

**Tredyffrin Township
Planning Commission Regular Meeting Minutes
December 18, 2008**

A regular meeting of the Planning Commission was held on December 18, 2008 at the Tredyffrin Township Building. Members present included: Sean McCauley, Chairman, Robert O'Leary, Vice Chairman, Edward C. Sweeney, Victoria Snyder, Trip Lukens, Bob Whalen, Giovanni D'Amato, Libby Brinton, and Thomas J. Cooper.

Members absent: None

Also present: Mimi Gleason, Township Manager, and Stephen Burgo, Township Engineer.

CALL TO ORDER:

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

APPROVAL OF MINUTES:

Motion made by Ms. Brinton and seconded by Mr. D'Amato to approve the November 20, 2008 Regular meeting minutes, and the December 4, 2008 Workshop meeting minutes.

CARRYOVER MATTERS:

Application (#13-08) **Paoli Fire Company**; Lot Consolidation and Land Development Preliminary Plan: Proposal to consolidate two parcels into one and construct an 18'6" X 15'6" addition at 69 Darby Road in Paoli in the TCD Town Center District [Plan prepared by Chester Valley Engineers, dated 10-02-08, last revised 12-01-08.]

- Steve Burgo, Township Engineer, gave a brief overview of the project. He said that the applicant plans to consolidate two lots into one and to build a 2900 sf addition onto the fire house at 69 Darby Road. The Board of Supervisors approved the lot consolidation at their December 15, 2008 meeting. The applicant is here this evening requesting final approval for the land development portion of the plan. Mr. Burgo noted that several revisions were made in response to previous comments by the Planning Commission. The street trees were set to a larger diameter, the trash dumpster was moved, a section of the brick sidewalk was reconfigured, and all stormwater notes were added to the plan.

Action: Motion made by Mr. Sweeney, seconded by Mr. O'Leary, and carried unanimously to recommend approval of the above referenced plan.

Application (#10-08) **F & H Mainline**, LP; Subdivision Sketch Plan: Proposal to vacate lots 6,7,12 and a portion of 11 at the intersection of Henry and Fairview Avenues and subdivide the property into 9 new lots in an R4 Residence District [Plan prepared by Pennoni Associates, Inc., dated 10-10-08.]

- Mike Burg, attorney for the applicant, stated that the applicant was here this evening to request a recommendation to the Zoning Hearing Board for a special exception to build multi-family dwellings in an R4 zoning district. He noted that the complete project included subdivision of the existing lots into nine new lots on which the homes would be built. Mr. Whalen said that two subcommittee meetings had been held with the neighbors and that they seemed satisfied with the project. One item remains unsettled. The neighbors would like to see an honorarium for Maize B. Hall. Mr. Burg agreed that this is a good

idea and said that the developer would work with the residents to decide exactly what form the honorarium would take and where it would be placed. Ms. Snyder noted that the houses as shown would be close to or over the allowed impervious coverage for their zoning district and suggested that the engineer look into this.

Action: Motion made by Mr. O’Leary, seconded by Mr. Sweeney, and carried unanimously to recommend that the Zoning Hearing Board approve a special exception per the above referenced plan.

Application (#14-08) **St. Peter's Church:** Conditional Use application per Section 208-45.F(6) of the Tredyffrin Township Zoning Ordinance to permit its facilities to be used for commercial activities including meetings, retreats, and receptions.

- Ross Unruh, representing St. Peter’s Church, stated that the church had recently requested an ordinance amendment to Section 208-45.F for an accessory use which constitutes a commercial use serving a population beyond that of the religious institution to be permitted when authorized as a conditional use. The ordinance amendment was approved by the Board of Supervisors at their September 8, 2008 meeting. Therefore, the St. Peter’s Church is here this evening to request such a conditional use so that they can have meeting, retreats, receptions, and the like in an existing 7,000 sf building. Ms. Snyder asked how many people the building could hold. Mr. Unruh responded that 200 could easily be fit inside of the rooms. Mr. McCauley asked if there was enough parking to accommodate that many cars. Mr. Unruh replied that there was more than adequate parking. Ms. Snyder suggested that the church specify the types of activities to be held, the number of people attending, and how often they might occur as part of their application to the BOS.

Action: Motion made by Ms.Brinton, seconded by Mr. Cooper, and carried unanimously to recommend that the Board of Supervisors approve the above referenced request made by St. Peter’s Church for a Conditional Use per Section 208-45.F(6) of the Tredyffrin Township Zoning Ordinance with the condition that there is a specified limit on the number and size of events.

