

TREDYFFRIN TOWNSHIP PLANNING COMMISSION
REGULAR MEETING
May 20, 2010

Members Present:

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

Staff Present:

Tom Scott, AICP, Assistant Manager
Stephen Burgo, P.E., Township Engineer
EJ Lee, Community Development Coordinator
Mimi Gleason, Township Manager
Mike Pilotti, Senior Building Code Official

Call to Order – Pledge of Allegiance – Chairman Whalen called the meeting to order at 7:00.

Consideration of approval of meeting minutes:

April 15 minutes – Ms. Brinton motioned to approve, seconded by Mr. O'Leary. The minutes were approved by voice vote.

Application #02-2010 - 1590 North Valley Road - Sketch Plan review for James T. & James K. Egan – Proposal to demolish two existing single-family detached dwellings to create a 3-lot residential subdivision with each lot having an area of at least 80,000 sf.

Mr. Scott briefed the commission on the background of the proposed plans for the application.

Mr. Angelo Capuzzi represented the applicants who gave a brief summary of the project to the commission.

Mr. O'Leary asked if the proposed cul-de-sac will be private or public to which Mr. Capuzzi responded that it would be private. All the roads within the cul-de-sac and the easements will be privately maintained through an agreement with the property owners.

Mr. McCauley asked about the stormwater management to which the applicant responded that all the stormwater runoff would be collected through a BMP, the details of which will be made at a later time.

Mr. Cooper asked if the 24 ft wide cul-de-sac meets the Township standard to which the application confirmed that it would. Mr. Cooper also asked how parking would be maintained in order to keep the cul-de-sac cleared of cars for emergency vehicles. The applicant responded that one side of the road would remain as a 'no-parking' side for emergency vehicles.

CARRY-OVER MATTERS:

Application #13-2009 Berwyn Squash & Fitness Club - Land Development Sketch Plan

625 Cassatt Road, Berwyn. Proposed 5,472 sf. addition on the building, off street parking expansion with 11 gravel parking spaces and storm water management facilities in the R1 Zoning District.

Mr. Burgo gave the commission a brief summary of the background of the application and the discussions from the previous planning commission meeting where this applicant was on the agenda. Stormwater management was a topic of issue at the December PC meeting.

Nave-Newell is the engineering firm that represented the applicant. The applicant shared that new BMP's have been proposed for the plans including two rain gardens, and an expansion of the parking area with 11 gravel spaces.

Mr. Burgo voiced that the new stormwater BMP's are improvements to the previous plans and went over the requirements of the Township stormwater ordinance which this plan will be reviewed further to make sure the applicant complies.

The current plans propose 11 new stone parking spaces, and Ms. Snyder asked if there were any considerations for porous paving for the entire parking lot. The applicant responded that the areas directly around the building probably could not use porous paving but the other areas would be considered.

Ms. Brinton asked Mr. Burgo if the proposed stormwater management plans are sufficient for this site to make sure that the neighborhood surrounding the site would not be negatively affected by this addition. Mr. Burgo responded that the plans are still in the sketch plan level and there will always be stormwater runoff, and although these proposed plans would not be a perfect solution to all, it will catch a majority of the excess stormwater runoff from the addition.

Mr. Carl Ippoliti at 708 Westwind Drive asked the commission what the definition of a 100 year rain storm, to which Mr. Burgo responded that they are heavy rainfalls that take place rarely but heavily.

Mr. Ippoliti voiced a concern about the possibility of insufficient parking that may further damage the property to exacerbate the runoff problems. Mr. Ippoliti also asked how the raingardens proposed for the site would be an effective method of BMP to which the engineer representing the applicant responded and confirmed that the water collected by the raingardens would be gone within 72 hours to make sure mosquitoes do not collect around it. Mr. Ippoliti also asked if soil samples were taken yet, to which the applicant responded it has not yet been taken. Mr. Ippoliti also asked if safety measures have been taken for the systems, to which the applicant responded that they have been taken.

Mr. Ippoliti read a portion of the Township ordinance HR375. He further explained that the stormwater runoff pipes running through his property and his neighborhood's property was clogged with sporting equipment and there are issues with the easement that the property owner is using to expand

Mr. Don Barnett voiced his concerns for the stormwater runoff and asked why PECO, who owns the majority of the property is not present at the meeting to answer to these concerns. He further voiced his concerns about the noise that the club reverberates to the neighborhood.

