

**EAST BRANDYWINE TOWNSHIP PLANNING COMMISSION
REGULAR SESSION
Wednesday, February 2, 2022**

Those in Attendance:

Bruce Rawlings, Chairman
Jim Buczala, Vice-Chairman
Charles Giordano, Member
Nancy Gibson, Member
Mike Corbin, Member
Francis Taraschi, Member
Luke D. Reven, Township Manager
Lisa Taraschi, Township Secretary
Nate Cline, Township Engineer
Tom Oeste, Township Solicitor

Opening of Meeting

Chairman Rawlings opened the meeting at 7:30 PM 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."

Public Comment on Non-Agenda Items

There were no comments.

Planning Commission Minutes of January 5, 2022

Mr. Rawlings asked for a motion to approve the minutes of January 5, 2022. Vice-Chairman Buczala made the motion. Member Gibson seconded the motion, with all members voting Aye. Motion passed 6-0.

New Business

1212 Osborn Road

Ms. Linda Layer of Inland Design presented the project on behalf of the applicant, The Preserve at Horseshoe Meadow LLC., Michael Zappitelli. Ms. Layer stated they were here for preliminary plan approval. She then gave a description of the location of the project. She advised it is in the R-2 Zone district. They are using a cluster a development. She advised there are 7 lots with onsite septic. Each lot will be approximately one acre. Ms. Layer stated there will be 6 acres of open space. She added they are proposing a trail to be added to the subdivision. The open space will be planted inviting new habitat to the area. Ms. Layer then went onto discuss the placement of the septic and storm water systems. The storm water systems will be built out to the maximum capacity. The coverage will be sized to 20% of impervious coverage. Ms. Layer stated they are asking for 6 waivers, however, will be reducing to 5 waivers.

1. Requirement for 15-inch RCP to allow for HDPE pipe and small PVC pipe. Pennoni does not object to this waiver as stated in the letter dated February 1, 2022.
2. Requirement that inlets, manhole covers, and frames located on residential lot conform to PADOT specifications. Pennoni does not object to this waiver as stated in the letter dated February 1, 2022.
3. Requirement that building locations should generally be placed no closer than 50 feet from the boundary of any designated open space lands. To clarify, this is pertaining to lot 7 and the adjacent open spaces access. Lot 7 is approximately 30 feet from the open space access way. Pennoni did not comment on that waiver.
4. Requirement to show locations of all streets and watermain systems, easements, and any other significant features within a property or within 300 feet of any of the property proposed to be developed or subdivided on the plans. Pennoni does not object to this waiver as stated in the letter dated February 1, 2022.
5. Requirements to provide an impact assessment to assess the on-site and off-site impacts of their proposed activities and improvements on existing natural features. Pennoni deferred to the Township.
6. Requirements to provide a 15-foot driveway turn-around radius. The applicant has requested a 10-foot radius. Pennoni deferred to the Township. Ms. Layer stated she believes she misunderstood this requirement regarding the curve radius and will be withdrawing this waiver.

Mr. Corbin questioned if waiver five was necessary if there are no natural features. Mr. Cline responded the impact statement would be a straight forward statement as there are no natural features effected. He added it's almost not applicable. Mr. Rawlings suggested a note on the plan regarding waiver 5 would be acceptable. Mr. Corbin agreed. Mr. Rawlings inquired about the Class 2 Historic resource that is close to the property. Ms. Layer informed the Commission that the structure is well over 500 feet. Ms. Layer also advised they have not received any feedback from the Fire Department. Mr. Reven advised that the Township will solicit the Fire Marshall comments on this project.

Regarding trails and sidewalks, Mr. Rawlings stated that he understands the rear of the property is the open space and there will be a mowed loop trail. There will be an HOA maintaining the trail and open space. Mr. Rawlings asked if the trail should come around to the other side across from Constitution with a crosswalk. He also asked if there should be a solid sidewalk in front of these homes which would be part of the fee in-lieu-of. Regarding the trail placement, it was suggested that lot 1 would need to be reworked or possibly removed to accommodate the trail and crosswalk. Mr. Cline stated there are three options beyond what is presented on the plan. First option is moving the entire trail access to Osborne to the North side of the site. Second option would be to leave it somewhat as is but providing sidewalk or some trail across the front of Osborne in order to connect to Constitution. The third option would be some sort of modification possibly losing a lot, thereby having access on both sides in more of a loop scenario. Mr. Cline asked Ms. Layer for her and her client to take these options into consideration and see how it would impact their plan. Ms. Layer added it is possible that she could change the size of the lots. Solicitor Oeste suggested a possible easement on lot 1 to get to the open space.

Mr. Taraschi inquired as to the price point on the homes. Mr. Zappitelli responded the mid seven hundred thousand range. Mr. Rawlings asked if the time frame of the building is two-years. Mr. Zappitelli confirmed. Mr. Rawlings asked what is going to be done with the berm along Osborn whether it would be graded out or not. Ms. Layer update the Commission with that answer. Mr.

