

**EAST BRANDYWINE TOWNSHIP PLANNING COMMISSION
REGULAR SESSION
Wednesday, August 7, 2019**

Those in Attendance:

Bruce Rawlings, Chairman
Michael Wagoner, Member
Charles Giordano, Member (7:40 P.M. Arrival)
Nancy Frame, Member
Jim Grisillo, Member
Scott T. Piersol, Township Manager
Kristin Camp, Esquire, Planning Commission Solicitor
Mary Kemble Slade, Secretary/Treasurer

Absent:

Jim Buczala, Vice-Chairman
Michael Corbin, Member

Opening of Meeting

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

Chairman Rawlings reminded those in attendance of Resolution 2001-08, Rules for Conduct at Public Meetings, stating, "The time allocated to each individual making a comment shall be three minutes, unless otherwise set by the presiding officer. Additional public comment may be granted by the presiding officer at the conclusion of the meeting."

Planning Commission Minutes of July 10, 2019

Chairman Rawlings offered the July 10, 2019 minutes for consideration. Chairman Rawlings made a motion to approve the minutes as presented. Member Frame seconded the motion, with all members voting Aye. Motion passed 4-0.

NVR Inc. – Weaver Tract Revised Plan Submission

Lindsay Dunn, Esquire, Applicant's Counsel, and Adam Brower, P.E., Applicant's Project Engineer, attended with Sebastian Ferrer of NVR, Inc. to discuss the review letter provided by Nate Cline, Township Engineer, dated August 2, 2019.

Chairman Rawlings noted the following items for the record, including but not limited to:

- Date of last plan revisions: June 27, 2019;
- Pennoni's latest plan review letter: August 2, 2019;
- Heinrich & Klein's latest plan review letter: August 2, 2019;
- Hydraterra's latest plan review letter: August 3, 2019;
- NVR Conditional Use Decision date: June 6, 2019;
- Buckley Brion's letter clarifying the Board's interpretation of Condition 1: July 1, 2019
- MacElree Harvey's letter expressing Applicants acceptance of Conditions of the Decision and Order: July 1, 2019; and

- Township Historical Commission Vice-Chairman Buczala's email noting the trees in the area of the springhouse are not shown on the landscaping plan, which are to be retained per the mitigation agreement: July 29, 2019.

Discussion occurred on the following:

- 4 Waivers, 1 Variance, and 1 Special Exception are required for the project based on the latest Township Engineer review letter;
- Buffer crossing of access road and impacts to steep slopes;
- Placement of trails and sidewalks, given the Comprehensive Plan does not show a trail on the Weaver Tract but the current Inter-Municipal Trail Map reflects a trail across Route 322 at Bollinger Road;
- Trail was placed on tract per Historical Commission's direction;
- Township's desire for easement for future trail along East Reeceville Road;
- Provisions for connectivity and points of access at various locations along the exterior perimeter;
- Active recreation items provided by the development and the adequacy of the items provided;
- What type of trail would be provided (e.g. motorized, pedestrian, combination) and the allowance of bicycles on the trail;
- Township's specific trail requirements depending on which type of trail is called for;
- Street lights and where they should be located;
- USPS mailbox locations and associated lighting;
- Additional parking spaces being provided;
- Steep slope impact by Road D, Road E, and Emergency Access;
- Tree saving by the springhouse;
- Status of the review of plans by the Fire Marshall/Fire Department;
- Wastewater in conjunction with the Mapleview Subdivision;
- Project landscaping and the location (e.g. spacing) of the street trees;
- Traffic impact fee in the amount of \$364,000.00 and the various intersections impacted by the project;
- Provisions for an easement along the Route 322 frontage to allow for future widening;
- Zoning Hearing Board applications needed for the Variance and Special Exception.

As a result of the discussion, the following is noted:

1. Ms. Dunn asked for direction on the trail layout as presented. Chairman Rawlings asked each member his or her thoughts on the layout. By majority consensus, the Commission agreed with the layout as presented.
2. Chairman Rawlings asked Ms. Dunn to provide a cost summary for the active recreation items provided on the plan. Ms. Dunn will forward the requested information.
3. Solicitor Camp suggested an enlarged Trail Plan with legend be developed, and submitted for review by the Trails Committee and Township Engineer. NVR agreed to prepare such a plan and attend the next Trails Committee meeting on August 13, 2019 at 7:00 P.M.
4. Solicitor Camp suggested the tree saving near the springhouse could be provided for in the Project's Declaration.

