

**EAST BRANDYWINE TOWNSHIP PLANNING COMMISSION
REGULAR SESSION**

Wednesday, January 6, 2016 - 7:30 PM

Those in Attendance:

Mr. Bruce Rawlings, Chairman
Mr. Ronald Fanelli, Vice-Chairman
Mr. Michael Corbin, Member
Mrs. Nancy Frame, Member
Mr. Michael Wagoner, Member
Mr. James Buczala, Member
Mr. Jonathan Wright, Associate Member
Mr. Scott T. Piersol, Township Manager
Mr. Mark Padula, Township Engineer
Mrs. Mary Beth Smedley, Secretary/Treasurer

Absent:

Mr. Charles Giordano, Member

Opening of Meeting

Mr. Rawlings opened the meeting at 7:30 P.M. with a Salute to the Flag

Planning Commission Minutes – December 2, 2015

Mr. Rawlings asked if there were additions or corrections to the minutes. Mr. Rawlings made a motion to approve the December 2, 2015, minutes, as presented. Mr. Wagoner seconded the motion, with all voting Aye.

Marone Zoning Hearing

The East Brandywine Township Zoning Hearing Board will meet on Tuesday, February 2, 2016 to consider the application of Stephen Marone to construct a 750 square foot accessory dwelling in the basement for his mother. He is seeking a Special Exception from the Section 399-91 of the East Brandywine Township Zoning Ordinance.

Mr. Marone is proposing to construct a 2,791 square foot detached single family dwelling for himself and a basement accessory dwelling for his mother. The proposed dwelling will create impervious cover of approximately 5.8% with a total impervious area of approximately 7.5%. The accessory dwelling will be located in the basement and therefore will not be visible from public view.

In addition to the Zoning Hearing application the applicant has submitted a building permit, which is being reviewed by Building Inspector Jeffrey Cantlin and a stormwater management application, which is being reviewed by Cedarville Engineering. The stormwater management plan will be designed for 12% impervious, the maximum allowed in the R-2 Zoning District. Approval of both permits must be obtained prior to construction or earthmoving activities. The

accessory dwelling will have access to the main house from the first floor and the garage. The accessory structure/basement will also have direct access to the outside.

Mr. Rawlings asked Mr. Marone about the extent of tree clearing on the lot. Mr. Marone said that some trees would be cleared for the house, driveway and septic system. He expects that approximately 31,000 square feet of the property will be cleared during construction.

The applicant has agreed to record a Memorandum of Zoning Hearing Board decision as notification to future property owners that the accessory dwelling has restrictions, specifically limiting the number of occupants to two persons and one of the two occupants must be related by blood, marriage or adoption to the owners of the principal residence and one of the two dwelling units must be occupied by the owner of the lot.

The Planning Commission unanimously supported the application with the condition that the applicant complies with all items in the December 29, 2015 Yerkes review letter, all representations made in these minutes and record a Memorandum of Zoning Hearing Board Decision with the conditions outlined above.

Gladwyne BH Investments, LLC – Watters Tract Sketch Plan/Waiver Requests

Mr. Don Sample from Land Development Services, LLC, Robert Flinchbaugh, PE from Nave Newell, Michael Braver from MAB Investments and Gregg Adelman, Esq., attorney for the applicant, attended the meeting to discuss a sketch plan of the Watters Tract and waivers that the applicant is requesting.

The Watters Tract, consisting of approximately 41.5 acres, is situated on the northeast side of Horseshoe Pike near the intersection of Horseshoe Pike and Bollinger Road in the R-3 Zoning District. The tract has frontage along both Horseshoe Pike and North Guthriesville Road and is a predominantly open lawn/meadow area, sloping moderately, generally from the north to the south.

The sketch plan proposes a 167-unit townhouse clustered residential development that will be serviced by a road and alleys with some on-street parking spaces. Areas have been designated on the plan for sewage disposal and stormwater management. Preliminary site grading has also been provided.

Francis Newhams, MCP, the East Brandywine Township Zoning Officer, issued a Preliminary Opinion Letter dated September 30, 2015. In his letter, Mr. Newhams stated that the proposed townhome residential cluster development did comply with Section 399-37.E(3).a of the East Brandywine Township Zoning Ordinance. With regard to the minimum net lot area, and a planned community, Mr. Newhams determined that they are permitted in the proposed townhouse residential cluster development requested for this site.