Rawlings asked how the driveways would be positioned. Mr. Cline added he met with Matt VanLew, Township Roadmaster, and was provided with additional information regarding the swale and existing piping along the road. He added he will be reaching out to Ms. Layer with some additional clarification on what the Roadmaster will need in that area to facilitate that discussion.

Regarding the landscaped, Mr. Rawlings asked if the open space area will be planted with wild flowers or will it be mowed and bailed. How will the bulk of the open space be maintained? Ms. Layer stated they would like to have it reseeded and use flowers. Mr. Rawlings asked what the specifications on the reseeding are. Mr. Cline added the applicant did provide an open space plan stating that it will be reseeded with an earth seed mix 153 showing the use of Northeast region native flower mix. Mr. Rawlings added that can be read during the final plan approval. Mr. Rawlings added he would not recommend using rhododendron, mountain laurel or linden as the deer will eat the first two mentioned to the ground. The third, linden, Japanese beetles will defoliate the trees. He added it may be better to use a hybrid elm.

Mr. Rawlings asked for comments from the Commission. Mr. Taraschi voiced his concern regarding the Township running out of space and feels that the lots on the project are crammed into this area. He feels that the lot number should be decreased to 6 lots which will then enable the trail to wrap the property line and come out on both sides providing for a much nicer plan overall. Mr. Taraschi added he is not in favor of the plan as presented. Mr. Rawlings advised the applicant that this is a recommendation only. He agrees with Mr. Taraschi but the applicant can build as is.

Mr. Corbin stated that he feels that Mr. Taraschi made some good points. He suggested looking at the tradeoff. Possibly coming out ahead with fewer lots and a flowing design. As is, he feels this is a linear design, cookie cutter. He added with some creativity you may be able to enhance the product. Mr. Buczala stated he is also in agreement Mr. Taraschi suggestions. He added the bottom line is esthetically and visually reducing the number of houses and creating more open space is more appealing to buyers. Mr. Buczala asked if the open space will be maintained by the HOA or will it be deeded over to the Township. He inquired how long the current trail is. Ms. Layer responded that the trail is .34 miles. He believes the usability of the trail is questionable. He added long term the trail may be able to connect to Bondsville Mill through the neighborhood across the street. He does not feel people will use this trail on this property.

Regarding stormwater, Mr. Buczala asked if testing been completed in the area for the facilities. Mr. Cline confirmed that all testing had been completed. He added it's his opinion that these systems will be over designed because each lot is built out to the maximum of 20%. Mr. Cline added we will ultimately need a NPDES permit from the county. It will be a secondary level of review of stormwater and Erosion and Sedimentation controls. Mr. Reven asked for clarification of the surface of the trail. Ms. Layer stated it is to be maintained as mowed. Mr. Rawlings asked what the square footage of the homes will be. Mr. Zappitelli advised they are three thousand plus.

Mr. Rawlings asked if anyone from the audience had any comments. Resident Peggy Volpone, 1210 Osborne Road, stated her property is next to proposed lot 7. Ms. Volpone has concerns about the trail in relation to her property. She added she is concerned that the trail will negatively affect her property by adding more difficulty for her to obtain a permit for a small addition. She also inquired as to what the buffer would be between her property and the trail. Mr. Rawlings stated, according to the plan, there are plantings that will be in place. Mr. Rawlings inquired how many feet is the trail

off the property line. Ms. Layer stated about 3 feet. Mr. Cline added the plans shows her house, a fence, the trail and some landscaping. He suggested it be her house, the fence, some landscaping and then the trail. Mr. Rawlings added the zoning will allow the trail to be 5 to 6 feet from the property line. Ms. Volpone is also concerned about a crosswalk. She added Osborne Road is very busy and people drive very fast on the road. Mr. Cline thanked Ms. Volpone for that feedback regarding the speed issues on Osborne. He added there are many factors that will come into play while considering if a crosswalk would be feasible. Mr. Rawling thanked Ms. Volpone for her comments.

Mrs. Meredith Ludwig 192 Heritage Court, informed the Commission that she feels the same way about the crosswalk in the fact that Osborne Road is a busy road and that it would be dangerous. She also stated she is very concerned about the trail and the closeness to her property. She would like to see a natural barrier and does not see the purpose of the walking trail. She prefers open space and natural plantings. She also mentioned they have a problem with drainage. The water flows down her property like a river. She reiterated that she would really like to see the open space. Mr. Cline added that the plan meets the code requirements for landscaping. The plan proposes 69 trees, 105 shrubs, 87 evergreen trees, and 225 evergreen shrubs. Mr. Cline suggested possible regrouping. Taking a look at the locations in regard to the residences. Perhaps the applicant can take a second look based on the residents' concerns. Mr. Rawlings thanked Mrs. Ludwig for her comments.

