

**Tredyffrin Township
Planning Commission Meeting
Minutes
March 16, 2000**

The second regular meeting of the Planning Commission for the month of March was held on the above date at the Township Building. Present: Jeffrey C. May, Chairman; Sean McCauley, J.Thomas Cooper, Larry Segal, and Thomas Thiermann. Daniel E. Fishbein arrived at approximately 8:13 P.M. Absent: Michael Samuels, Vice-Chairman; Janet Colesberry and Jonathan Kane. Also present: Terry Woodman, Assistant Township Manager and William J. Bryant, P.E., Township Engineer/Director of Public Works.

The meeting was called to order by Chairman May at approximately 7:41 P.M.

Mr. May advised that under Carry Over Matters, #1. Hardin Capital would not be present this evening.

Approval of Minutes

Ms. Woodman advised that Ms.Trish Kreek provided a correction to the name of the representative from St. Peter's Church, Dr. Steven Mark.

Action

Mr. McCauley made a motion to approve the March 2, 2000 Meeting Minutes as written. The motion was seconded by Mr. Cooper, and unanimously approved.

CARRYOVER MATTERS:

(7:42 P.M.)

2. **Subdivision, Preliminary Plan: Trammell Crow Northeast Metro Development, Inc., 7 lots from 144.173 acres between Valley Creek and Yellow Springs Road and divided by Church Road in the R ½ Residence and PIP - Planned Industrial Zoning Districts. (App. #10-00)**

Lou Colagreco, counsel for the applicant, said two topics will be addressed. Jeff Holcomb, Project Manager, will present a color graphic to explain how the quarry will be re-graded in compliance with the mine closure permit; what the applicant proposes, and an overview of the traffic improvements to Route 29.

Mr. Colagreco said Ms. Woodman at the last meeting requested a graphic that shows where the Chester Valley spur right-of-way is located, and Mr. Holcomb will present this graphic showing the rail spur first.

Mr. Holcomb explained the rail spur begins from the other side of Rt.202, through a strip of residential properties, crosses Swedesford Rd. and bends in a westerly direction and hits the eastern side of property. At this point, the spur is not far from Yellow Springs Rd. when it makes the bend.

Mr. Holcomb presented the color graphic explaining the different colors and relation to grade changes throughout the site. He advised that DEP required that grading be done to create safe embankments, approximately sloped 35° embankments that can be traveled by pedestrians or vehicles safely. He continued saying, that DEP requires documentation on how the site will be converted to the proposed use.

Mr. May asked about the amount of fill taken out to Church Rd. and the elevation in comparison to Church Road? Mr. Holcomb advised two or three feet at one point, then jumps to eight to 10 feet, and then 18 feet of fill. He continued saying would be approximately 26 to 30 feet higher than Church Rd. Mr. May asked what is on the first 100 to 150 feet of the site today? Mr. Holcomb stated just undergrowth and natural land. He described the two story lime piles, currently with 20 years new growth on top of these piles, and some of the trees are 20 to 25-foot high. Mr. May asked what is the purpose for doing all the filling? Mr. Holcomb said they are required under the permit to clean, process, and dispose of the lime piles on the site, therefore, spreading it out where there is room.

Mr. May stated with the fill being jacked up, proposing three-story building, this will be overlooking other land uses adjacent to your site, and this is a concern, and suggested looking at other ideas where the fill material can be placed. Mr. Holcomb said that can be moderated. Mr. May said he understands the fill next to Church Rd., being high to create a buffer. Mr. Holcomb finished his presentation of grading on the Tredyffrin portion of this site.

Don Jacobs, Traffic Planning & Design, presented a rendering representing the improvements to Route 29. He explained that currently Route 29 is two-lane, and a cross section exists with a signal on General Warren Blvd. and an operational business park. He said traveling North there is the Yellow Springs intersection, with no signal, which then branches East to Warner Rd. which serves a few businesses. Continuing, and moving further North, Route 29 crosses under the Turnpike. He said at that point there are many intersections, and it is a very congested area. He explained that Whitehorse Rd. from the East, has no signal, the signal where Route 29 branches off toward Phoenixville, the Charlestown Rd. is a straight-thorough way and Phoenixville Pike heads West to Great Valley High and Route 401 interchange with Route 202.