The applicant is requesting the following waivers from the Subdivision and Land Development Ordinance:

1. Section 350-53.D.(1) – All grading and earthmoving on slopes exceeding 15% shall be minimized; and

Section 350-53.D(3) – Grading or earthmoving on all sloping lands of 15% of greater shall not result in earth cuts or fills whose highest vertical dimension exceeds 10 feet, except where no reasonable alternatives exist for construction of public roads, drainage structures, and other public improvements, in which case such vertical dimensions shall not exceed 20 feet. Finished slopes of all cuts and fills shall not exceed 3:1, unless the applicant can demonstrate that steeper slopes can be stabilized and maintained adequately.

Mr. Sample explained that the area where the roadway will align with Bollinger Road at Rt. 322 is very steep. However, this is the most appropriate location which will create a 4-way intersection. The existing driveway to the adjacent property to the west will be abandoned. Mr. Sample isn't sure whether or not the existing house will be demolished. Mr. Padula is recommending that these waivers be granted so the intersection can be aligned. So as to avoid confusion with 911, the roadway is tentatively named Warren Lane.

Mr. Sample indicated that the new intersection will comply with the Subdivision and Land Development Ordinance. The roadway will be two lanes and is proposed to be dedicated to the Township. All other roads/alleys within the development will be private and maintained by the Homeowner's Association. On-street parking will be prohibited on Warren Lane and appropriate signage will be installed.

The applicant said that two styles of townhouses will be offered; one with a front garage entry and the other with a rear garage entry. Stop signs will be installed at each alley intersection. Sidewalks will be installed within the development; some will connect to a central open space area. Some of the sidewalks in the alleys are shown with additional driveway aprons. It was suggested that a trail system connect to the proposed Giant shopping center.

Mr. Fanelli asked where trash will be picked up since trash trucks may be too large to access the alleys. Mr. Sample said that issue would be addressed during review of the preliminary plans.

The Planning Commission unanimously supported these waiver requests.

2. Section 350-29 – Lots and lot sizes.
 - a. Section 350-29.H – On a cul-de-sac street, no more than three driveways may front or obtain access from the bulb portion of the cul-de-sac or its return radii.

There are two intersections with large broad-axe designs. However, there are no proposed cul-de-sacs on the plan. No parking will be permitted on the broad-axe roads and signage will be installed.

Mr. Padula suggested that this section of the ordinance does not apply to the plan so a waiver is not needed. The Planning Commission agreed with Mr. Padula's assessment.

- b. Section 350-29.B – Except as provided in Subsection F, all lots shall have frontage on and direct access to a street, existing or proposed.

Although the proposed units do not have direct access to a street and some units do not have frontage on a street, all units have frontage on an alley. Eight alleys are proposed and construction and paving will comply with the zoning ordinance. However, the specifications for width and right-of-way will not meet the definition for a road.

Mr. Wagoner suggested that proposed Warren Lane be a private road rather than dedicated to the Township. Mr. Sample thought maintenance of this road might be cost-prohibitive for the Homeowner's Association and the connector road is shown at the suggestion of Township consultant. Mr. Piersol took no issue with accepting dedication of Warren Lane since it is a connector road.

Mr. Padula indicated that it was previously determined that this section was not applicable so no waiver is needed. The Planning Commission agreed with Mr. Padula's assessment.

- c. Section 350-29.G – For any lot proposed to front on the curved portion of a street, including a cul-de-sac street, the required minimum lot width must be obtainable at some point on the lot measurable on a line generally parallel to the street and at a radial distance from the street line which shall be dimensioned on the plan and which shall be deemed the setback line for the lot.

Since the project is being developed under the Uniform Planning Community Act and does not propose lots, it was determined that this Section is not applicable for the proposed layout. The HOA is responsible for everything external to the structure such as landscaping and maintenance of alleys. Mr. Sample described the townhouses as a fee-simple conveyance. The Planning Commission agreed with this assessment.

3. Section 350-33.B – To insure adequate sight distance, minimum center-line radii for horizontal curves shall be as follows:
 - a. Local streets: 250 feet.

b. Collector streets: 750 feet.

c. Arterial streets: 850 feet.

