

TREDYFFRIN TOWNSHIP PLANNING COMMISSION
REGULAR MEETING
MARCH 18, 2010

Members Present:

Robert Whalen, Chairman
Trip Lukens, Vice Chair
Libby Brinton
Michael Broadhurst
J. Thomas Cooper
Sean McCauley
Tory Snyder
Ed Sweeney

Liaison Present:

Staff Present:

Tom Scott, AICP, Assistant Manager
Stephen Burgo, P.E., Township Engineer
EJ Lee, Community Development Coordinator

Call to Order – Pledge of Allegiance

Consideration of approval of meeting minutes of 2/18/10 – approved by voice vote with changes to the attendance record.

NEW MATTERS

01-10 Valley Forge Education Services – Vanguard School / Crossroads School, 1777 North Valley Road - APPLICATION FOR PRELIMINARY LAND DEVELOPMENT APPROVAL: Construction of new cafeteria building, off-street parking spaces and storm water management controls on school campus in the R ½ zoning district.

Mr. Scott briefed the group on the project background.

CFO of Valley Forge Educational School addressed the commission on the background of the school and what the school plans to do through this development project.

The architect addressed the commission with a power point presentation of the project plans including sketch plans and site plans.

Mr. Scott asked the applicant for clarification on the sanitary sewer systems plans. The applicant responded that the current multi-systems will be replaced with one consolidated on-lot system. They hope to replace the existing cafeteria with a new

cafeteria and are expecting an exemption from DEP as they are simply replacing one use for the same use.

Mr. Lukens asked what would happen to the old cafeteria building to which the applicant responded that the building would be converted to another use such as a learning enhancement center.

Mr. Lukens asked if there were plans for change in enrollment in the near future, to which the applicant responded no. The current plans are simply to enhance the current conditions.

Mr. McCauley asked Mr. Burgo if the sewer system on N. Valley Road is using a public sewer system. Mr. Burgo responded that he was not certain.

Mr. McCauley asked the applicant if they would consider connecting to the public system instead of the on-lot system.

Mr. Burgo responded that the long-term plans are for more public connections, and if there are opportunities for this property to try to connect, they should.

Mr. McCauley asked if the addition of the cafeteria and change of the old cafeteria use would increase sewer system use capacity and whether the current system would be able to support the increased usage.

The applicant responded that it is possible that there be increased use, but is not anticipating. The applicant further responded that they will look into the possibilities of such issues and research more into necessary solutions.

Mr. Burgo also wanted confirmation on the third party permits – DEP and NPDES permits. The applicant responded that those permit applications were submitted earlier today.

Mr. Burgo also asked if there were other works proposed for the soccer field on the property. The applicant responded that there were no plans for the field that would impact the soils, but planned to level the slope currently existing on the soccer field.

Mr. Burgo raised a concern for the retention basin planned and would like to look into it more. The applicant responded that the same concern was raised at the ZHB and is something that they are looking into more thoroughly. The applicant also explained that 85% of the storms that hit the area should have no discharge from the basin and it is designed and engineered to control most of the storms that hit the area, and will very likely be able to control some of the larger storms that hit the area on occasion.

Ms. Snyder asked what would happen to the stream with the grading and impervious surfaces next to the parking lot. She requested that the applicant look into landscaping plans for the streams to help protect the stream.

The applicant responded that he would present the landscape plans for the site to the Planning Commission.

Mr. Lukens asked how many parking spaces the applicant is planned for. The applicant responded that there is currently a short-fall in parking spaces – they are 79 parking spaces short of the requirements in the ZO.

Mr. Lukens noted that the ZHB allowed for on-street parking, but needed clarification on how many parking spaces are exactly planned for the site.

The applicant responded that this current phase planned to add 47 spaces and there are additional phases planned for additional parking spaces.

Mr. Scott requested an overall project plan for parking spaces.

Mr. Sweeney raised the issue of the lack of parking spaces on the site now, and also noted that signage was not adequately addressed in the plans, requesting that the applicant address these two issues.

Mr. McCauley noted that the plans quote a 20% increase in impervious surface. The applicant responded that the full long-term plans are to increase the SW Management facilities.

Mr. Whalen mentioned that the EAC would like for the applicant to include shade trees as part of the project.

The applicant requested that a follow up meeting be set up with the Township Engineer to prepare for the next meeting with the Commission.

07-07 WP 851 Associates – 851 Lancaster Ave- APPLICATION FOR AMENDED FINAL PLAN APPROVAL: Final land development approval granted in 2008 for construction of retail building and restaurant building in the C-1 zoning district.

Mr. Scott briefed the commission on the background of the project.

Ms. Shulski represented the applicant. She reminded the commission that the original final plans were approved by the PC back in 2008.

Representative from WP Realty addressed the commission.

