

**Tredyffrin Township
Planning Commission Regular Meeting Minutes
August 21, 2008**

A regular meeting of the Planning Commission was held on August 21, 2008 at the Tredyffrin Township Building. Members present included: Sean McCauley , Chairman, Edward C. Sweeney, Libby Brinton, Victoria Snyder, Trip Lukens, Bob Whalen, and Thomas J. Cooper.

Members absent: Giovanni D'Amato, Robert O'Leary.

Also present: Mimi Gleason, Township Manager, John Farrell, Assistant to the 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 Mr. Cooper and seconded by Ms. Brinton to approve the July 17, 2008 regular meeting minutes.

CARRYOVER MATTERS:

Application (#05-07) **Pitcairn Properties**; Land Development Final Plan: Proposal to build a two-story office building on Parcel 11 in Chesterbrook Corporate Center in the OA Office-Apartment District. [Plan prepared by Yerkes Associates, Inc., dated 9-06-07, last revised 8-13-08.]

- Mr. Burgo stated that the plan for Pitcairn Properties was given preliminary approval at the June 19, 2008 Planning Commission meeting with conditions. Since that time, all of the conditions have been satisfied and the plan is ready for final approval.

Action: Motion made by Mr. Lukens, seconded by Mr. Sweeney and unanimously approved to recommend final approval of the above referenced plan.

Application (#19-07) **Devon Vet Hospital**; Land Development Preliminary/Final Plan: Plan to build a 1,511 sf addition and a 1,034 sf open porch onto the existing building at 81 Lancaster Avenue in a C-1 Commercial District. [Plan prepared by Horizon Engineering dated 4-02-08, last revised 7-31-08.]

- Mr. Burgo said that he had been working with the engineer for the project and that all issues had been resolved. The applicant will add an underground seepage bed in front to help reduce stormwater runoff. The Zoning Hearing Board had given a verbal approval to the applicant's request for several variances at their July 21, 2008 meeting. All looks in order for preliminary/final approval.
- Frone Crawford, a neighbor, said that he had gotten a commitment from Dr. Caracand that the noise from the kennel area would be significantly reduced. He did see the revised plans and notes that the dog runs are now fully inside of the building. He asked that the walls be properly built to reduce noise and also that there be no open windows in the kennel area. Steve Romano, attorney for the project, responded that there are no windows on the rear wall which faces the residence of Mr. Crawford. He stated that the kennel area is completely enclosed. There will be some outdoor activity as the dogs will be walked individually on a leash during their stay at the vet hospital. He did agree to put a note on the signed plans submitted for recording stating the following:

1. There will be no windows in the kennel area of the building
2. The walls will be solid and will completely enclose the kennel area
3. The dogs will be walked one on one with a handler in the rear area next to the railroad tracks.

Mr. Crawford felt this would be sufficient to address his concerns.

Action: Motion made by Ms. Brinton, seconded by Mr. Cooper and unanimously approved to recommend preliminary/final approval of the above referenced plan with the above mentioned note on the recorded plan.

Application (#04-08) **Westover Co. - Devon Square**: Land Development Preliminary Plan: Plan to add a 4,848 sf addition onto the Acme building at 700 West Lancaster Avenue in a C2 Commercial District. [Plan prepared by Pennoni Associates, dated 7-07-08.]