Mr. Jacobs said the first phase is three buildings, 500,000 sq.ft., and the south access of the site will be used and the intersection signalized into Great Valley parkway. In addition, improvements will be made to improve the common driveways. Mr. Jacob said Route 29 will be improved to four lanes, including turn lanes along the route. Mr. Jacob advised that Pennsylvania Turnpike Commission (PTC) is in the preliminary planning stages for slip ramps, and the design of the site has taken that into consideration. Also, the turnpike bridge will be improved, allowing for Route 29 to be four lanes under the turnpike bridge.

Ms. Woodman asked about the railroad track near Phoenixville Pike? Mr. Jacobs said no changes to that track is necessary that area will accommodate the widening of Route 29. Mr. Jacobs added that the preliminary plan is filed with PennDOT.

Mr. May asked about the level of traffic east of Route 29? Mr. Jacobs stated that all traffic

would be directed to Route 29. Mr. May disagreed and said that only held true for straight through traffic, but he feels this development will add more traffic to Yellow Springs Rd. Mr. Jacobs replied that with the improvements, the arterial road network will encourage the use of Route 29 and not side roads. Discussion of traffic scenarios.

Mr. May and Mr. Jacob discussed traffic counts for Yellow Springs Rd., Church Rd. and entering Tredyffrin Township. Mr. May asked Mr. Jacob the basis for his assumptions of traffic flow. Mr. Jacob said the counts were determined by gravity model, based on a 45 minute drive from the business park, and the municipality population. Mr. May stated these were broad assumptions, and wants to see more traffic detail on local roads.

Mr. May asked if the applicant could provide a slip ramp overview? Mr. Jacob explained what had been presented by PTC to the public and the projected touch down sites. Ms. Woodman said she is concerned if a slip ramp can exist with the current roads and asked if an overlay showing the proposed slip ramp could be presented? Mr. Holcomb said the applicant's project is not designed at this time to address the slip ramps, and does not wish to imply what PTC design may be for the slip ramps. Ms. Woodman asked that Mr. Holcomb provide, at the next Commission meeting, the information they have received from PennDOT regarding the slip ramps and how their site may be impacted.

After further discussion, Mr. May advised that Hydrology and Traffic issues will be addressed at the next meeting.

NEW MATTERS:

(8:35 P.M.)

1. Subdivision, Final Plan: First Leader Development Corp., 9 lots on 6.8 net acres on the north side of Bodine Road (former YMCA Swim Club) west of Howellville Road in a R-1 Residence District. (App. #8-98)

Mr. May asked the applicant to present what has changed since their last presentation to the Commission. Ross Unruh, representing applicant, presented the rendering of the 9 lots and advised the only issue was a right-of-way issue. He said there was a meeting with the Township and a plan to swap property to address this issue. Mr. Unruh said the western part of the site, adjacent to Lot 9, is the Brandeis property which the Township owns. The applicant would swap the property to the south, which will provide the Township with access through to the Brandeis site. Therefore, that portion traded to the applicant would become part of Lot 9.

Ms. Woodman advised that this would change the subdivision plan. She also said that applicant would have to give the Township a road that people can walk on and vehicles can travel. Mr. Unruh stated his applicant agreed to put in a drive way.

Mr. May asked if there were any other issues or comments? Ms. Woodman stated that when the Board of Supervisors approved the Preliminary Plan, the approval was conditional that a pedestrian and vehicular access be secured out to Bodine Road, and the applicant has agreed to comply with that condition.

ACTION

Mr. Thiermann made a motion to recommend approval to the Board of Supervisors, for the Subdivision, Final Plan for First Leader Development Corp., 9 lots on 6.8 net acres on the north side of Bodine Road (former YMCA Swim Club) west of Howellville Road in a R-1 Residence District, (App. #8-98), subject to the condition that the Township Engineer approves the design for access to the Brandeis property. The motion was seconded by Mr. Fishbein and unanimously approved.

(8:41 P.M.)

2. Subdivision, Record Plan: Valley Creek Associates, 12 lots on 5.752 acres on the south side of West Swedesford Rd. opposite DuPortail Road in the R1/2 Residence District. (App. #11-00)

John C. Snyder, Brandywine Valley Engineers, introduced Fran Degan, the Site Engineer. Mr. Snyder explained the history of this property and zoning issues. He advised that in 1995 a Sketch Plan was filed for 12 lots. He said the engineer contacted the Township suggesting alternative methods of development. Mr. Snyder said this application is applying for single family residents, 12 lots with the minimum gross 10,000 sq.ft. acreage, according to that ordinance in effect in 1989. He continued saying that the lots vary in size.

