

**Tredyffrin Township  
Planning Commission Meeting Minutes  
January 20, 2005**

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The regular meeting of the Planning Commission was held on January 20, 2005 at the Tredyffrin Township Municipal Building. Members present included: Robert J. O'Leary, Chairman, Sean N. McCauley, Vice Chairman, J. Thomas Cooper, Victoria Snyder, Libby Brinton, Edward C. Sweeney.

Members absent: Giovanni D'Amato and Marlen Kokaz.

Also present: Joseph A. Janasik, Township Manager, Mimi Gleason, Assistant Township Manager and William J. Bryant, P.E., Township Engineer/Director of Public Works.

**CALL TO ORDER:**

Chairman O'Leary called the meeting to order at 7:35 PM.

**APPROVAL OF MINUTES:**

Motion made by Mr. McCauley, seconded by Mr. McCauley, and carried unanimously to approve the December 16, 2004 regular meeting and January 6, 2005 workshop meeting minutes.

**A1. Amendment to Section 108-107 of the special average density cluster provisions in the R-½ District providing bonuses for increased open space.**

Ms. Gleason reviewed the Township Solicitor's comments on the draft ordinance amendment. Ms. Gleason made reference to the section that would allow the open space requirement to be satisfied on a different parcel that is being considered for development. The Solicitor is concerned that it is too similar to transfer development rights and more time is needed come up with the appropriate language, therefore, this section has been removed.

Ms. Gleason went on to explain the proposed changes to the existing section in the Zoning Ordinance. The Ordinance requires a 30 acre minimum to be considered for a cluster subdivision. There is another provision in the section allowing for that minimum area to be reduced to 10 acres by conditional use. The Solicitor advised that it could be difficult to deny a conditional use application because the language is too general. Staff made a suggestion to take out the conditional use provision for the 10 acres and leave the general minimum as 30 acres. The Commission will decide whether it makes sense to reduce the minimum by right lot area to 10 acres or some other smaller amount. There could also be more specific conditions added to the conditional use provisions.

Ms. Gleason said another proposed change would be to keep the minimum required open space set aside at 25%, instead of increasing it to 35% of the tract area, but net out environmentally sensitive lands. The Solicitor agreed to that option.

Helene Land, of LeBoutillier Road, questioned if the ordinance change would increase impervious surface and how this will affect the applicant's parcel. Ms. Gleason responded, it will allow the individual lots that can be created to have more impervious coverage but the overall area would not. Ms.

Land expressed concern about runoff onto her property. Mr. Janasik said the amount of impervious permitted for a clustered subdivision would still be less than for a standard subdivision.

There was some discussion about stormwater runoff. The residents of LeBoutillier Road are concerned about how the development could impact them.

A resident commented about a preliminary plan that included a parking lot on the parcel to be dedicated to the Township. Ms. Gleason responded, the open space set aside to the Township would have to remain as open space. The Township has not developed any plans for a parking lot for that property, but one of the advantages of the Township getting this property is that there would be an access to Mill Road Park off of LeBoutillier Road, and the possibility of a small informal gravel parking lot in the future has been discussed. Mr. Janasik also noted that the lot is being proposed for dedication with deed restrictions.

Ms. Gleason explained the lot to be dedicated to the Township is being proposed in order to satisfy the open space requirement which is currently allowed under the Ordinance. The change the applicant has requested to the Ordinance relates to individual lots. The applicant is requesting to reduce the minimum lot width and to increase the maximum impervious coverage from 15% to 20%. Ms. Gleason said one reason there is support for this change is that other developers felt they could not consider clustering because the Township requirements were too restrictive and it did not give them the flexibility to design an attractive development.

A resident complained about how Summerhill was developed and that Mill Road is dangerous. Mr. Janasik informed residents that the Summerhill development was a court approved subdivision. The Township denied the subdivision application and the plan did not comply with any of the Township Ordinance requirements. Mr. Janasik pointed out it is not the fault of the Commission or their predecessors.

**Action:           None.**

**2.       Amend buffer and height regulations for the Planned Industrial Park (PIP) District for office uses and consider rezoning a small section of the R-½ Residential zoning district to the PIP district.**

Ms. Gleason stated that at the last meeting the applicant agreed to leave all five lots zoned PIP and instead try to amend the regulations for the height and buffer requirements for office uses in the PIP District.

Ms. Gleason provided an overview of the changes to the Ordinance amendment. The building height cannot be higher than 40 feet. Parking would be permitted in the required buffer area and between the street line and the building for office uses. The Planning Commission discussed permitting parking between exterior public streets and buildings by conditional use and adding a screening requirement.