Mr. Hughes, the owner of the club responded that the club is currently insulated except a back wall which is not, which he hopes to be insulated with this new addition.

Mr. John Kelly voiced his concerns about the capabilities of the basins to catch the excess runoff from the additional impervious coverage. The applicant engineer explained that the excess runoff would not over-exhaust the proposed basins due to the other BMP's proposed. The engineer representing the applicant explained the other methods of stormwater management for the excess runoff.

Mr. Ippoliti asked the applicant if the runoff would affect the septic tank nearby, to which the applicant responded that the septic tank is 80 feet away and would not be adversely affected.

Mr. Henry Fix of 756 Westwind Drive explained to the commission that a part of the excessive runoff is coming from the Berwyn Squash Club and another part is from Cassatt Road. Mr. Fix asked if the commission would take the Cassatt Road runoff into consideration for the stormwater issues in the neighborhood. Mr. Burgo responded that Cassatt Road is a PennDot road and any work done on this road that created more runoff into the neighborhood is out of the Township's hand.

Mr. Fix asked what the Township would be willing to do for these runoff problems for this neighborhood. Mr. Burgo responded that he has reviewed and visited these sites

and recognizes a natural flow of water that runs through this area which is blocked from flowing due to all the developments throughout the years. As for the applicant's attempts of stormwater management, Mr. Burgo explained that this is still an early stage of planning and still has to undergo engineering reviews.

Mr. McCauley asked if the applicant would have specific vegetation requirements they have to abide by for stormwater management.

Mr. Burgo responded that PECO did not want to have large trees along the PECO lines which is the reason for the removal of a lot of the trees and large growth in the area.

Mr. Broadhurst asked the commission about a possibility of a stormwater management system between the club and the neighborhood through the use of a swale or a pipe which would have to be done through a collective easement of the neighbors.

Mr. Broadhurst asked if the issue of the easement is still an ongoing issue, to which Mr. Hughes explained that the issue of the easement was an explorative one and have already done a lot of the stormwater management requirements and more to improve the current situation. Mr. Hughes further shared that if there are more runoff issues after all the new stormwater measures are implemented, he would be happy to further discuss this issue.

Ms. Harris of 650 Westwind Drive explained that there are runoff issues resulting from the club, but that is only a part of the runoff problem – the neighborhood faces stormwater runoff from the PECO property that needs to be dealt with by PECO. Mr. Harris also asked the commission to take into consideration of light pollution and noise pollution resulting from the club.

Mr. Harris of 650 Westwind Drive explained that when a soil test was conducted in the neighborhood many years ago, all the soil tests in that neighborhood failed, so he ask that when a soil test is conducted for this application, the Township closely monitor the test. Mr. Harris further asked the commission what the commission would propose if the stormwater management methods of this application do not work.

Mr. Burgo shared with the commission that the soil tests conducted on the sites have not yet formally been submitted.

Mr. Whalen asked Ms. Gleason if there was any way that PECO could be involved with the project. Mr. Whalen asked if Mr. Hughes has a contact for PECO to get a hold of someone who can answer to the questions of vegetation removal. Mr. Hughes responded that he is not sure if PECO would be willing to come in and meet with the commission and the neighbors to discuss the issues.

Mr. McCauley asked what the obligations of the lease is that the club has with PECO. Mr. Hughes responded that he is not sure of the obligations and that the club has a lease with PECO up to 2043.

Mr. McCauley shared with the commission that he would get in touch with his contacts at PECO to try and get something going.

Ms. Brinton asked about a waiver that was granted in 2001 for this property. Mr. Burgo responded that the Township staff would research the topic.ⁱ

Application #07-2008 – Forcine Concrete – Preliminary Approval

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, last revised.]

Mr. Burgo briefed the commission on the background of the application.

The applicant addressed the commission with the newest stormwater management improvement plans for the application. He also pointed out the additional parking facilities that were added to the plans.

Ms. Snyder asked if there were any waivers needed for the landscaping requirements as the plans do not specify what landscaping will be used towards the requirements. The applicant responded that the information for the landscaping would be provided to the commission. Ms. Snyder responded that the applicant be clear with the vegetation plans to make it clear whether a waiver for landscaping is required or not.