Warren Lane has been designed using minimum horizontal curves required for local streets. There are no minimum curve requirements for alleys. The applicant has provided information using an HP95 truck as a template, that demonstrates the fire trucks will be able to maneuver through the alleys and that the alleys will provide clear sight triangles. In fact, the template used is conservatively large for the size trucks that the Fire Company currently uses and is adequate for a larger truck. This information has been reviewed by Mr. Piersol and he concurs with the applicant's assessment. Mr. Rawlings asked Mr. Piersol if the Fire Company was planning to purchase a fire truck larger than the template size used. Mr. Piersol said he was not aware of any plans to purchase a larger truck.

Mr. Padula and the Planning Commission support this waiver request.

4. Section 350-40 – Driveways.

a. Section 350-40.B – All driveways shall contain a reasonably straight length of at least 40 feet, measured from the cartway edge of the intersecting street and extending inside the lot.

Mr. Sample said that this portion of the ordinance contradicts the zoning ordinance which requires a 20 ft. front yard setback. Although initially Mr. Padula indicated that this section of the ordinance wasn't applicable, the Planning Commission, with Mr. Padula's support, recommended the Board of Supervisors grant a waiver. It should be noted that in recommending the waiver, the Planning Commission did not indicate their agreement with the applicant's opinion regarding whether there is a contradiction in the ordinance.

b. Section 350-40.I – No center line of any driveway shall be closer than 100 feet to the center line of the road cartway, measured from the center line of the driveway where it intersects with the road cartway and the center line of the parallel center line of the street intersection.

Before making a recommendation to the Board, the Planning Commission suggested that the applicant submit a traffic routing plan for their review. Discussion of this item was tabled until the preliminary plan is submitted.

c. Section 350-40.N(1) – For residential driveways, a minimum radius of five feet, or the drive shall have a flare constructed that is equivalent to this radius at the point of the intersection with the cartway edge.

The applicant has provided five foot radii for the outer edge of driveways serving end

units with the remainder of the driveway edges meeting the roadway without a radius.

Mr. Padula and the Planning Commission support this waiver request.

- d. In order to provide adequate turnaround maneuverability from residential properties, all new driveways shall be provided with a minimum L-shaped backup area of thirty-foot width and thirty-foot length and fifteen-foot turning radius.

As previously discussed, according to the applicant there is a conflict in the ordinance which requires a forty foot driveway length when the zoning ordinance only requires twenty feet. It should be noted that in recommending the waiver, the Planning Commission did not indicate their agreement with the applicant's opinion regarding whether there is a contradiction in the ordinance.

Mr. Padula and the Planning Commission unanimously supported this waiver request.

5. Section 350-39.D – A private street shall provide access to not less than four nor more than six lots.

As previously discussed, it has been determined that the plan shows one large lot with townhouse being accessed by alleys.

Mr. Padula and the Planning Commission unanimously supported this waiver request.

6. Section 350-41 – Alleys, service streets and emergency access routes.

The applicant proposes alleys to serve as primary access to the front of the proposed units. It is Mr. Sample's opinion that this is a better design, move traffic off the public streets and minimizes the impervious cover.

Mr. Padula and the Planning Commission unanimously support the waiver.

The following are general comments made by the Planning Commission for the applicant to consider:

Mr. Rawlings asked if the alleys would support two-way traffic. Mr. Sample said that there would likely be two-way traffic on the 2 outside alleys and the one farther north. This will be discussed once the preliminary plan is submitted.

Ryan Homes will be the developer of the property. However, Gladwyne BH Investments will be involved and will take the lead through land development and be involved through the entire development phase.

The proposed townhouses will have 3 stories; Mr. Sample was unsure of the height. Mr. Wagoner suggested that the applicant use a variety of facades.

Mr. Rawlings suggested that the applicant show tot lots and children activity areas on the preliminary plan.

Mr. Buczala stated that there is an historic building on or near the property and suggested that the applicant be prepared to address the Zoning Ordinance Sections related to Historic Resources.

The Planning Commission would like the applicant to address a pedestrian connection to the proposed East Brandywine Center.

