminary plan approved, have agreement of all traffic people that a second access out of site is necessary and have one. She continued stating she has listened each meeting and the Commission asks for additional information, information she felt was addressed previously, but asked for in different phrasing, therefore becoming something different. Ms. Duffy stated they came to ask the Commission to be very specific what is missing from the plan that has to be approved.

Mr. Geis asked Mr. May to read the language, for approval of the preliminary plan, from the minutes which would be helpful. Mr. May read the motion from the November 18, 1999 meeting (reference Minutes). Mr. May advised that the issue is in regards to issue #1, over utilization of

the access way leading to 1400 Morris Drive, not questioning the right to use the easement, appropriateness of the connection and how it will function, safety and capacity issues that will be affected. Mr. Geis stated he understands the concerns but is not sure how to answer the Commission's concerns. He continued stating that at the request of the Township, brought Frank Zabowski in, and the Township agreed with conclusions and went to Township traffic engineers in regards to the access, gave them his reports and conclusions and received no exception at the last meeting. Mr. Geis stated that "Mr. Zabowski is your expert", and asked if Mr. May would like him to do the math again? Mr. Geis said they came tonight believing they had answered every question, with exception to Mr. Bryant's concerns on storm water. (Mr. Geis referenced plan), indicating that the preliminary plan approval was granted with the access shown. Mr. Fishbein asked if there will be backup and congestion at Morris Drive and is that access adequate to support the combined traffic? Mr. May inquired as to how many trips is that generating? Discussion of various scenarios. Mr. Samuels asked if this is an unregulated intersection? Mr. Geis responded a stop sign was recommended at intersection. Mr. Kane advised he was absent from last meeting and in reading the minutes, felt that the issue was not resolved and it is not the Commission's job to tell you how to design it, applicant is responsible to provide different alternatives. Mr. Geis advised his side can not show another access drive that they don't have a right to use; and Mr. Kane advised he did not ask for another access, just a better way to plan on how that access was used; Mr. Geis again responded that he believed that had been addressed. Mr. May stated he did not have a problem with item # 2, and that applicant had made reasonable effort, still on item #1 the capacity remains an issue. Mr. May continued asking specifically for: 1.) Receive engineering plan of that roadway showing curve radii, intersection, curb radii, lane width and a local traffic count what is presently working; 2.) Traffic engineer to return with justification and document his assumptions. Mr. May stated that would then be sent to Orth Rodgers to confirm. Mr. Geis stated he would bring a plan back with the information requested. Mr. Samuels stated the issue is whether or not this access functions and the impacts to other people for applicant's benefit, due to the level of square footage, what is physical and what is functional are two different items. Mr. Samuels continued stating his concerns about Mill Road have not been addressed, and the intersection at peak hours does not function well now. Mr. Geis stated that off site issue was addressed, only way to check functionality was to obtain expert opinions. Mr. Geis further commented that if it fails, it is a marketing problems, problem exists on the property not on Township roads and whether or not the roadway will backup, experts say the access is safe, and waits are a product of the market exiting the driveways. Mr. May differed with Mr. Geis commenting the traffic affects 1400 Morris and effects someone else; Mr. Geis rebutted saying was not a planning issue. Discussion of previous submissions by applicant and outstanding issues at that time consisting of landscape, and burmes, and never an issue regarding 1400 Morris, which is an adjacent ownership issue. Further discussion on previous meetings and presentations. Discussion of access previously thought of as an emergency access, and not clear to the Commission previously.

Mr. Segal stated he feels the applicant needs direction and his understanding of over utilization

was not different than the safety issue, the straightaway issue, and invitation to use the access way, and therefore traffic consultants called into question. Mr. Segal stated he believes the Commission is raising new issues, but feels they are wholly appropriate, regarding engineering of the access way; that the Commission had not raised at the preliminary plan approval meeting, stating so in fairness to the applicant. Mr. Segal stated he would be satisfied with having our engineer review, a revised plan with revision of parking configuration, and make sure that traffic is well distributed.

Mr. May asked each of the Commission members for their comments:

Mr. Kane would not approve as it currently is, timing issues, do not have storm water reviews and concerned with the second access way.

Mr. Thiermann concurred with Mr. Segal.

Mr. Fishbein stated the Commission needed a handle on what the access utilization was going to be versus the capacity of the proposed drive and existing total roadway.

