

EAST BRANDYWINE TOWNSHIP PLANNING COMMISSION
REGULAR SESSION
Wednesday, March 2, 2016 - 7:30 PM

Those in Attendance:

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

Opening of Meeting

Mr. Rawlings opened the meeting at 7:30 P.M. with a Salute to the Flag. There were twelve visitors present.

Planning Commission Minutes – February 3, 2016

Mr. Rawlings asked if there were additions or corrections to the minutes. Mr. Wagoner made a motion to approve the February 3, 2016, minutes, as presented. Mr. Fanelli seconded the motion, with all voting Aye.

Pulte Phase 5B – Preliminary Plan Review

Pulte Homes proposes to develop a portion of property included in Phase 5B of the Applecross Development. The proposed development is to be designed in accordance with the Settlement Agreement dated December 3, 2015 between Pulte Homes and the East Brandywine Township Board of Supervisors and per the Township's Zoning Ordinance and Subdivision and Land Development Ordinance in effect on September 17, 2014.

The proposed tract of land to be developed consists of 27.2749 acres and is situated on the east side of Bondsville Road, approximately 1,200 feet south of the intersection of Horseshoe Pike and Bondsville Road. The parcel is located within the R-2 Zoning District within the TND-2 Traditional Neighborhood Development Overlay. Prior to this submission, a site access had been constructed leading from Bondsville Road into the property. Additionally, there is a plan for the installation of a culvert and retaining walls to carry the proposed access road across a stream traversing the site.

The proposed development will consist of ninety-one townhouse dwelling units contained within seventeen buildings. The development will be served by public water and sewer will be provided through the East Brandywine Township Municipal Authority via the Applecross Sewer

Treatment Plant. The Settlement Agreement provides relief from certain Township Zoning and Subdivision and Land Development requirements.

Alyson Zarro, Esq. attorney for the applicant, Mr. Jim Mullen from Pulte Homes, Mr. Dan McKenna from Wilkinson and Associates, and Mr. Chris Garrity from Glackin, Thomas Panzak attended the meeting to discuss the preliminary plan.

Ms. Zarro explained that Pulte Homes had submitted a Conditional Use application and ultimately entered into Settlement Agreement with East Brandywine Township on which this plan is based. The property located off Bondsville Road, south of the Village of Guthriesville, will have a boulevard entrance. A loop road (Road A) showed the majority of dwelling units with some courtyard areas. The plan shows 91 townhouse units. The plan shows several amenity areas, at the suggestion of Township Consultant Thomas Comitta. The applicant is providing an easement area for the proposed East Reeceville Road extension, which will extend to the McCausland Tract.

Mr. Garrity described the proposed landscape plan. The boulevard entrance shows a tree lined street. Utilities originally shown in front of some of the townhouse units have been relocated so that trees can be planted along the street. There are three public gathering areas with arbors and trellises and nearby mail kiosks. Parking is not designed specifically for mail pickup, but there are close by areas that can be used for that purpose. There were three additional passive recreation areas with BMP's (basins and swales). Mr. Rawlings asked if there were playground areas for children. Mr. Garrity said there were only passive recreation areas, which are based on the Guthriesville Village Manual of Written and Graphic Design Guidelines.

There is no emergency access shown on the plan. On the sketch plan originally shown to the Planning Commission there was an emergency access road from Bondsville Road. Instead, the plan now shows a boulevard entrance, which, according to Mr. McKenna will be wide enough so that two vehicles can pass on one side in the event one of the lanes is closed or blocked. The boulevard will have a right-of-way width of 50 feet with two 12-foot wide lanes and one 8-foot wide median. The emergency entrance is eliminated, but will be used as a construction access that will be removed once construction of the bridge/culvert is complete. In their March 1, 2016 review letter, the Chester County Planning Commission recommended that the applicant construct an emergency access as well. The Planning Commission remains concerned about safety issues since there will only be one entrance until such time as the East Reeceville Road Extension is constructed.