Mr. Burgo had two issues:

1. Stormwater management – Mr. Burgo would like the stormwater calculations to be checked through more thoroughly.

2. Traffic signal at the Whole Foods lot – the signal timing needs to be better set for the increase in traffic.

The applicant explained to the commission that they hope to return to meet with commission soon to address some of the issues raised by Mr. Burgo.

Ms. Snyder asked what the landscape of the restoration is planned as it is. Ms. Snyder noted that the current plans for the type of landscape and location is not used effectively.

Mr. Burgo suggested that the area currently planned for landscape be used for something else such as a bio-retention area instead of the current landscape planned.

Ms. Snyder noted that the applicant is proposing 30 evergreen trees to be used as landscape to qualify for the landscape requirements, but evergreens do not qualify, so the applicant would need to request a waiver for this requirement.

Ms. Snyder also suggested that the landscape around the ramp be relocated to cause less conflict for cars.

Ms. Brinton asked if there was parking in front of the buildings on the Whole Food side. The applicant responded that there is parking there. Then Ms. Brinton asked if there was sufficient space for cars to pass through with the parking structures planned the way they are.

Mr. McCauley asked if the applicant would have to apply for a new HOP with the possibilities of change of access point uses. Mr. McCauley suggested possible new traffic patterns for the access points.

Mr. McCauley asked if the applicant was expecting a final approval from the commission at this meeting, to which the applicant responded that they were hoping for one.

Mr. McCauley responded that the current plans for the revisions do not show the grading details of the traffic patterns.

The applicant explained that there is currently a drive aisle on the Whole Food side of the shopping center. The applicant explained that the current plans are to create an easement between the two properties to connect them pending an HOP approval.

Mr. McCauley shared that the intentions of connecting the properties were not clearly indicated on the plans.

Mr. Broadhurst seconded Mr. McCauley's comments on the traffic patterns to provide more control on the flow of traffic by making the traffic go right in and right out.

The applicant responded that this is something that they will be keeping in mind as they continue the plans for the property.

Mr. Whalen pointed out that pushing more traffic back into the Whole Foods area may not be the best options as there are currently heavy traffic flow issues in the area already.

Ms. Snyder seconded Mr. Whalen's comments and suggested that the applicant have better ideas of how to handle this issue.

The applicant plans to come back to the commission with final amended plans to improve on the plans that were already approved by the Planning Commission back in 2008.

Mr. Whalen pointed out that the previous application submitted for this project did not want to create a subcommittee with the PC and Township staff to further discuss the plans with the commission, which dragged out the approval process longer than anticipated. Mr. Whalen requested that the applicant work with the commission and staff further to go over more details of the plans to discuss the plans again at the next PC meeting.

Mr. McCauley pointed out that the plans do not show any lighting plans. The applicant explained that the lighting will remain the same as what was previously approved.

Mr. Cooper asked if the applicant plans to increase the parking in the Whole Food site, to which the applicant responded yes. Mr. Cooper asked if the increase in parking would decrease the driveway, to which the applicant responded that the additional parking spaces would not decrease the driveway by utilizing the extra parcel spaces available for the applicant.

Mr. Whalen requested that the applicant come back at the next meeting that clearly shows the interconnection and also provide some of the details requested at this meeting.

Ms. Brinton pointed out that there are long lines of traffic of cars to get out of the Whole Foods parking lot. Ms. Brinton requested that there be traffic controls to make sure that cars do not cut through the parking lot to get in and out of the shopping center, so would like to emphasize the suggestion to make the entrance a 'right-in', 'right-out' traffic pattern.

OLD MATTERS

07-09 DEVON 50 – 920 North Valley Forge Road -APPLICATION FOR PRELIMINARY APPROVAL: Plan for new ~3600 sq. ft. building. Development includes

construction of a paved walkway and the addition of 2 ADA parking spaces to the existing unpaved parking lot. Applicant is proposing a rain garden as part of the project.

Mr. Scott briefed the commission on the background of the project. He explained that the applicant has provided the commission with a lighting plan, which has already received approval from the ZHB.

The applicant explained that the lighting planned for this project will have no spillover to the neighboring sites.

Ms. Snyder asked how high the lights were – applicant responded 12 feet.

The applicant pointed out two waivers they are requesting:

1. Shadowing survey
2. Survey within 400 feet of the property lines which was discussed with the Township Engineer

The Planning Commission voted to approve the preliminary final plans.

Moved by Mr McCauley seconded by Sweeney and Brinton. All in favor.

15-09 JENKINS – 1550 Mill Road – APPLICATION FOR MINOR SUBDIVISION -

The applicant proposes to subdivide one residential lot into two and create a building lot in the R ½ zoning district.

Mr. Whalen left the room to abstain from involvement with this application due to previous business relations with this applicant.