Ms. Colesberry abstained from any comment.

Mr. Cooper stated alignment and profile as Mr. Samuels suggested, and that the traffic engineers advise what are reasonable levels of flow through that easement, what should the total flow be and site plan reconfigured to best assure that the capacity is not exceeded.

Mr. May stated that the applicants traffic engineer has the means to calculate the total travel time from a given point in parking lot to each entrance and develop a reasonable split that can be determined with some basis. He continued saying one of the key items to prove to the Commission will be his methodology for that and which is satisfactory with consultants from Orth Rodgers, and second, taking a look at the capacities.

Ms. Yarnoff asked Mr. May to confirm her understanding of what the Commission wanted. She continued saying based on various comments from Mr. Zabowski, the Commission wanted him to re-analyze amount of traffic that will use the access easement based on the reconfiguration of the parking lot, in addition base traffic levels on an appropriate analysis other than assumptions, and study the traffic capability of that amount of traffic through the easement going out to the intersection. Mr. May confirmed and said in addition to provide the geometry. Mr. May stated two aspects on how to calculate the traffic leaving the site: #1 internal travel time to get out to DuPortail by either the two alternatives and #2 assumptions should be analytical based. Further discussion of traffic flow.

Mr. Dan Gross, president of Parcel 19 Trust Association, expressed concern about the retention

basins being to close to the end of the property and possibly washing out the paths and wanted to know if the set back provisions are appropriate. He advised he represents open space and interested in maintaining paths and insuring that infrastructure not destroyed. Mr. Durkin explained the flow at the basins. Mr. Bryant recommended that he could walk the site with Mr. Gross to hear the concerns; and invited Mr. Durkin to join them.

Mr. May advised applicant to return with the items requested this evening.

(9:53 p.m.)

3. A Revision to the Township's Official Sewage Facilities Plan.

Ms. Woodman explained the purpose of the Resolution and the Department of Environmental Protection has asked for the Planning Commission's support for the re-rating of the Valley Forge treatment plant. This re-rating allows for additional capacity without major changes to the physical plant. Discussion of how the re-rating process occurs, such as treatment, based on flows, calculation of reserved capacity for undeveloped parcels, an evaluation based on current and past operations, etc.

**ACTION**

A motion to support the Resolution of the Board of Supervisors of Tredyffrin Township, Chester County, Pennsylvania, Adopting the Re-Rate Proposal of the Valley Forge Sewer Authority Treatment Plant as a revision to its official sewage facilities plan was made by Mr. Kane; seconded by Mr. Fishbein; and unanimously approved.

Mr. May had some items to mention to the Commission:

1. Mt. Pleasant Baptist Church agreed to the Commission's recommended site changes to the site plan, and went before the Zoning Hearing Board for variances. The church organization is struggling financially, therefore he and Ms. Colesberry have volunteered to meet with the Church to assist them in developing a plan that is acceptable and addresses the Commission's concerns.
2. In driving by a number of projects approved, certain aspects of plans have not been completed or not done in accordance with approval. Bushyager correspondence referenced.
3. Second access onto Leopard Road, Paoli Shopping Center, should not be open and would like to see closed; Ms. Woodman recommended when the right hand turn lane constructed for access to shopping center; Mr. May agreed, but asked the road be closed when construction completed.
4. Radius in front of AMOCO station, the pavement not finished around inlet. Mr. Bryant to follow up.
5. Approved Conestoga High School additional air conditioning unit but conditional

upon a full height enclosure and landscaping; and this has not been completed; this is not acceptable. Based on their response on that application, he will not cooperate with them in the future. Ms. Woodman to follow-up.

6. Nothing from PECO and he understands this function moving to near Maryland. Mr. May asked if there is anything out there, if PECO walks away, those conditions go away. Mr. May stated that all the conditions were for public utility; Ms. Woodman advised that if a non-utility occupied that campus, they would not receive the same approvals.

Mr. Fishbein wanted his comments regarding the Mt. Pleasant Community Church to be included in the minutes, that the sidewalk between to the two buildings be extended. Discussion of on street parking in that area; Mr. May advised that parking can be regulated with parking restrictions.

No further business.

Meeting adjourned at 10:15 p.m.

Respectfully submitted,

Patricia Maier  
Recording Secretary