Mr. Fanelli suggested that the applicant contact the Downingtown Area School District about school bus access and bus stop locations. He also suggested that the applicant consider installing a bus shelter.

Mr. Sample was asked about the target population. He thought this question should be answered by Ryan Homes. Mr. Wright said that there is a similar development built by Ryan Homes in Sadsbury Township.

An earthwork analysis should be completed for Warren Lane.

There are two dead-end alleys. The Planning Commission suggested that the applicant consider some sort of turning radius at the end of each alley.

Mr. Wagoner said that there will be massive grading at the entrance and retaining walls may be needed to minimize disturbance.

Mr. Wagoner said that the basins should be more natural looking and have less excessive cuts.

Mr. Sample said that he would attend the January 20th Board of Supervisors meeting to discuss the waiver requests and the Planning Commission's recommendations.

East Brandywine Center

The applicant has provided an extension to review the land development plan until February 29, 2016. Since the Planning Commission is only reviewing the preliminary plan they should be asked to provide an additional extension to review the land development application.

The Planning Commission is concerned that the 4' x 4' planters, even if they are protected by 6" concrete curb, are inadequate for the root systems of the trees and afford little protection from the damage done by vehicles, and in particular snow plow operations. The applicant will need to provide an Operation and Maintenance Agreement with the Township which stipulates the requirements for all BMPs, including pervious paving.

Mr. Rawlings and Mr. Wagoner are concerned that that the 7 tree locations in the parking lot are not conducive to planting areas.

Mr. Rawlings asked that 8' x 16' parking spaces be labeled.

A blanket easement should be provided along the western property border to allow for the connection of a pedestrian walking trail to be provided by the developer of the Watters farm project.

Mr. Rawlings asked that a sidewalk be shown along Horseshoe Pike and on the western side of the driveway.

North Guthriesville Road should be no left turn in/no left turn out from Rt. 322.

There should be a tie-in stub to the existing shopping center. Mr. Rawlings would like the applicant to clarify how this will be done and who will construct/maintain it.

These comments should be incorporated into Mr. Dobson's next review letter as well as all of the comments in his November 25th review letter.

The Learning Experience

Mr. Buczala stated that a Historic Resources Impact Study has been submitted to the Historical Commission. However, a visual Impact Study is still needed. The Planning Commission and Historical Commission would like a better understanding of what the building will look like from the Village of Guthriesville and both Committees remain concerned about the visual impact of the building to the Village of Guthriesville, as a whole, as it is approached from the west along Rt. 322. The Planning Commission and Historical Commission feel it is important to protect the view sheds as much as possible.

Mr. Rawlings asked for a status up-date on the sidewalks. It is ultimately up to the Hopewell HOA and their residents whether they are interesting in having a sidewalk installed from their development to the Sunoco Convenience Store.

Whether there is sufficient area to turn into or out of Hopewell Road will be determined as part of the PennDOT Highway Occupancy Permit submission.

Pulte Phase 5B

The Board of Supervisors has approved a Settlement Agreement with Pulte for 5B. As part of the agreement Pulte will be contributing funds towards traffic improvements. A copy of the agreement will be forwarded to the Planning Commission for their review.

Pulte has not submitted a land development plan for Phase 5B. However, Yerkes is reviewing plans for a culvert crossing. Mr. Piersol also said they need to provide information details on proposed retaining walls at the stream crossing.

Ordinance Task Force Items

Mr. Rawlings made a motion to authorize re-submission of the Riparian Buffer regulations in the Zoning Ordinance to the Chester County Planning commission for their Act 247 review. Mr. Wagoner seconded the motion, with all voting Aye.

Public Comments

Mr. Rawlings asked if there were any public comments. There were none.

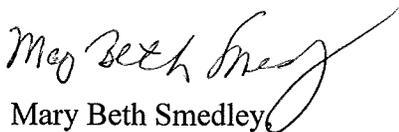
Next Meeting

The next Planning Commission meeting will be held Wednesday, February 3, 2016, at 7:30 PM.

Adjournment

There being no further business, Mr. Wagoner moved to adjourn the meeting at 9:20 PM. Mr. Corbin seconded the motion, with all voting Aye.

Respectfully submitted,



Mary Beth Smedley
Secretary/Treasurer