Mr. Scott briefed the commission on the history of this project. Mr. Scott explained that the Township solicitor explained that the uses for this plan is acceptable as is but that the applicant create a deed restriction for any development on the smaller lot.

The applicant shared with the commission that the property owners were able to obtain old deeds from 1922 and 1925 that indicate that the property was initially 23 acres. The applicant's representative explained that sometime between 1922 and 1925, the lot was conveyed as two separate tax parcels but one legal description, and the legal description has not ever changed in all the deeds for this property.

Ms. Snyder's concern for this project is setting precedence down the line that other applicants might be able to use. Ms. Snyder requested that the approval for this project use specific verbiage to distinguish this project from others so that this project does not set a negative precedence.

Mr. Burgo asked the applicant to confirm that all legal descriptions of this property always describe this property as one parcel, to which the applicant did.

The applicant confirmed a few items of the plan:

1. The Property line – the property line to subdivide the lot used to go around the pool, but the property line is now in an angle – square footage did not change.
2. Site distance to the stop sign on LeBoutillier Rd is 800 feet

Mr. Sweeney commented that although he has some concerns for this project, if the Township solicitor confirmed that this is ok, he's in support of it.

Mr. Scott recommended that the commission make a recommendation for approval for the minor subdivision to the BOS with the condition that notes on the plans for the deed restriction.

Mr. Lukens asked for clarification of the parcel numbers. Parcel# 43-4-160 is the larger lot and Parcel# 43-4-152 is the smaller lot across the road.

Mr. Lukens motioned to make a recommendation for approval for minor subdivision for application # # 15-09 for a minor subdivision of lot number 43-4-160 with the condition that a deed restriction be placed on the smaller lot know as tax parcel 43-4-152. The motion was seconded by Ms. Brinton, which was voted all in favor with Mr. Whalen abstaining.

The applicant requested clarification that the deed restriction only be on the smaller lot as the tax parcel number (43-5-152) may be used for the new lot #1.

Mr. Whalen returned to Chair the remainder of the meeting upon final decision on the application.

OTHER BUSINESS

- Continuation of discussion of draft language for proposed Historic Overlay District Ordinance.

Mr. Scott gave a brief background on the project. Mr. Scott pointed out that this is still an informal discussion of the draft ordinance and a formal review of the zoning ordinance amendment will not take place until after the Township solicitor has reviewed the draft ordinance.

Ms. Snyder has done some research to include incentives for property owners to designate their properties as historic resources.

Mr. Sweeny asked for a clarification of the opt-in condition of the ordinance. Mr. Scott explained that the PHMC noted that the opt-in condition may be problematic for the state, but the Township solicitor may have differing responses for the legality of the opt-in condition.

Mr. McCauley asked under what authority the state supersedes the Township's ordinance.

(Mr. McCauley left the meeting at 9:05 pm.)

Ms. Snyder responded that the state has the authority through the Township's CLG accreditation. She further explained that the state's concerns are legitimate in the zoning regulations under the MPC code but also knows of other ordinances that operate the overlay district through an opt-in condition.

The commission discussed the issues of not including the opt-in condition. Ms. Snyder responded that the opt-in condition of the ordinance be followed in a procedural way through the BOS where there are designated period to opt-in for property owners to amend the zoning ordinance.

Ms. Snyder gave a brief summary of her findings for providing property owners incentives to opt-in to be listed as historic resources in the zoning ordinance such as special uses and conditions for historic resources and relief to special exceptions to surface area coverage requirements.

Mr. Scott suggested that Ms. Snyder's comments be incorporated into the draft for the PC to review at another meeting prior to the Township solicitor's review.

Mr. Broadhurst suggested that a subcommittee be set up to discuss this further to clear up some inconsistencies in the draft ordinance. Mr. Broadhurst asked if there is a possibility in the ordinance that gives the BOS the power to designate certain properties as historic resources regardless of the property owners' choice to opt-in.

Mr. Lukens responded that the main concern was to make sure that the property-owners' property rights be respected to not designate their property for something that they owner does not agree to.

Mr. Whalen thanked Ms. Snyder for her work in compiling the incentives information for the draft ordinance.

Mr. Whalen asked if Mr. Scott would work with Ms. Snyder and Mr. Broadhurst to work on this draft ordinance more.

Mr. Whalen asked who the EAC liaison currently is. In the past, the newest member of the Commission has been designated the role of the EAC liaison, making Michael Broadhurst the newest commission member.

- **Sewer Module Application Review**

Mr Scott discussed the sewer planning module component 4C received from Shoppes at Paoli for a renovation of a building. He advised Chairman Whalen that it was appropriate for his signature.

ADJOURNMENT – 9:30 pm

Next Planning Commission Workshop Meeting:	April 1, 2010
Next Planning Commission Regular Meeting:	April 15, 2010