Mrs. Heather Riccardo, 186 Heritage Court, stated that a large portion of the trail will pass by her property. She is concerned and does not want strangers near her property. Mrs. Riccardo is also concerned with the drainage issues. She stated she is aware of the drainage issues across Osborne Road. Mr. Cline stated that with the stormwater system being constructed, this would be an improvement. She added that she also feels 6 lots would be more esthetically appealing. However, her main concern is the trail being close to her property.

Mr. Buczala asked if the purpose of the trail was to meet the recreation requirement. He asked if the applicant would consider paying a fee, in lieu of not putting in the trail. Mr. Zappitelli stated he would take it under advisement. Mr. Taraschi addressed Mrs. Ricardo stating that since there is no parking for the trail, it would be doubtful that the general public would access the trail. Mr. Cline added that perhaps moving the trail back from the property lines could be an option. Mr. Rawlings added that the goal of the trails committee is to eventually have all the trails connected to access the center of town or Bondsville Mill.

Mr. Carl Croft asked what the zoning district is. Mr. Rawlings responded R-2. It was his opinion that it would not be beneficial for the Township to take over the open space as it would then fall on the road crew to maintain the land.

Mr. Rawlings advised Ms. Layer that a lot of minor comments were made which can be tweaked and changed if she and the applicant wished to do so. Ms. Layer will then appear before the Commission for a preliminary plan approval at a later date. Mr. Buczala stated there was one large conceptual change which was the reduction of the lots and increase of open space, resulting in an more aesthetically pleasing layout which would likely improve the marketability of the project to meet the same bottom line as with the larger number of units. Mr. Reven inquired if it was the Planning Commission's desire to solicit the Trails Committee's feedback of their view of the trails portion of the project. Mr. Rawlings stated it was. Mr. Reven suggested to the applicant that the next Trails

meeting would be February 8th, before the next Planning Commission meeting. Ms. Layer stated that they would be interested in attending the Trails meeting. Mr. Reven confirmed that this will not be a topic at the next Historic Committee meeting as it meets the 300-foot requirements regarding the historic structure. Mr. Rawlings thanked Ms. Layer and the applicant for attending the meeting.

Current Applications

There were no updates.

Township Plans

There were no new plans.

Ordinance Task Force Update

Chairman Rawlings informed the commission that the Ordinance Task Force discussed the Comprehensive Plan, energy conservation, plans to review and ordinance language which will be discussed at the next meeting. Mr. Buczala added the Ordinance Task Force would like to begin looking at items that have been placed on hold due to the Comprehensive Plan, such as the energy conservation plan, and possibly revisiting the scenic byways plan. Mr. Rawlings asked Mr. Cline for an update on when the Commission should start looking at the traffic impact fee and process. Mr. Cline advised the Commission that Pennoni was appointed to the Township as the Traffic Engineer. He added the ACT 209 study needs to be revisited, as it is outdated, due to the number of changes that have occurred in the Township over the past several years. Mr. Cline added as the Commission winds down the Comprehensive Plan he feels this should be the next project to be worked on. He also informed the Commission that the McCausland Plank conditional use decision has been pushed back to the Board meeting scheduled for February 17, 2022. He also added there is a new engineer and attorney working on the Weaver Tract project. He expects to see a submission sometime in March.

Mr. Rawlings stated that he would like to have Mr. Cline review all zoning hearing applications since the Commission is not permitted to provide input on the hearings. Mr. Oeste advised the Township is an automatic party in these hearings. He added the BOS has to decide how they would like the Commission to participate in the process or if they do at all. Mr. Oeste stated the Township has to be aware of the Zoning Hearing board time limitations. Adding, the applicant has to be heard within sixty days of application filing. We also need to be concerned with the cost to the applicant if they will need to bring an attorney or engineer to multiple meetings. Mr. Oeste also stated the Township Ordinance for the Planning Commission needs to be revised as it is outdated. Mr. Rawlings asked what the next steps would be. Mr. Oeste stated he would first discuss it with the Township Manager then decide where to go from there. Mr. Buczala suggested that perhaps the Zoning Hearing Board be scheduled subsequent to the Planning Commission meeting so that the Commission can at least discuss the application prior to the hearing. Mr. Oeste reiterated the timing has to be considered which means the Commission may have to move their meeting date to make it work. Mr. Rawlings stated that he feels that it would benefit the Township to have the Commission look at the applications prior to the hearings.

Member Taraschi informed the Commission that PECO has cut down over 300 trees in the Township. It occurred without notice, however, he objected and was able to save some of the trees on his property,

He stated that the Township spends a lot of time on this topic with plans like Scenic Byways but the trees won't be protected with any of these ordinances.

Public Comment on Non-Agenda Items

Chairman Rawlings stated he would like the Township Engineer to review all necessary zoning hearing applications.

Adjournment

Member Taraschi made a motion to adjourn the meeting at 9:20 PM. Chairman Rawlings seconded the motion, with all members voting Aye. Motion passed 6-0.

Respectfully submitted,

Lisa Taraschi,
Township Secretary