Pulte has agreed to contribute \$750,000.00 to the Township, as a traffic impact fee for the design and construction of the East Reeceville Road Extension conditioned upon approval to allow for construction of a minimum of 91 dwelling units. This contribution will be pro-rated and payable at the time of issuance of a building permit (\$8,241.75 per unit). Other than payment of the contribution and providing the easement, Pulte will not be responsible for off-site traffic improvement other than what has already been agreed upon for other phases of the development. Ms. Zarro estimated that if the fee were based on trip generations it would be approximately \$100,000.00.

The applicant will be responsible to pay a fee in lieu of open space. Mr. Buczala asked if the drainage swale is part of the proposed open space plan. Mr. McKenna said that it was not. Ms. Zarro said that the TND-2 overlay requires a plan to provide 20% common open space; this plan has 61% open space.

Mr. Rawlings asked the applicant to clarify the location for school bus pick-up and drop points. Ms. Zarro said that Mr. Creeger is working with the Downingtown Area School District to determine the safest location for school bus stops. There are no sidewalks along the boulevard road leading to Bondsville Road.

The Planning Commission remains concerned about the large mounds of dirt/fill on the property. It appears that dumping of asphalt and concrete is also taking place. The Township has contacted Pulte on several occasions since it appears that proper E & S controls are not in place. Mr. Corbin remarked that it is inappropriate to bury concrete and asphalt. Mr. Rawlings said that the dumping next to the dirt mound should be cleaned up immediately. Mr. McKenna said he would investigate this.

The proposed culvert has been previously approved and an escrow has been posted for its construction. Mr. Wagoner said that he would prefer a bridge. Ms. Zarro said that would be difficult because the culvert is already permitted.

Mr. Kummer will conduct a site inspection to review the landscape plan. Mr. Garrity will coordinate this visit. Mr. Wagoner asked Mrs. Smedley to let him know when the site visit will take place so that he can attend the meeting as well.

The applicant will demonstrate that sewage disposal is provided. Mr. McKenna is working with Municipal Authority Engineer Joseph Boldaz on the connection and sewage disposal area.

Typically, when there is riparian buffer and wetland disturbance it is replaced in another area on the site. Mr. McKenna said that is the case for this plan. However, some of that area has been relocated in the easement area for the proposed East Reeceville Road extension. If the road is built, there are no additional replacement areas on the property.

Mr. Corbin asked about a swale proposed between one of the two of the buildings and asked whether it would normally be dry. Mr. McKenna said that it should be dry, but if there is ponding, it will be easemented off. Mr. Corbin said that it might need to be fenced off if there is water in it. He also commented that if any of the larger basins hold water to a certain depth they might need to be fenced as well.

The Homeowner's Association will be responsible for maintaining the open space. Maintenance will include mowing, landscaping, maintaining roads and snow plowing.

There are no sidewalks connecting to the Village of Guthriesville. A trail or sidewalk could be constructed through the easement area, but would be the responsibility of the Township or future homeowner's association.

Mr. McKenna stated that a snow removal plan, which was briefly reviewed by the Planning Commission, will be made part of the HOA documents. Mr. Wagoner said that the applicant should make sure that salt does not contaminate basins during snow removal and storage.

Mr. Zarro was asked about the use of golf carts. Golf carts can be used within the interior of the development, but cannot cross Bondsville Road so they cannot be used to access the golf course. Information regarding this will be added to the HOA documents.

Geotechnical reports have been submitted for the stormwater basins. Mr. Padula stated that he would reviewed these as part of his stormwater management review.

Yerkes February 25, 2016 Review Letter

Settlement Agreement

3. In the February 25, 2016 Yerkes review Letter Mr. Padula stated that the Settlement Agreement allows certain lots to have rear setbacks of 15 feet instead of the required 35 feet. Several lots, not listed in the Settlement Agreement, have rear yard setbacks of less than 35 feet including Lots 1 – 3, 24 – 25 and 76 – 91. Section 399-75 of the Zoning Ordinance permits decks within 15 feet of a rear property line. Mr. Padula asked that the applicant clarify whether or not the sunroom option for each unit is considered part of the principle building. Ms. Zarro said that the sunroom is considered part of the building; each of the proposed sunrooms will meet the 35-foot setback.