- Don Petrosa, attorney for the project, said that the applicant intends to eliminate the restaurant on the site and make it a 2,000 sf pad site as well as add onto the strip store center. He noted that the property is in both Radnor and Tredyffrin Townships. Radnor Township has given the project preliminary approval. Mr. Burgo added that the total addition to the strip stores will be 19,540 sf with only 4,800 sf in Tredyffrin. Parking will be in both Townships, and the stormwater management facilities will all be in Radnor. Because of this, he will confer with them on stormwater but will leave the design and approval to them. Mr. Petrosa stated that he had spoken with the Tredyffrin Township's solicitor about the building and parking being in both Townships and he had said that it was fine. The Zoning Ordinance only requires parking to be considered for the entire lot and that number of required spaces will be met. Mr. McCauley asked how much parking will be in Tredyffrin. Mike Kissinger, engineer for the project, said that 93 spaces were required in Radnor with 122 being provided while 650 spaces were required in Tredyffrin with 629 being provided. The total number of required spaces for the entire lot would be 743 with 751 being provided. Mr. McCauley expressed his opinion that it is not a good idea to build on property lines but said that he would not disagree with the Township's solicitor.
- Ms. Snyder asked the applicant to look into the circulation of the site. She did not feel that it was clear that the driveway into the new retail parking lot was clear, nor did she like the loading dock area at the Acme. It looks like a tractor trailer would have a hard time turning into it. Mike Kissinger noted that the loading dock had been brought up at the Radnor meetings and that it is being looked into. Mr. Lukens and Mr. Sweeney questioned the assessment on the new building and asked who would be doing it. Don Petrosa said that Chester County does the assessment and that each portion of the building would be assessed to the Township it is in. This is done commonly and is not a problem. Ms. Snyder asked if emergency services would be assigned to avoid confusion of who would respond first. Mr. Whalen asked the applicant if they had looked into putting an inlet along Lancaster Avenue near its intersection with Sugartown Road. He noted that a neighbor had expressed concern with flooding that occurs there. The applicant said that they had not considered this for the plans. Mr. Whalen asked them to check and consider putting in an inlet. Mr. McCauley asked if the applicant had considered a green roof to help control stormwater? Guntra Weisenberger said that they had actually talked to Acme about it. Acme seemed very interested and talks will continue to explore the possibility. Mr. Petrosa noted that Radnor has given preliminary and will give final approval as soon as the entrance off of Sugartown Road and the stormwater issues are addressed. Mr. Burgo asked if the stormwater system would be underground and whether it would be an infiltration or detention system. Mike Kissinger said that it had been modeled both ways and a final determination was being worked out with Radnor's engineer. Mr. McCauley said that Tredyffrin would wait for any recommendation until those details have been worked out with Radnor and revised plans are submitted to both Townships.

Action: None

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Application (#07-08) **Forcine Concrete & Construction Co.**; Land Development Preliminary Plan: Proposal to construct a 9,100 sf office/storage building at 2599 Yellow Springs Road in a C2 Commercial District [Plan prepared by Wilkinson & Associates, Inc., dated 7-11-08.]

- Mr. Burgo gave a brief overview of the project. He said that the applicant intends to build a 9,100 sf office/storage building on an empty lot at 2599 Yellow Springs Road. Spott, Stevens, McCoy have sent their review letter to the applicant's engineer. The applicant is here this evening to request that the Planning Commission give a recommendation for the following zoning variances:
 1. Section 208-78.A to allow minimum lot area of 36,294 sf where 37,500 sf is required.
 2. Section 208-78.C to allow impervious coverage of 71% where 65% is required.
 3. Sections 208-103.A(18) and 208-103.A(19) to allow 21 parking spaces where 24 are required.
 4. Section 208-77.E(3) for a special exception to allow a warehouse.
- Ms. Snyder expressed here opinion that the variance for impervious should not be granted because there is not a hardship. The building and parking area could be made smaller to comply.

Action: Motion made by Mr. Sweeney, seconded by Mr. Cooper and approved by Mr. McCauley, Mr. Lukens, and Ms. Brinton to give a favorable recommendation to the Zoning Hearing Board for the above mentioned variances from the Tredyffrin Township Zoning Ordinance. Ms. Snyder voted against the recommendation, and Mr. Whalen abstained.

Application (#09-08) **St. Peter's Church**: Ordinance amendment to permit its facilities to be used for meetings, retreats, or receptions.

- Ned Bleaker, speaking on behalf of St. Peter's Church, explained that the church had attended the Planning Commission meeting in July to request a zoning change or a text amendment to the zoning ordinance to allow them to use one of the church buildings for business meetings, conferences, and other commercial type uses. The Planning Commission felt that a zoning ordinance amendment would be the best way to accomplish this and Mr. Unruh had agreed to write the amendment. The text had been included in the packets sent to each PC member. Mr. McCauley asked if the Township solicitor had seen the text and Ms. Gleason responded that he had not. Mr. Sweeney asked that the language "expanded accessory use" be changed to "commercial enterprise" throughout the ordinance and said that he was OK with the amendment as long as the Township solicitor looks it over before it goes to the Board of Supervisors for final approval.

Action: Motion made by Ms. Brinton, seconded by Mr. Whalen and unanimously approved to recommend that the Board of Supervisors grant final approval of the above referenced zoning ordinance amendment with the condition that the Township solicitor has reviewed and approved the text before it goes to the Board.

NEW MATTERS:

Application (#08-08) **Tredyffrin Township**; Land Development Sketch Plan: Concept Plan for improvements to Westover Park. [Plan prepared by YSM, dated March 2006.]