NEW MATTERS:

Application (#15-08) **Lyndia Thomas & Thomas Hoopes:** Subdivision Sketch Plan: Proposal to subdivide one lot into three lots at 856 Pugh Road in Wayne in an R1 Residential District [plan prepared by Site Engineering Concepts, LLC, dated 7-28-08, last revised 12-9-08.]

- Steve Burgo, Township Engineer, said that the application is for a subdivision of one lot into three lots at 856 Pugh Road. He noted that a flag lot will be created in Tredyffrin Township, a triangular lot will be created in Upper Merion Township, and the original lot with the original house will be split down the middle of that house. He noted that the plan will have to be reviewed by both Chester County and Montgomery County. Mr. McCauley asked if any zoning relief would be required. Mr. Burgo responded that the setbacks are being met with the footprints shown on the plan, however, it is unclear as to whether there are any steep slope issues which might initiate zoning relief. Rob Lambert, engineer for the project, stated that the lot in Tredyffrin will actually be very close to the required 30,000 sf . He said that all ordinance requirements would be met in the preliminary plans. He noted that the applicant does not plan to build on the lots now. He just wants to be able to sell in the future if he so chooses. Mr. Lambert asked if the stormwater could wait to be built until a house is built. Mr. Burgo responded that the stormwater management system plan would have to be fully engineered and included in the preliminary/final plan set. The system itself did not have to be built until such time as the house is being built. He also noted that additional survey information would be needed to locate all facilities to the north of the property. Mr. Lambert requested a waiver from submitting a shadow analysis and providing survey data for surrounding properties? None of the Planning Commission members had a problem with waiving the shadow analysis; however, Mr. Burgo said that the applicant would have to provide information on the adjacent properties. He suggested that the applicant contact those owners for permission to survey on their property. Mr. Lambert asked if the plans had to be recorded and an escrow approved

after final approval. Ms. Gleason responded that they did not; however, the ordinance in effect at the time would have to be adhered to when a building permit is applied for.

Action: None

OTHER MATTERS:

Riparian Protection Standards: Presentation of Riparian Protection Standards for the Tredyffrin Township Zoning Ordinance.

- Nathan Walker, from the National Lands Trust, presented a draft ordinance for riparian buffers. There were two versions with slightly different formats. One would become part of the Zoning Ordinance with the other becoming part of the SALDO. The ordinance would set up a Riparian Buffer Conservation District which would be an overlay district applying only to properties with streams on them. The ordinance defines two buffer zones of differing sizes for individual zoning districts. Each zone would require stream protection measures as laid out in the ordinance. Mr. Burgo explained that Tredyffrin Township already has many controls for stream protection in the Flood Hazard District of the Zoning Ordinance and the Erosion, Sedimentation, and Stormwater Control ordinance of the SALDO. The Riparian Buffer Conservation District would serve to protect areas along streams that might not be protected by either of the foregoing documents. Mr. Burgo noted that the intent of the ordinance is to preserve a vegetative cover next to streams to help maintain water quality and prevent erosion. Existing properties will not be affected unless they add more than 500 sf of impervious or disturb greater than 5,000 sf of soil. New subdivisions and land developments will have to adhere to the requirements of the ordinance. This will include the submission of a Riparian Buffer Management Plan as outlined in the text. Mr. McCauley expressed concern about the fine line between protecting waterways and protecting a property owner's rights. He questioned the distances required in the table for the various zoning districts. If a property is in the R3 or R4 zoning district, the entire backyard could be taken up by riparian buffer. Ms. Snyder asked if the Planning Commission members could see maps of the properties that might be affected by the ordinance. She felt that this would give them a chance to see the number and size of the lots which would be very helpful in understanding what the ordinance could mean for property owners. Mr. Burgo responded that they would get copies after they are printed. He also said that a subcommittee would be formed with members from several Township groups in order that the ordinance could be studied and revised before being submitted for further consideration. Mr. Lukens and Mr. O'Leary agreed to represent the Planning Commission.

Action: None

Historic Preservation Plan: Discussion of the revised Historic Preservation Plan.

- Ms. Gleason distributed copies of the plan with PC recommendations highlighted in blue and HARB recommendations highlighted in red. Since the PC is the recommending body, their version will be sent to the County and also to the BOS for final approval. The BOS will also get a copy of the language that the HARB would like to see in the plan. The final version of the Historic Preservation Plan to become part of the Comprehensive Plan will be determined by the BOS.

Action: Recommend the Historic Preservation Plan, as amended by the Planning Commission, to the Board of Supervisors for discussion and approval. Mr. Cooper abstained from the vote.

The meeting adjourned at 9:00 PM.
Respectfully Submitted,

Carol O'Neill
Recording Secretary

PC minutes