

**EAST BRANDYWINE TOWNSHIP PLANNING COMMISSION  
REGULAR SESSION  
Wednesday, August 3, 2022**

**Those in Attendance:**

Bruce Rawlings, Chairman  
Jim Buczala, Vice-Chairman (Phone)  
Francis Taraschi, Member  
Nancy Gibson, Member  
Lauren Van Dyk, Member  
Luke Reven, Township Manager  
Lisa Taraschi, Township Secretary  
Kristin Camp, Township Solicitor  
Nate Cline, Township Engineer

**Opening of Meeting**

Chairman Rawlings opened the meeting at 7:00 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**

There were no minutes.

**New Business**

**Preliminary/Final Subdivision Plan: 241 Jefferies Rd**

Mr. Mike Wagner, 241 Jefferies Road, explained to that this project is a simple lot line change. He added there was only one comment that was from Pennoni regarding the Chester Health Department. Mr. Nate Cline from Pennoni advised the comment was to contact the Health Department to confirm that they are comfortable with the septic. Mr. Wagoner stated a secondary septic system was added in 1987. Mr. Wagoner asked that this Health Department verification be made a condition of approval.

Chairman Rawlings made a motion that the Planning Commission recommend approval of the Application and the Preliminary/Final Plan, dated June 30, 2022, subject to the condition that prior to release of the Plan for recording, applicant shall obtain written confirmation from the Chester County Health Department that proposed Lot 1 on the Plan has an acceptable location for a

replacement septic drain field. Member Taraschi seconded the motion with all members voting Aye, motion passed 4-0.

## **Current Applications**

### **170 Crawford Road: Final Plan Approval**

Mr. Adam Brower, engineer for applicant, Mr. Greg Wagman, addressed the Pennoni review letter dated July 5<sup>th</sup> 2022. He added they have received Preliminary approval from the Board of Supervisors with a couple of conditions. Mr. Brower stated that the applicant is willing to pay the Impact Fees. He also acknowledged general note 20 on the plan's documents, the request of the Board to lower and cap the barn wall. He stated the applicant will speak with the Roadmaster and coordinate the removal of boulders on the road.

Chairman Rawlings made a motion that the Planning Commission recommend that the Board approve the Final Plan, subject to applicant complying with any outstanding comments in the Township Engineer's review letter dated July 5, 2022 and the applicant coordinating with the Township Roadmaster to remove the large rocks and perform grading along the edge of Crawford Road opposite Neuman Drive as required by condition 2 in the Board's motion approving the Preliminary Plan. Member Taraschi seconded the motion with all members voting Aye, motion passed 4-0.

### **McCausland/Plank Resubmission**

Mr. Vic Kelly, engineer for the applicant, provided the Commission with an update on the letters from the Township Engineer, Sewer Engineer, and the Traffic Engineer. Mr. Kelly stated they have addressed as many of those comments as they were able to. He added there are still a few items pending; they are working with DEP on the sewer issue. Mr. Kelly added most of the items pending in the August 2<sup>nd</sup> Township Engineer's review letter are items that need feedback from the Board of Supervisors or a third-party. He added there are a number of waivers requested that have more to do with the inconsistencies in the Ordinances.

Mr. Buczala stated he feels there are a number of items that can continue to be worked on between Preliminary and Final approvals. He added one of his major concerns is stormwater and fully understanding what can be done with this project. He also stated in reviewing this plan, it looks like you are close in managing the stormwater, but there appears to be a number of issues that need resolution before we're comfortable that it is fully addressed. Mr. Buczala asked how the trees and their proposed planting locations support the BMP's. He stated at this point while looking at a Preliminary Plan approval, we should be locking in the layout and working on details around the layout. He stated his concern is there may be a need for adjustments to the layout as the project moves forward with the stormwater. He asked if this would mean losing some units if it comes to that. Mr. Kelly stated that is a possibility. If we lose units, that may allow us to increase basin size. He added since the last meeting they attended, there has been some additional testing. He added we are able to establish limiting zones and one of the basins to the west had good infiltration rates. We are able to use that to get the volume down. He advised complying with the NPDES permit application requires the process of quantifying everything we are doing. Mr. Kelly stated there may be some slight changes, however, they will most likely not affect the layout.