Ms. Woodman asked Mr. Snyder, if he believes, he has the right to go into the Township Zoning Ordinance and decide which minimum lot size to use? Mr. Snyder, said yes. He explained, in essence there is none. Ms. Woodman asked if Mr. Snyder was saying that his applicant has the right to use the 10,000 sq.ft. regulation, which is found in the R-4 district? Mr. Snyder replied, no, he did not apply any district requirements, as they believe when an invalid lot size is stricken down for a certain use by the Courts, in essence there is none. He continued saying they applied a standard, based upon design criteria from the 1989 Ordinance.

Mr. May asked about the size of the building pads? Mr. Snyder advised there is a 1,000 sq.ft. first floor footprint, approximately 2,200 living area with one bedroom over the garage.

Mr. May asked Ms. Woodman where the Township stands on this application. Ms. Woodman said that Mr. Snyder discussed the alternative uses with the Board of Supervisors and the Township Manager. She advised that the Commonwealth court struck the minimum lot size in the R½ district, but she did not recall striking other elements of that district such as the minimum lot width, setbacks, and etc. She continued saying she believes that Mr. Snyder, in preparing these plans, had his clients use the Ordinance in place in 1989. Ms. Woodman said she doesn't understand why Mr. Snyder is not complying with the current Ordinance. She stated, in her own opinion, with the density shown, she felt this is a very ugly plan with all the houses pushed up against the Rt.202 on- ramp.

Mr. Snyder replied this is the only area that can be built on as everything from the tree line to the north is flood plain and a band of steep slopes.

Mr. Fishbein asked what had been originally proposed? Mr. Snyder, in addition to challenging the validity of the ordinance on basis of lot size, a variance use permit to be used for office and

hotel was requested based on the undesirable residential use. He continued saying the Zoning Hearing Board denied the request, and the Commonwealth Court upheld their ruling but the Commonwealth did uphold our challenge to the validity of the ordinance but without a lot size restriction.

Mr. Segal said he did not know how the Commission could proceed without legal opinion and said should be sent to the Solicitor for review. After further discussion of legal issues, Ms. Woodman advised that the applicant has come forward to start the process review clock, the 90 day period.

Mr. Snyder explained that 12 residential lots are proposed. The development is located off a Township road, Swedesford Rd., and will be approximately 2,200 sq.ft. The units will be on public water and sewer. The three houses on the east and three houses on the west will share a common drive. Mr. Snyder said the Township will need to rebuild Swedesford Road, as the road way has been poorly maintained.

Ms. Woodman asked about the easement to gain access to the back of the property? Mr. Snyder advised there is a 16 foot wide access easement over the bridge.

Mr. Fishbein asked how many feet between the driveway and Rt. 202? Mr. Snyder stated the driveway is built on the property line, probably less than 450 feet to the edge of the right-of-way of Rt. 202. Mr. Fishbein asked about the grade? Mr. Snyder advised the same grade.

Mr. May stated there are deficiencies in the driveways and large trucks, such as garbage trucks, will have difficulty in maneuvering. Mr. Snyder said they can back down the driveway.

Mr. Fishbein asked how wide the drive ways were? Mr. Snyder advised approximately 12 feet.

Ms. Woodman asked if accommodations had been made for a school bus? Mr. Snyder said no, that would be the responsibility of the Township. Ms. Woodman then asked if Mr. Snyder intended the children to walk out to Swedesford Rd. to get the bus? Mr. Snyder repeated Swedesford Rd. is a Township road and needs to be reconstructed and create a bus stop if the Township feels it is needed.

Ms. Woodman then asked about storm water management? Mr. Snyder said the design shows all seepage, no basins are proposed. Mr. May asked if the property had been tested for ground water levels? Mr. Snyder replied not at this time, because the lots in most of places are 15 to 20 feet above the flood plain. Mr. May asked if this is an assumption on paper only? Mr. Snyder replied yes.

Mr. May asked for comments. Mr. May said the first thing the Commission needs is guidance from the Solicitor. He further stated the Commission recognizes that the applicant is exercising his process rights.

Mr. Snyder stated that the applicant is not happy with this plan either.

(9:05 P.M.)

3. Land Development, Preliminary Plan: Vertex, Inc., demolition of an existing building and construction of a new 60,000 sq. ft. building at 1001 Old Cassatt Road in a C-2 Commercial District. (App. #12-00)

Craig Hough, representing applicant, introduced Brett McKay, Chester Valley Engineering, and Christy Stout, Traffic Planning & Design, that will assist in the presentation.