Mr. Burgo explained to the commission that the proposed stormwater management plans for the application is sufficient at this time.

Mr. Scott addressed the commission on a few items that need to be addressed between now and the final approval such as the PennDot HOP review and the expiration of the Zoning Hearing Board approval.

The applicant addressed the commission that after looking at the plans, the applicant would probably have to request a waiver for some of the requirements.

Mr. Scott asked if what is presented in the plans is intended to meet the requirements or if the proposed is what is planned, to which the applicant responded that what is currently proposed is what will be presented for approval and waivers would be requested.

A motion was made by Mr. McCauley, seconded by Mr. Sweeny to preliminary approval for application #07-2008 to construct a 9,100 square foot office/storage building at 2599 Yellow Springs Road in a C2 Commercial District [Plan prepared by Wilkinson & Associates, Inc., dated 3-18-10, last revised.] with the following conditions:

The landscaping plan comply with all the conditions and requirements listed on the Township Subdivision and Land Development Ordinance (SALDO). If the applicant wishes to request waivers for any of the landscaping requirements listed under the SALDO, those waiver requests must clearly be identified in updated plans to be submitted to the Township Planning Commission.

OTHER BUSINESS

- Historical Overlay District Draft Zoning Ordinance Amendment – Update Discussion.

Mr. Broadhurst shared with the commission on the progress of the review of the draft historic preservation ordinance touching on the topics of “opting in” or “opting out” for historic preservation designation.

Mr. Lukens raised the concerns of “opting in” or “opting out” under the zoning ordinance as properties do not have the option to opt in or out of a zoning district designated by the municipality.

Mr. Scott explained that if the PC wants to make a recommendation for the “opt-in” or “opt-out” portion of the ordinance, the commission can do that and submit it to the Township solicitor for his review who would be able to further make a determination on whether this would be allowable.

Mr. Broadhurst recommended that all the incentives listed from page 7 and on be deleted from the ordinance or be revised if they are to remain in the ordinance.

Ms. Snyder asked why the incentives should be removed from the ordinance as they are necessary for homeowners to participate in the historic preservation. Mr. Broadhurst responded that he would look into the incentives further to make any necessary revisions to be a part of the ordinance.

Mr. McCauley suggested that before any draft leaves the commission, the draft be thoroughly revised to make sure everything is in order without any flaws.

The commission suggested that the property owner who chooses to opt-in would have to designate on their deed, and a copy of the deed would be kept in file at the Township Building.

Mr. McCauley asked Mr. Scott how this ordinance protects the public health to which Mr. Scott responded that the municipality incorporates the protection of the public health, safety and welfare into all ordinances that stem from its police power.

The commission further discussed the Secretary of Interior’s standards for rehabilitation of historic preservation in the ordinance.

The commission will further discuss the draft ordinance before making any recommendations.

Mr. Whalen asked that the subcommittee further review the draft ordinance.

Ms. Gleason suggested that if the Sec. of Interior's verbiage is to be included, to just reference the standards but not include them in the actual ordinance, but should use these standards in the review process to see what the actual standards are.

ADJOURNMENT – 9:20 pm

Next Planning Commission Regular Meeting: June 17, 2010

DECISION

AND NOW, May 23, 2002, the application of PECO ENERGY COMPANY, and BERWYN SQUASH & FITNESS CLUB, INC. for a special exception pursuant to Section 208.99.B.2 (Extensions) of the Township Zoning Ordinance to extend a non-conforming use previously authorized by special exception and a variance from the provisions of Section 208-21.D[4] (Required Front Yard) of the Township Zoning Ordinance to construct an addition within the required 100 foot front yard setback at 625 Cassatt Road, Berwyn (Tax Parcel #43-10-29) in an R-1 Residence District is GRANTED, subject to the condition that the construction and improvements shall be in conformance of the plans, specifications, testimony, and evidence presented before the Board.

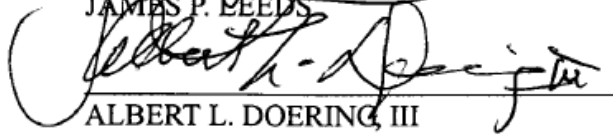
ZONING HEARING BOARD OF
TREDYFFRIN TOWNSHIP



F. ARNOLD HELLER



JAMES P. EEDS



ALBERT L. DOERING, III