

**Tredyffrin Township
Planning Commission Regular Meeting Minutes
March 16, 2006**

A regular meeting of the Planning Commission was held on March 16, 2006 at the Tredyffrin Township Building. Members present included: Sean N. McCauley, Vice Chairman, Giovanni D'Amato, Libby Brinton, Edward Sweeney, Michael Tierney, Victoria Snyder and Thomas J. Cooper.

Members absent: Robert O'Leary, Chairman, Marlen Kokaz.

Also present: Mimi Gleason, Township Manager; Steve Norcini, Director of Public Works; Michael Fahey, Zoning Officer

CALL TO ORDER:

Vice Chairman McCauley called the meeting to order at 7:00 PM.

APPROVAL OF MINUTES:

Motion made by Mr. McCauley, seconded by Mr. Sweeney and carried unanimously to approve the February 16, 2006 regular meeting minutes and the March 2, 2006 workshop meeting minutes.

CARRYOVER MATTERS:

(Application #15-05) **DHM Realty, Inc.–Devon Hill Motors/Lancaster Partners LP**; Final Land Development Plan: Proposal to demolish several small existing buildings and add 1,801 sf to the existing BMW building through minor additions, at 20 Lancaster Avenue, 28 Lehigh Avenue, and 30 and 40 Grove Avenue and change of use from residential to a parking lot at 80 Lancaster Avenue in a C-1 Commercial District. [Plan prepared by Yerkes Associates, Inc., dated 5-6-05, last revised 3-10-06.]

- Mike Murray, Riley, Riper, Holin, & Colagreco, attorney for the applicant, presented revised plans addressing comments from the March 9, 2006 ARRO review letter and from the March 2, 2006 Planning Commission workshop meeting. He noted that the only outstanding issue is getting a highway occupancy permit from PADOT. The applicant is therefore seeking final approval with the condition that no building will be started until that permit is obtained.
- Sean McCauley, stated that the Planning Commission does not grant final approval with conditions. He would like to help Mr. Wetherhill, the owner of Devon Hill Motors, as he is a good citizen and a true gentleman. However, the Planning Commission has standards to perform a certain level of work for the good of the community. Mr. McCauley asked if the present plans would change if PADOT demanded alterations to the intersection of Grove and Lancaster Ave. Mr. McMurray responded that they could. Given that the plans could be changed, the Planning Commission members felt that final approval should not be given this evening. The applicant will have to get their Highway Occupancy Permit from PADOT and resubmit plans at that time. Mr. Murray asked if the requested waivers could be granted so that final plans could be ready as soon as the permit was received. Ms. Gleason stated that as long as the waivers were listed on the preliminary plans, they had been granted when preliminary approval was given.

Action: None

(Application #25-05) **LeBoutillier Road Associates**; Preliminary Subdivision Plan: Proposal to build 17 houses on a 70.32 acre tract known as the Hudson Property on LeBoutillier Road in an R-1/2 Residence District. [Plan prepared by Commonwealth Engineers, dated 3-8-05, last revised 3-8-06.]