Mr. McKay stated the layout has not changed significantly from the original sketch. He continued saying the concerns were the discharge from the basin and emergency spillway towards the existing office park to protect the residences in rear which are downslope. The actual discharge pipe from the basin is routed through the Township park. Mr. McKay said they are working with the Township Engineer on this issue. He said the property will be buffered by landscaping to the south, retention of the existing vegetation along the rear line and proposed fencing. Mr. McKay said they are addressing the lighting, and those buffers previously mentioned which will aid in shielding the residences from headlights. To conclude, Mr. McKay said they are waiting on further reviews from consultants.

Mr. May said there are a couple open items which have been discussed previously. He said #1 is the design of the storm water overflow with regard to a fairly strong grade into the residences or Township park, and we had recommended a structure that could handle larger capacity. Mr. McKay said that is being addressed as part of the storm water design.

Mr. May stated #2 is to insure that ample year round screening at the upper edge of the parking lot, against the residences, is in place so there are no headlight affects in the morning or winter time. Mr. McKay said that will be graded and protect the residences from headlights. He continued saying that the landscaping plan has a fairly heavy buffer, and they are discussing board to board fence for further protection from headlights.

Mr. May asked about snow removal? Mr. McKay replied that parking spaces would be used, overflow into the basin, and pushed back in the 20 foot setback on shrubs. Mr. May replied that is a concern pushing snow, salt, etc. on shrubbery, and he would prefer to see a push off area for snow storage. Mr. McKay said they can do that.

Mr. Fishbein asked how tall is the fence proposed? Mr. McKay replied, five feet high.

Mr. May asked if the grade has changed? Mr. McKay advised it is the same.

Mr. McCauley had questions regarding the lot-line and asked if there was a cross-section rendering available? Mr. McKay advised he did not have one this evening, but had presented at the last meeting.

Mr. McKay told the Commission as much land, fence and plantings will be put in place, as possible, without disturbing the existing vegetation. He added, most of the vegetation is located on the Vertex property.

Ms. Woodman inquired about a photo that was handed out, which indicated a large butternut tree that is not shown on the plan. Mr. McKay replied that the photos were about 5 years old.

There was further discussion of buffering issues, and Mr. McKay concluded his presentation.

Christy Stout, Traffic Planning & Design, made her presentation regarding the traffic study. She explained that there was only a right in and right out from Old Cassatt Road to Route 252. She continued saying that based on the adjacent office park volumes, the projections for traffic indicate only an increase in two (2) cars/per min at peak traffic times. Ms. Stout said the traffic flow is 30% east on Swedesford; 45% on Cassatt; and 25% on Conestoga. Ms. Stout said all projects are at acceptable levels with a 24-second delay added by their proposed development.

Mr. May asked if this was based on current traffic numbers? He said the use of the property will change, and asked what percentage is office now? Ms. Stout advised 10% office and 90% manufacturing. Mr. May stated there will be a noticeable increase in traffic due to the change of use. Ms. Stout stated the existing capacities will continue to operate at acceptable levels. Mr. May suggested the applicant work with the other office parks, as a joint effort, and contribute to improvements so there is not a traffic problem. Mr. May stated his only issues are the lighting and screening as previously discussed.

Mr. McCauley asked how many parking spaces are proposed? Mr. McKay advised 262 parking spaces. Ms. Woodman advised 200 parking spaces are required per ordinance.

Mr. May advised applicant to proceed and to be conscious of the Commission's concerns.

(9:30 P.M.)

4. Site Development Plan: Matt Vegari, M.D. demolition of a former gas station building on the western corner of the intersection of Lancaster Ave. and Berkley Rd. in a C-1 Commercial District. (App. #13-00)

Dr. Matt Vegari introduced himself and Dennis Dunn, Engineer, who would be presenting the plan. Mr. Dunn explained the property is located at Lancaster Ave. and Berkley Rd. and is a small triangular piece that is owned by the Spinelli Trust. He continued saying an old abandoned gas station is located on the lot, and summarized that the property is an eye sore. Mr. Dunn said the applicant proposes to purchase the property, remove the gas station, repair sidewalks and landscape the property.

Mr. Dunn stated that applicant has 2,286 sq.ft. of unused space in his current building, located behind this property, and would like to develop this but does not meet the parking space requirement, and will need a variance. He continuing saying that 23 spaces are needed.