Zoning Ordinance

3. Section 399-30.B(5).(d) – The required number of parking spaces have been provided. Mr. Padula noted that the parking calculation on Sheet 2 for the 24' wide townhouses uses four spaces per unit in the calculations; it should be two spaces per unit.

Subdivision and Land Development Ordinance

7. Section 350-24.D – The Existing Conditions and Historic Resource Preservation plan appears to contain most of the information required for a Conservation Plan, however the geologic formations could not be identified on this plan. A Conservation Plan should be included with the plan set clearly identifying all the requirements of this section. Ms. Zarro said that the applicant will comply with this section of the Ordinance.
8. Section 350-30.M – The plan has been reviewed by the Township's Fire Marshal.
12. Section 350-39.D – Private streets shall provide access to not less than four nor more than six lots. The proposed private streets provide access to more than six lots. The applicant will request a waiver from this section of the Ordinance.
14. Section 350-40.N.(1) – Residential driveways shall have a minimum radius of five feet or

a flare equivalent for a five-foot radius at the point of intersection with the cartway. No radius or flares have been provided for any of the proposed driveways. The applicant will request a waiver from this section of the Ordinance.

15. Section 350-40.O – An L-shaped backup area is to be provided for all new driveways. The applicant will request a waiver from this section of the Ordinance.
22. Section 350-52 – The applicant agreed to comply with Chapter 345, the Township's Stormwater Management Ordinance.

Lighting Comments

1. Section 350-45A.(1) – The Planning Commission asked that lighting be provided at the Bondsville Road entrance; down lighting is preferable so as not to cause a nuisance to neighboring property owners.
2. The applicant should verify the light distribution detail.

General Comments

6. The Planning Commission suggested that signage be installed indicating that certain parking spaces are reserved for mail pickup. Mr. Padula recommended that the mail kiosk closest to the 71 units be moved so that it is closer to the parking spaces. Its current location may be unsafe for motorists to stop and pick up their mail.
9. In addition to stop signs, street name signs and any other street signs should be shown on the plan. Mr. McKenna said that they want to make sure that the signage is appropriate for the development.

Chester County Planning Commission March 1, 2016 Review

Access and Circulation

4. The County Planning Commission's 2015 Multimodal Circulation Handbook recommends that a maximum of 24 dwelling units utilize a single access point. As previously discussed, the boulevard road will provide access even if one of the lanes is block. This is also discussed in the Settlement Agreement.
6. The Planning Commission indicated that a traffic impact study has not been revised since 2001. Ms. Zarro said that a revised traffic impact study was submitted as part of the 2015 Conditional Use application. The applicant will provide the latest traffic impact study to Mr. Padula and Mr. Heinrich for a final review.
9. The site contains land within the 100-year floodplain. It was noted that new digital flood insurance rate maps are being developed at this time. Ms. Zarro stated that she did not

think there would be a problem with the 100-year floodplain.

12. The site contains wetlands. The applicant has applied for and received the proper permits from PADEP. Ms. Zarro noted that the soils are suitable for infiltration and will document this to the Township.

Ms. Zarro thanked the Board for their time. She expects to revise the plan prior to March 16th so they can be reviewed by the Planning Commission at their April 6th meeting.

Brandywine Village Shopping Center Proposed Expansion – Sketch Plan

Mr. Adam Brower from E.B. Walsh attended the meeting to discuss a sketch plan for the Brandywine Village Shopping Center expansion. The improvements include a 5,000 S.F. expansion to the north of the former Croppers/Stauffers store. In addition, new parking spaces are proposed throughout the site to replace parking spaces that will be removed. The project narrative states that the proposed improvements comply with the minimum required side-yard setback. The western curb line will remain, there will be a decrease in impervious coverage and it appears that no zoning relief is needed. The Planning Commission reviewed the sketch plan and Mr. Padula's March 2, 2016 zoning review letter.

Mr. Brower said that the applicant is interested in locating a grocery store in the building. Mr. Brower explained that some of the parking spaces will need to be moved and thought that some of them would be relocated to the rear of the property, mainly for employee parking. He is still evaluating how this will affect the impervious coverage. The plan proposes a slight reduction in the existing impervious coverage and is less than the allowable 67.1%.