- Mr. Norcini presented a sketch plan for improvements to Westover Park. He said that the park is a seven acre property at the intersection of East Lancaster Avenue and East Conestoga Road. It has woodlands, wetlands, and slopes. There is a request for bids available now which will be approved by the Board of Supervisors at their September 8, 2008 meeting. The design of the park demonstrates Tredyffrin's commitment to sustainable development. Porous paving will be used along with grass for parking areas. There will be stormwater recharge, LED lights, native plantings, and interpretive signage. He also noted that the park will be plumbed for a bathroom, however, it will not be installed at

this time. Mr. McCauley asked what interpretive signage was and Mr. Norcini responded that it is signs which are educational in nature. They give information about features of the park which support environmental concerns.

- During the discussion about the park, the intersection of East Conestoga and Upper Gulph Roads along Lancaster Avenue came up. Mr. Norcini explained that this was going to be made into a T intersection in order to slow traffic and provide safer pedestrian access. PADOT had denied the Township's request for stop signs at the existing intersection because of the curves. Once it is straightened, stop signs will be installed at all four corners to bring traffic to a complete stop. Mr. Cooper did not agree with the concept.

Action: None

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 f.n. maccord architect, dated 8-05-08.]

- Bill Bryant, engineer for the project, presented a sketch plan for a subdivision at the dead end of Henry Avenue. He stated that lot #5 would remain a single family home while the remaining eight lots would be twins or duplexes. This will require a special exception from the Zoning Hearing Board. Mr. McCauley asked about the stormwater issues in the neighborhood. Bill Bryant said that the water does drain through a swale on lot #9 which is effective in carrying the water away, however, he will be meeting with Mr. Burgo from the Township to resolve all stormwater issues. Each lot will also have an individual underground stormwater basin. He said that there is also a sanitary sewer line on lot #5 which will have to be relocated. Mr. McCauley asked if Maize Hall's house was on lot #5. In light of her contributions to the community, he wants to see if the applicant would consider some way to honor her in the development. Mr. Petrone said that he would be happy to meet with the neighbors to figure this out. Mr. McCauley asked if there would be sidewalks in the development. Bill Bryant responded that there would be. Ms. Snyder asked that the steep slopes on lots #1 & #2 be verified on future engineered plans. Mr. Cooper questioned how everything was going to fit on the lots.
- Tom Frawley, a resident of the area, said that the neighborhood is primarily single family homes; and he would like to see it stay that way. He is concerned that multi-family dwellings will encourage renters. They currently have several college kids renting homes in the neighborhood and it is quite a problem. Mr. Petrone said that the homes would be in the mid \$300,000 range, which he felt would prevent people just interested in renting. He also asked what kind of traffic would be generated by this development. Mr. McCauley asked if the applicant would do a traffic study.
- Christine Johnson, who lives on Mount Pleasant Avenue, said that there used to be a creek behind Henry Avenue and Mount Pleasant Avenue and she asked if any runoff from it during a rain storm would be controlled. She does not have a problem with twins, but wants the scale to be appropriate for the neighborhood.
- Ms. Brinton asked the applicant if he had met with the neighbors. Mr. Petrone said that he would be more than willing to do that. Carol O'Neill will set the meeting up and Ms. Brinton and Mr. Whalen will represent the Planning Commission. Ken Burton, President of the neighborhood association, will be contacted also. Members of the HARB will also be contacted to see if they would like to attend.
- Jerry McVeigh, a resident on Henry Avenue, felt strongly that this project will be a great boost for the neighborhood. The homes will be permanent residences as opposed to rentals which will greatly improve the current situation of having college age renters.

Action: None

PC minutes

OTHER MATTERS:**Stormwater Ordinance:** General discussion of the draft stormwater ordinance.