A resident came forward with questions about the Ordinance amendment. Ms. Gleason said the proposed changes would allow for an increased height. Mr. Colagreco stated they are looking for the same office requirements that apply elsewhere in other districts and the maximum height of 40 feet will allow for a three story building.

Mr. Colagreco also requested a minor rezoning change to PIP on a small section of the lot which is in the R ½ District.

Ms. Gleason will change the draft language and formalize it. The Commission agreed to wait until this is done before making a decision.

**Action: None.**

**D. CARRYOVER MATTERS:**

1. (Application 14-03) **Forcine Concrete:** Final Land Development; Proposal to demolish the existing dwelling and construct an office building at 1875 Church Road in the C-2 Commercial District [Plan prepared by D.L. Howell & Associates, Inc., dated 6/11/03, revised 11/22/04].

The applicant has not received a highway occupancy permit from PennDOT, therefore, final approval cannot be obtained at this time.

**Action: None.**

2. (Application 42-03) **D'Agostino Builders:** Final Land Development; Proposal to construct nine (9) townhomes and renovate two existing buildings at Berkley Road and Grove Avenue in the R-4 Residence District [Plan prepared by Commonwealth Engineers, Inc., dated 10/31/03, revised 11/16/04].

The applicant needs to clean up some issues on the plan before they can receive final approval.

**Action: None.**

3. (Application 26-04) **Saint David's Golf Club:** Preliminary/Final Land Development; Proposal for an addition to the club house at 845 Radnor Road in the R-1 Residence District [Plan prepared by Yerkes Associates, Inc., dated 11/30/04].

Jerry Castafaro, representing the applicant, was present to seek preliminary plan approval. He said the applicant has received special exception approval from the Zoning Hearing Board.

Mr. Castafaro provided an overview of the plan. He said the lighting plan will be part of the landscape plan that will be submitted.

Ms. Gleason asked the applicant if the large beech tree will be removed. The applicant answered, yes. Ms. Gleason advised the applicant that they need a review by the Environmental Advisory Council for removal of the specimen tree, and for that the applicant must demonstrate there is no feasible alternative to removing the tree.

**Action: None.**

4. (Application 28-04) **Sketch Plan; NVS Custom Homes:** Proposal to subdivide approximately 70 acres into twenty (20) lots for single family dwellings at Mill and LeBoutillier Roads in the R-½ Residence District [Plan prepared by Commonwealth Engineers, Inc., dated 11/8/04].

Nelson M. Vaughn, the applicant, said he met with residents of LeBoutillier Road to address their concerns. Mr. Vaughn announced that a meeting has been arranged with the Summerhill residents to answer their questions.

Mr. Vaughn mentioned he discussed with the Open Land Conservancy swapping land currently covered by conservation easement that would be located along the rear of proposed lots for land to be dedicated to the Township so each lot does not have an easement that runs along their lots.

The applicant hired a traffic engineer to address the Commission's and residents concerns made at the last meeting about sight distance for the proposed intersections.

Mr. O'Leary pointed out that the proposed emergency access shown on the plan is not wide enough. The applicant said he would like to keep it as minimal as possible. Mr. Vaughn asked if there is an engineered plan that he could look at to see how the access should appear.

There was some discussion about a proposed parking plan for the land to be dedicated to the Township presented at the November 18, 2004 meeting which was displayed for discussion purposes only. Mr. Janasik said there are absolutely no plans for development of that parcel or to use the upper part of Mill Road Park.

A representative of the Summerhill Homeowners Association said the neighbors are concerned about the proposed emergency access on Sorrell Lane. Mr. O'Leary explained why an alternate access is necessary. He said it will be controlled and appear as lawn area.

A neighbor commented that she does not see the need for another thoroughfare and asked if there is a legal requirement to do this. Ms. Gleason responded, no. Mr. O'Leary informed the residents that they are requesting the emergency access to correct the situation at Summerhill in which 90 homes are on a cul de sac and would not be able to get out if some kind of emergency resulted in Summerhill Drive being blocked.

One resident suggested that speed bumps be installed on LeBoutillier Road up until you get to the entrance of the proposed new development.

James Land, a resident of LeBoutillier Road, said he had severe water damage about one year ago which caused damage to his house, and thanked Mr. Bryant for his assistance in this matter. Mr. Bryant said the runoff was not a result of basin failure, the stormwater came from the property at the western end of LeBoutillier Road and the house on the north side. The Township replaced a 13 inch pipe with a 30 inch pipe to correct the problem. Mr. O'Leary asked if the replacement of the culvert corrected the problem he was experiencing before. Mr. Land responded, it addressed 98% of the problem but continues to be a concern.