- Susan Boswell, Riley, Riper, Holin & Colagreco, attorney for the applicant, thanked the Planning Commission for making themselves available for meetings and for doing a prompt review of the plans submitted on 3-10-06. She noted several changes that had been made according to comments from meetings with Township staff and from the ARRO review letter of 3-16-06. The updated development will consist of 17 lots versus the 19 originally submitted. The applicant had eliminated one lot on the cul de sac, known as Road A and had combined the two with existing buildings into one lot. A small lot line revision was made to lot 4 on the cul de sac for Road B. This allows lots 2 and 4 to meet the minimum lot sizes after the stormwater easement and steep slopes are netted out. Mr. Kelly, engineer for the project, noted that all lots meet the length to width ratio and this ratio will be shown on the final plans for each lot. Additional information was given to Mr. Levine and Mr. Fahey regarding the sight distance from road B and they are both satisfied that it meets PADOT requirements. There will a 6' grass strip and a walking trail separated by a post and rail fence running along Mill Road. Mill Road will be widened slightly and graded to make stormwater run off in the appropriate direction. Mr. Norcini had some concerns over the way in which Mill Road will be widened, and said that he would put the paving specifications in a memo to the applicant for final approval. Mr. McCauley stated that the roads would have to meet Township standards for roads to be deeded, even if they were not deeded to the Township. He also asked which of the plans would be used for final approval. Ms. Boswell stated that, after preliminary approval of the existing plans, the alternate plan showing no sidewalks or tree disturbance along LeBoutillier would be the one used in the final plans. She acknowledged that all waivers required would be noted on the final plans.
- Ms. Snyder had concerns about the cul de sac on road B being so irregular. She felt that this was a bad precedent to set. Mr. Fahey stated that it was not a best practice, but did meet the letter of the Township Zoning Ordinance.
- Mr. Cooper questioned whether the emergency access as depicted would have to be reviewed and approved by the Township Fire Marshall and the Paoli Fire Chief. Ms. Gleason responded that this would be necessary, and Ms. Boswell said that the applicant would make sure that the design on the final plans had been approved by both parties. Ms. Gleason also noted that Andy Levine from ARRO needed more information on paving materials for the emergency access road in order to calculate the runoff coefficients and amounts. She stated that several neighbors had expressed concern about stormwater runoff from the access road and wanted assurance from the applicant that it would be controlled. She also said that the neighbors had requested removal of the exiting fence in the Township right of way and some landscaping to act as a screening buffer on the developer's lot side of the emergency access road. Ms. Boswell stated that the applicant would work with the Township and the neighbors on the details of stormwater management and landscaping for the emergency access.
- Several residents expressed concerns about the plans. Ann Frank and John Jenkins feel that widening Mill Road will encourage speeding and make it less safe for people walking and riding bikes. Jim Brown from Summerhill reiterated that the residents of that development do not want an emergency access road from Sorrel to the Hudson property. He cited stormwater issues and tree removal as some of the many problems associated with the access road. He was concerned that having a split rail fence and a curb cut would just mark it as a thoroughfare which could encourage people to drive on it. Mr. Brown had also read the Township Zoning Ordinance and could not find where an emergency access road was required. Ms. Gleason explained again that the emergency access was a compromise from putting in the through road as required by sections 181-46A(1), A(4) and B(1) of the Zoning Ordinance. In their decision to allow Summerhill, the court had recognized the possibility of future development on the Hudson property and had allowed a right of way for a through street from Sorrel Road to the Hudson properties. Mrs.

Brown expressed concern over increased crime and questioned real versus imagined problems. She felt that the ordinance was being used to support the emergency access but had not been used to help Dr. Kinsley with his stormwater problems. Both of the Browns felt that the Planning Commission was exercising discretionary use of the Zoning Ordinance. Mr. Land wondered if the applicant had considered running public sewer lines to the development as a courtesy to the special value watershed. Mike Trio from O'Neill Properties responded that they would not be extending public sewer lines to the development.

- Bob Haver from the Open Land Conservancy expressed concerns about preserving the easements for the future. He stated that the Conservancy group had been entrusted in 1978 with the protection of the open land value of 39 acres on the Hudson property. The original cluster development plan for the property had preserved this acreage as a single tract of open space. When that plan was withdrawn, the Open Land Conservancy asked the developer to draw up a plan that would preserve this open space. The plans as drawn put most of the conservancy land as part of individual lots. Mr. Haver noted that they had met with the applicant, but it was after the by right plan had been submitted including the easement as part of the yards for the development. This makes it very difficult to enforce the easement, and the Conservancy fears for the open space they were entrusted to maintain. He felt that the subdivision could have been done a better way.
- Ms. Gleason noted that plans given a preliminary recommendation tonight would need to go to the Board of Supervisors for approval on March 20. Since that left the Board of Supervisors very little time to review those plans, she requested that the applicant grant a two week extension. Mr. Trio agreed to this extension and said a letter confirming it would be forthcoming. The Board of Supervisors will be asked to approve the plans at their April 3, 2006 meeting.