Dr. Vegari told the Commission that the parking is adequate, as his business traffic occurs in evening hours, when the retail business is closed, and parking is not an issue. He asked the Commission for their support for his variance request to the Zoning Hearing Board, as he is contributing to the site by improving that property on Lancaster Ave. and Berkley.

Ms. Woodman replied that the Planning Commission rarely takes action to support a variance, but the Commission may wish not to take active opposition to the application.

Mr. Thiermann again asked Mr. Dunn to explain the current parking arrangements and availability. Mr. Dunn replied the parking is more than adequate, and only 23 additional spaces are needed to meet the ordinance requirements, and that is available during the applicant's peak usage at the retail establishment.

Mr. Fishbein asked what the ratio of square footage to parking spaces is currently? Mr. Dunn advised there are 100 parking spaces for 20,500 useable square footage. Dr. Vegari said his business has been open for 6 months, and the lower area parking has never been full. Mr. Dunn added that the applicant has valet parking on the lower level in addition, and could put the additional cars in valet if necessary.

Ms. Woodman asked Dr. Vegari what the peak hours are for his business? Dr. Vegari replied 90% of his business is from 7:30 P.M. to closing, week nights only 20% of business and minimal for lunch.

Dr. Vegari said the additional square footage would be for a banquet room addition.

Mr. May said he agrees that the property is an eyesore, and an environmental issue due to the buried fuel tanks. Discussion of other buyers, existing structure and continued use of non-conforming property. There was further discussion of change in future uses of those properties, 20% discounted parking and the ramifications that could have on the property and traffic.

Mr. May asked the Commission for their views. Mr. Segal asked if this was a legal issue, and not a land development issue, and could the Zoning Hearing Board, issue a variance with conditional use to address concerns of changes in the future?

Ms. Woodman said yes, and said the applicant should bring back to the Commission with engineering, details of sidewalk, sitting area, and landscape.

Further discussion of recommendation to the Zoning Hearing Board to support the variance. Ms. Woodman advised the Zoning Hearing Board decision will be based on the applicant's testimony. She advised she would not have any objections to present to the Zoning Hearing Board.

(10:05 P.M.)

5. Site Development Plan: Tredyffrin Township, a 30 ft. by 60 ft. pavilion in Teegarden Park in the area of the existing playground. (App. # 14-00)

Mr. Bryant explained the park is used for a Township summer camp program, and during inclement weather, there is no shelter. The pavilion is included in the 2000 year budget. He continued saying that approximately 100 school age children and 60 pre-school children participate in the summer program. Mr. Bryant advised this was only a sketch and no decision

had been made as to what type or design of pavilion, and the one shown is 30' x 60' which was recommended by the Park Board.

Mr. Bryant advised the storm water management would be minimal and include vegetation filter strips, and increased plantings. He continued saying there are no gutters proposed on the pavilion. He said there is \$35,000 budgeted, and some of the work will be done by the Township. The pavilion will have electricity and a security light underneath.

Mr. Thiermann was concerned about the pitch of the pavilion shown. Mr. Bryant said there has not been a decision on the actual design of the pavilion, and this was just a sample for the purpose of the sketch.

Mr. Bryant said there is an existing house and barn behind the park. The barn was constructed between 1700 - 1800 approximately, and is historically significant, but in disrepair. He continued saying there is discussion on acquiring, and restoring, and the possibility of using this for shelter purposes. Ms. Woodman added that part of this building is constructed from logs, and the stone portion of the barn is dated to 1720, and is an extraordinary structure.

Mr. Thiermann asked if acquired, would the function be different from the pavilion? Mr. Bryant replied, yes, would be locked up and used only during operating hours of the program.

Mr. Bryant advised the Commission that this application was placed on their agenda for informational purposes, and will be brought back to the Commission with the Final Plan.

Mr. May said he felt the pavilion shown is too large, storm water is not an issue, and both proposals provide a solution, but he would support the restoration of the barn.

General Discussion

Mr. May advised he and Mr. Samuels are serving on a subcommittee with several members of the Board of Supervisors and meeting with the applicant, K-Mart on Strafford. He advised the first meeting is at 7:30 A.M. on March 28, 2000, Township building to review the preliminary plans.

The meeting was adjourned at approximately 10:20 P.M.

Respectfully submitted,

Patricia Maier
Recording Secretary