5. Manager Piersol advised the development plans were submitted to the Fire Company several months ago. He noted the fire hydrant locations have since been provided, but not the complete review. Chairman Rawlings suggested NVR reach out to Joe Edwards, Township Fire Marshall, for his input.
6. NVR noted they are willing to provide an easement along the Route 322 frontage to allow for future widening.
7. Mr. Brower noted they plan to resubmit for review in time for the October Planning Commission meeting. Chairman Rawlings asked NVR for an extension letter regarding the plan review deadline. Ms. Dunn will provide to Solicitor Camp tomorrow.
8. Ms. Dunn indicated she would speak to Solicitor Camp regarding the various Zoning Hearing Board Applications needed.

Simpson 350 Creek Road-Zoning Hearing Board Special Exception Application

Mr. Scott Simpson, property owner, and Adam Brower, P.E., attended to discuss this Special Exception Application. Mr. Simpson noted the 123+ acre tract of ground has an existing house, barn, and some accessory buildings. He is desirous of expanding the house with an addition on the west side, constructing a patio area and detached garage, as well as creating a new driveway to access the house. To construct the addition and new driveway, Mr. Simpson needs relief from the steep slope requirements in the ordinance.

Discussion occurred on the following:

- The new driveway will have a maximum slope of 15%;
- The stormwater area is proposed for the area between the driveway and tree line along Creek Road;
- There may need to be more than one stormwater system;
- The amount of net impervious created is approximately +/-2,000 square feet;
- Stormwater issues along the property frontage and how the improvements on the property will improve the stormwater situation;
- Uses on the property will be residential and agriculture, including livestock; and
- The property owner's desire to preserve the property and associated open space, and their participation in a CCIU vocational program that will provide practical experience in agriculture and livestock care for adult special needs students.

As a result of the discussion, the following is noted:

1. Chairman Rawlings made a motion to recommend supporting the 350 Creek Road Special Exception Application with the conditions that the project handles the drainage at Creek Road, and the slope of the new driveway is 15% or less as required by the Code. Member Frame seconded the motion, with all members voting Aye. Motion passed 5-0.

Ordinance Task Force Updates

Manager Piersol requested that the Planning Commission recommend the Board of Supervisors forward to the Chester County Planning Commission (CCPC) for Act 247 Review, the Combined Ordinance Amendments that include provisions for Review of Sketch Plan, Recording of Final Plan, schools as a Conditional Use in the R-1, R-2, and R-3 Districts, and the Historical Resource

Impact Study Requirements. Solicitor Camp indicated that she would like to review Section 2 as proposed, to ensure the language is consistent with the Municipalities Planning Code, and Section 7, to ensure certain language is included. Chairman Rawlings made a motion to recommend the Board of Supervisors submit the proposed combined amendments to the Chester County Planning Commission for Act 247 Review, with the Township Solicitor's recommended changes. Member Wagoner seconded the motion, with all members voting Aye. Motion passed 5-0.

Chairman Rawlings advised the next Ordinance Task Force meeting is on August 29, 2019. Supervisor Winters attended, and noted that this meeting is anticipated to be rescheduled for some time in September.

Old/New Business

None this evening.

Public Comment

Mr. Mike Dawson, 1117 Horseshoe Pike, asked about the proposed 5th and 6th Grade Center being contemplated for the property adjacent to his on Horseshoe Pike. Manager Piersol noted that a sketch plan was filed as part of the Zoning Ordinance Amendment process and Solicitor Camp stated the Township is waiting for formal land development plans to be submitted.

Adjournment

There being no further business, Chairman Rawlings motioned to adjourn the meeting at 9:17 P.M. Member Wagoner seconded the motion, with all members voting Aye. Motion passed 5-0.

Respectfully submitted,



Mary Kemble Slade
Secretary/Treasurer