Action: Motion made by Mr. McCauley, seconded by Mr. Tierney, and carried unanimously to recommend that the Board of Supervisors grant preliminary approval of the above referenced plan with the following conditions:

1. That all items in the ARRO letter of 3/16/06 and staff memo of 3/15/06 are addressed to the satisfaction of Township staff.
2. That the Mill Road improvements meet the approval of Township staff.
3. That additional improvements be added to the emergency access way.
4. That the emergency access way meet the approval of the Township Fire Marshall and the Paoli Fire Chief.
5. That location and details of street lights and details of signage for roads A & B be shown on final plans.
6. That stone markers be placed on the lots to indicate conservation easement boundaries.
7. That streetlights are installed at specific locations on Mill Road as determined during a meeting between Township Staff and the applicant.
8. That the alternate drawing and accompanying waivers be presented as the final plan for Mill Road.

OTHER MATTERS:

Ordinance amendment: Amendment to all articles of the Zoning Ordinance, except those related to Signs and the Special Paoli Development District; specifically revisions to the maximum height limit in the PA Planned Apartment District and permitted uses in the LI Limited Industrial District.

- Sean McCauley presented the proposed Zoning Ordinance amendment to the LI district. He explained that Mr. Bravacos had requested at a Board of Supervisors meeting that language be added to allowed uses so that buildings can be occupied by "Physician, dentist, surgeon, optician, or other licensed practitioner of the healing arts for humans." The Planning Commission had discussed this at their workshop meeting and had debated whether to add this line or just delete the word professional from elsewhere in the chapter. After some discussion, it is decided to eliminate the new language and leave the LI district as previously written including the word professional used elsewhere.

Action: Motion made by Mr. McCauley, seconded by Mr. D'Amato, and carried unanimously to recommend that the Board of Supervisors strike 208-91.C from the LI Limited Industrial District ordinance and leave it as written.

- Discussion continued from the previous workshop meeting concerning the maximum by right height for buildings in the PA district. The Planning Commission had written the amended ordinance to allow a 55 foot by right height for buildings in this zoning district. At the Board of Supervisors public meeting on the ordinance rewrite, Lisa Thomas pointed out that single family homes are still an allowed use in the PA District; and that the two existing PA Districts border single family home neighborhoods. Therefore, she felt that it would be better to make 35 feet the by right height with 55 feet allowed by conditional use. That way, the placement of the taller buildings could be controlled.

Action: Motion made by Mr. McCauley, seconded by Mr. Cooper, and carried unanimously to recommend that the Board of Supervisors enact the changes specified in E and F of the PA Planned Apartment District section 208-38.1 of the Township Zoning Ordinance rewrite.

Stormwater Ordinance: Presentation of the highlights for the draft Stormwater Ordinance rewrite.

- Steve Norcini gave a brief presentation on the Township's draft Stormwater Ordinance. The ordinance will specify stormwater management practices for various size projects as follows:
 1. 500' or less would be voluntary. Details for a standard seepage bed will be given for use as a guideline.
 2. 500'-2000' will require a seepage bed and perc tests. There are tables showing how to calculate the size of the seepage bed that will be needed.
 3. 2000' and above will require fully engineered plans for stormwater management systems.
- Mr. Dettore, a resident of the Township, spoke up about the need to incorporate stormwater management in redevelopment and a long range plan to address existing problems that are a result of inadequate management in the past. He also suggested educating residents and neighborhood groups about good stormwater management practices. Mr. Norcini noted that staff is already making a list of the worst areas in the Township so they can begin to be corrected, and that the Environmental Advisory Committee is looking into an educational program.

Action: None

ADJOURNMENT

The meeting adjourned at 11:00 PM.
Respectfully Submitted,

Carol O'Neill
Recording Secretary