Mr. Buczala inquired how deep the water table is across the sight. Mr. Kelly stated it varies; down low it's shallow. At the low section its 1-2 feet below the surface, in the upper sections it is 6-8 feet in spots. He added this is the reason we have 6-8 basins strategically placed across the site; they are all shallower basins. Mr. Kelly added for a one-year post development storm discharge, our discharge is 0.85 it's 10% of the current discharge. Mr. Buczala asked what the calculations of discharge from the basins to the surface water verses infiltration are. Mr. Kelly stated per the design our goal is the Delta 2, under the MRC the relief is anticipated to be evapotranspired. Mr. Buczala stated he had anticipated the basins would fully infiltrate and do the job of the riparian buffer not leaving any discharge.

Mr. Buczala inquired if the placement of trees on the site would impact the BMP's. Mr. Kelly stated that he did not believe that DEP distinguishes. Mr. Cline added the tree planting is subjected to conservation review. Mr. Kelly stated they have met with Mr. Write to discuss buffering near his historic property. Mr. Cline stated all of these plans must include maintenance of landscaping in the stormwater agreement. He added he has not seen an O&M agreement at this stage. Ms. Camp asked if the applicant has appeared before the Historic Commission. Mr. Kelly stated they have. Mr. Buczala stated the Historic Commission has provided a written recommendation provided to the Township. He added based on the landscaping it was sufficient to buffer the historic resources and the Historic Commission waived the HRIS for this project. Mr. Kelly added if something specific is requested to be planted that can be taken care of at Final Plan approval.

Member Van Dyk asked about the status of the riparian management plan. She added since the buffer was cut in half by the conditional use, she would like to review to make sure it's planted properly. Mr. Kelly stated they will have all of that information together when they submit final plans.

Mr. Rawlings had the following comments and questions:

- Does this development have a name yet? Mr. Kelly stated it did not at this time.
- He asked if there are 89 units on 21 acres and a building a stub line for the Reeceville Road extension with the dimensions are per the conditional use.
- Do you have the crossing for 322 ready to go, are there pedestrian crossings at 322? Mr. Kelly stated they spoke to the Trails Committee; they would like to keep the trail internal. He added we have provided two connections in the North and South so the trail can go back into the Village of Guthriesville and down Bondsville Road. Mr. Cline addressed comment 22 of his review letter, stating we need to have a discussion regarding the right turn deceleration lane into the site. He added our Traffic Engineer recommends it be installed, regardless of the Reeceville Road extension adding this is still an open item on our end. Mr. Kelly stated this will be in the revised HOP plans.
- He stated you have received your special exception for steep slopes, your conditional use. He asked how many waivers remain. Mr. Kelly responded, eleven. Mr. Cline added a 12<sup>th</sup> for the MRC basin. Mr. Rawlings stated this can be done at final.
- He inquired about the easements into Par Lane and Mulligan Court (Pulte Development). Mr. Kelly stated they have verbal approval. They are waiting on the written approval at this time. Ms. Camp advised to make sure the verbiage is correct as stated on the Conditional Use document and make sure the solicitor signs off on it.
- He asked who will maintain the wood chip trails, and will these wood chip trails go up into the drip fields. Mr. Kelly stated the HOA will maintain these fields and they can go

up into the drip fields, adding no macadam can be done through the drip fields. Mr. Rawlings asked if the trails will be ADA accessible. Mr. Cline stated the wood chip trails would not be ADA accessible. He advised the sidewalk through the neighborhood would be accessible. Mr. Rawlings suggested signage stating the woodchip trails are not ADA accessible. Mr. Cline stated it was not required. Mr. Kelly added if it's needed, we will add them. Ms. Camp stated this can be placed in the HOA Declaration on maintain the trails.