Mr. McCauley said that when the surrounding homes were constructed there were no stormwater policies in effect. Today, the stormwater management ordinance requires runoff to be controlled and the applicant will be required to do this.

**Action:           None.**

5. (Application 29-04) Site Plan; **The Woodlynde School**: Proposal for additional parking at 445 Upper Gulph Road in the R-1 Residence District [Plan prepared by Wilkinson Associates, Inc., dated 11/9/04].

Bernard E. Zbrzezny, attorney for the applicant, requested a recommendation to the Zoning Hearing Board for variance relief to construct a parking lot.

In response to a concern raised by the Commission about traffic jams during the school's dismissal, Cinda Russell, interim head mistress, said they have posted people at the end of the driveway on Upper Gulph Road to wave on the cars to shorten the loading time. Ms. Snyder mentioned a couple days ago there were cars stacked all the way to the end of Upper Gulph Road and their effort to address the problem is not working.

**Action:** Motion made by Mr. O'Leary, seconded by Mr. McCauley, and carried unanimously (Ms. Snyder abstained from the vote) to recommend to the Zoning Hearing Board relief from the Zoning Ordinance for a special exception to extend a non-conforming use and a variance to construct a parking lot and exceed the maximum lot coverage.

6. (Application 31-04) Preliminary/Final Subdivision (Lot Line Change); **Gary and Myra Robinson:** Proposal to move property lines between 285, 295 and 305 Forest Hills Circle in the R-1 Residence District [Plan prepared by Ash Associates, Inc., dated 11/29/04].

Rich Philips, representing the applicant, was present to seek a recommendation to the Board of Supervisors for final plan approval.

**Action:** Motion made by Mr. O'Leary, seconded by Mr. McCauley and carried unanimously to recommend to the Board of Supervisors the above referenced plan.

7. (Application 32-04) Site Plan (Change of Use); **John Sozanski:** Proposal to convert a residence to a commercial use at 9 Bracken Avenue in the SPDD Special Paoli Development District [Plan prepared by Chester Valley Engineers, dated 12/1/04].

Elizabeth Sozanski, representing the applicant, distributed photos of the shared parking lot next to her property which were taken over a three day period. The applicant submitted an informal sketch plan showing the dimensions of the parking lot and drive aisle. The applicant has assigned three of the parking spaces to themselves. The new use will require 5 parking spaces.

Ms. Gleason said granting the applicant's request could create problems for the existing property owners and the Commission will need to make sure it fits and does not create a burden on the existing property owners.

Mr. Janasik said the applicant could apply to the Zoning Hearing Board for a variance. The support for the granting of a variance is their ability to use the parking spaces on the shared lot. They may not have the legal document from Septa confirming their right to park there, but as a practical matter the justification for the granting of the variance is that they do not have sufficient parking available to them but have the right to use those parking spaces. The Zoning Hearing Board can make their decision user specific so the granting of the variance will cease when the applicant sells the property. The applicant agreed to that option and requested a recommendation to the Zoning Hearing Board.

**Action:** Motion made by Mr. O’Leary, seconded by Ms. Brinton, and carried unanimously to recommend to the Zoning Hearing Board a variance from the minimum required number of parking spaces with the condition that the Board’s decision will include a condition that it be user specific and cease upon sale of the property.

**E. NEW MATTERS:**

1. (Application 01-05) **Kenneth Gross Investment Group:** Sketch Plan; Proposal to demolish the building and construct a parking lot at 10 Paoli Court in the SPDD Special Paoli Development District.

Kenneth Gross, the applicant, said the proposal is to demolish the existing house to provide parking that will serve the three businesses on the adjoining property on Lancaster Avenue in order to address a serious parking problem at this location.

There was some discussion about the parking layout and alternate uses for the 4 parcels the applicant owns at Paoli Court. The applicant also owns 7 parking spaces near the railroad tracks, and 5 spaces next to the Septa lot which are used by Starbucks.

Mr. McCauley suggested the applicant do a reverse subdivision on the 4 separate lots to eliminate setback problems.

The applicant requested feedback from the Planning Commission about a possible bank/drive-through to be located at 10 Paoli Court. The proposed bank would be located at the corner of Lancaster Avenue and Paoli Court. Ms. Gleason said there might not be enough ground to do this. The applicant presented a map with a conceptual plan and there was a brief discussion on it.

The Planning Commission recommended the applicant return with a plan with more details and dimensions.

**ADJOURNMENT**

The meeting adjourned at 10:25 PM.

Respectively submitted,

Joan Gallo  
Recording Secretary