Mr. Buczala asked if the generator will be relocated from its present location. Mr. Brower said the generator will most likely be relocated to the rear of the building.

The proposed East Brandywine Center plan shows a stub road connecting to the existing Brandywine Village Shopping Center. It was suggested that Mr. Brower look into how this will affect his plan, as well as the proposed entrance that will be constructed directly west of the Brandywine Village property. There was some discussion as to whether the side-yard setback will change (from 50 ft. to 85 ft.) or be impacted by the East Brandywine Center construction. Mr. Oeste suggested that for purposes of reviewing the sketch plan the Board should consider what is there today. If East Brandywine Center has a recorded plan prior to a submission by Brandywine Village, it may affect setbacks or other zoning issues on their property.

The parking spaces have been reduced from 414 to 400. The applicant stated on the sketch plan that it has been demonstrated that the existing reserve parking spaces are not required. Mr. Padula asked that the applicant clarify this.

The stormwater BMP is currently under the parking lot. The applicant must comply with the current Stormwater Management Ordinance.

The traffic impact fee and fee-in-lieu of open space requirements will need to be reviewed and resolved to the satisfaction of the Board of Supervisors.

The applicant will provide a truck-turning template at the time of a preliminary plan submission.

Mr. Brower indicated that Brandywine Village will be connecting to the sewer at the Applecross Wastewater Treatment Plan in the next several months.

According to Mr. Brower, he does not expect that the plan will require any variances, special exceptions or waivers.

Mr. Brower thanked the Board for their time.

Old/New Business

Mr. Tony Scalies, applicant for the Hopewell Road Pharmacy, said that he expects to attend the April Planning Commission meeting to discuss his preliminary plan. There have been some issues regarding ownership of the properties in question, but he hopes to have these resolved very shortly.

Ordinance Task Force

1. Riparian Buffer – The Board of Supervisors will consider adopting the Riparian Buffer standards zoning ordinance sections at the March 2, 2016 Board meeting.
2. Changeable LED or Electronic Signs – the revised version has been submitted to the Chester County Planning Commission for their second Act 247 review. In their March 2nd letter, the Planning Commission wanted to make sure the ordinance is consistent with the Municipalities Planning Code.
3. Definitions in Land Use Code – The revised version has been resubmitted to the County Planning Commission for their Act 247 review on February 4, 2016. Comments were received March 2nd.
4. Historical Commission Review and Permit Issuance – The Revised versions were submitted to the County Planning Commission for their Act 247 review on February 4, 2016. Comments were received March 2nd.
5. As-Built Plans – The County Planning Commission comments have been received. The Task Force will review the comments.
6. Implementation Section of the Comprehensive Plan – Will be discussed at the March Task Force meeting.
7. FEMA-required Floodplain Management Standards Amendment – Significant revisions

are required to the existing language by the Spring of 2017 to comply with pending federal regulations on floodplain management. This will be discussed in future Task Force meetings.

8. Discussion of Section 399-102.1 – Woodland Protection & Logging Standards – The Task Force is discussing revisions to the Ordinance. Mr. Oeste mentioned that there have been some challenges at the State level. He has information about a person at Penn State who has been helpful to municipalities interested in revising their ordinance. He will pass along the information to Mr. Piersol.

Other Business

Mr. Rawlings thanked Mr. Fanelli other Planning Commission members for their help while he was away on vacation. He commended Mr. Fanelli for the great job he did at last month's Planning Commission meeting.

Mr. Wagoner stated that he was disappointed that the Board of Supervisors entered into a Settlement Agreement with Pulte Homes for the Phase 5B portion of the development without first discussing their decision with the Planning Commission, that allows for certain modifications of the Township's Subdivision and Land Development Ordinance. He would like to discuss this further at the next Ordinance Task Force meeting.

Comments from the Audience

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

Next Meeting

The next Planning Commission meeting is scheduled for Wednesday, April 6, 2016, at 7:30 PM.

Adjournment

There being no further business, Mr. Fanelli moved to adjourn the meeting at 9:00 P.M. Mr. Buczala seconded the motion, with all voting Aye.

Respectfully submitted,



Mary Beth Smedley,
Secretary/Treasurer