- Mr. Burgo had presented a draft of the new Stormwater Ordinance to the Planning Commission at their meeting. Some questions had arisen regarding what might be excluded from the impervious coverage calculations. In answer to these questions and other concerns from the EAC or Chester County, the following minor changes will be made prior to going to the BOS. He noted that he was asking the Planning Commission for a recommendation to the BOS for the proposed Draft Stormwater Ordinance with the following changes to be incorporated into the document:
 1. Section 302.B(21) – Reword to say “In situations where approved stormwater management facilities are to be located offsite notes shall be provided on the plans that identify the responsibility for operation and maintenance of all stormwater management facilities. ...”
 2. Section 405 – Combine and reword Sections 405.A(2)a&b into 405.A(2)a, for proposed additional impervious coverage exceeding 500 SF.
 3. Section 405 – Remove Figure 405.1 and add language from existing Stormwater Ordinance Section 301.B(1)f to apply to peak rate and runoff calculations.
 4. Section 405 – Revise equation in Section 405.A(2)c to address Chester County Water Resources comments. Revise to 405.A(2)b per comment above.
 5. Section 803 – delete remaining text after legal ROW of streets.
 6. Appendix B – Consider removing Appendix B and all references for Voluntary Stormwater Management procedures for projects not subject to the proposed Stormwater Ordinance. This information can be utilized in the future and placed on the Township webpage for educational information.
 7. Technical – Add an additional rainfall data table, etc.
 8. Administrative - a few typos and statements requiring clarification were also noted and will be addressed.
 9. Mr. Lukens questioned what would happen to the resident who is just replacing existing driveway. Discussion followed as to what might be exempt from having to do stormwater bmps. Mr. Burgo said that he would draft language to list these exemptions.
 10. **Action:** Motion made by Mr. Cooper, seconded by Mr. Lukens and unanimously approved to recommend draft version of the Stormwater Ordinance to the Board of Supervisors for their review and eventual approval with the condition that it contain final revisions from the Township Engineer to address exemptions from stormwater management.

Comprehensive Plan: General discussion of the draft comprehensive plan.

- Ms. Gleason said that Charlestown Township and the TE School District had written comment letters to the Planning Commission addressing some concerns that they would like to see addressed in the Comprehensive Plan. Charlestown had concerns about the Route 29 slip ramps and the Horseshoe Trail. Ms. Gleason noted that we could find no entity to hold an easement on the trail. The school district had several concerns about the impact of future development on their facilities. They suggested some rezoning to keep the population of school age children down, but Ms. Gleason said that the areas suggested would remain the same as they are now. The school district would also like to have some

land designated for a place to build a new school. Ms. Gleason said that response letters had been sent to both Charlestown Township and TE school district to address their concerns.

- Ms. Gleason said that several editorial changes had been made and more substantive changes had been given to the Planning Commission in their packets. Mr. McCauley questioned whether the historic preservation section of the plan could be adopted later with a note in the plan referencing that. Ms. Gleason said that this would be fine. If after the joint meeting of the HARB and the PC next week, there is agreement on the historic preservation section, it could still be added to the draft which will be sent to the Board of Supervisors.
- Ron Silver, a resident of Chesterbrook, questioned the change in zoning being considered for the Chesterbrook Shopping Center. He did not feel that mixed use, office park, and light industrial were appropriate choices for the shopping center. Ms. Gleason explained that the shopping center was one of the focus areas being considered for rezoning to Community Mixed Use. This type of zoning would allow for residential, retail and small office only. It does not include any form of industrial zoning for the shopping center.
- Jean Shulz, a member of the EAC, said that she was representing that group which had sent a letter stating their position endorsing landscape restoration. She noted several examples where buildings had actually been taken down and the area re-landscaped to restore the natural vegetation or wetlands. Mr. McCauley asked her if she was talking about a transfer of development rights to facilitate this type of redevelopment. Ms. Gleason said that the Township was recommending preserving and protection open space in the Comprehensive Plan but had no plans to do this through acquisition. Ms. Snyder stated that she had worked on the environmental section of the Comprehensive Plan and there were several recommendations to replant, reforest, and to improve streams and their banks. These are landscape restoration projects and also a means to enhance stormwater management systems. Therefore she recommends that landscape restoration be included in the stormwater section of the plan. Mr. Sweeney asked for a definition of landscape restoration. He does not want to endorse the concept until the EAC gives a specific definition. Mr. McCauley asked Ms. Gleason if the idea was to recommend the draft Comprehensive Plan to the BOS this evening. She replied that this is the goal. She also made a note the Board of Supervisors wanted the green routes network to reflect exactly what is in the Park, Rec, and Open Space Plan. They recommend that the Sidewalks, Trail and Path committee than hold meetings around the Township to determine what projects the people want to leave in and which ones they want to take out.

Action: Motion made by Ms. Brinton, seconded by Mr. Whalen and unanimously approved to recommend the draft version of the Comprehensive Plan to the Board of Supervisors for their review and eventual approval.

Township Five-Year Capital Plan: Distribution of early draft of 2009-2013 Five-Year Plan

- Due to the length of the agenda, a draft of the major capital projects for the next five years was distributed with discussion to be held off until the September workshop meeting.

The meeting adjourned at 10:00 PM.
Respectfully Submitted,

Carol O'Neill
Recording Secretary