- He inquired if the lighting was set. Mr. Kelly stated the only item on the review letter was to place a light out near 322, of which we are agreeable to doing. Mr. Rawlings asked if there was a light at the emergency exit. Mr. Kelly stated he believed there is, adding lights were placed at the intersections and parking areas to mimic the Applecross Community.
- He inquired about the status of the traffic study. Mr. Kelly stated the traffic study is being revised based on the original comments. Mr. Rawlings asked if that would change the design of the roadways. Mr. Cline stated most of the plan has been ironed out adding it's still in the hands of PENDOT with the exception of the deceleration lane.
- He asked if there will be signs stating no parking in the streets. Mr. Kelly confirmed.
- He inquired if school buses will come into the community. Mr. Kelly stated there was talk of them coming into the community. However, they are waiting on written confirmation from the school district.
- He asked if they received a fire marshal letter. Mr. Kelly stated he did for the Conditional Use. Mr. Cline added he would like an updated letter.
- He asked if they have turning templates for all trucks. Mr. Kelly stated it will be provided as needed.
- He inquired about the number of mailbox locations. Mr. Kelly stated there is one located near the entrance of the community.
- He inquired if the plan is built out to the maximum impervious allowed. Mr. Kelly stated the impervious is built out to allow for 20x10 decks. Mr. Taraschi stated his concern regarding the residents, once the homes are purchased, coming to the Township and applying for variances to build past what is allowed. The discussion continued resulting in Mr. Kelly being asked to include the information in the HOA declaration stating what the maximum impervious is on the specific lot. Mr. Reven added this information should be placed on the marketing materials as well.
- He stated if the Township decides to build the Reeceville Road extension, you have given the Township the easement and permission. However, it will be the Township's responsibility to build the road and manage the stormwater. The Township has agreed that if they build the road, they will remove 50% of the drip field from the existing 150. Mr. Kelly stated DEP will give you a permit to build 100%. He added, they will build the drip field where is will accommodate the Reeceville Road extension. The extra 50% will not be used as drip field. It will be there for the Township if they decide to build the road. Mr. Buczala inquired if the Municipal Authority has weighed in. Mr. Kelly stated they have not issued a resolution yet but they are in full understanding an agreeing with the project. The Municipal Authority would like a blanket easement for the sewer easements and easement over the utility mains. He added Hydra Terra has been involved from the beginning.

- He voiced concern regarding the use of wood chip, adding they deplete yearly and the trails eventually disappear. Mr. Kelly stated this can be taken care of in the HOA Declaration. Ms. Camp added there needs to be a clear plan outlining the different materials being used on each trail and how they should be maintained. Mr. Rawlings suggested using a different product similar to shredded tire that are pervious and will last longer than wood chips.
- He stated that the word robust has been used to describe the landscaping plan. He questions the amount of buffering between the Pulte development and the applicant's development and if necessary, can more plants be added. Who would be responsible for that area? Mr. Kelly and Ms. Camp agree that the Township Engineer should review the plan prior to planting. Mr. Cline agreed. He added that once the items are planted the landscape engineers are sent out to verify that the items are planted where they are indicated on the plan and whether or not anything needs to be added. Ms. Beth Watts informed the Commission that bradford calary pear trees should not be planted as they are invasive. Mr. Rawlings also suggested not planting black walnut trees or kousa dogwoods.

Mr. Buczala asked Mr. Cline if he has any concerns regarding the 12 waiver requests. Mr. Cline stated he was not concerned. Mr. Buczala asked for clarification regarding Conditional Use Condition # 14: the applicant shall include in the design stormwater management facilities for development areas necessary for future stormwater management for portions of the road extension. Mr. Cline clarified by stating if the Township decides to move forward with the Reeceville Road extension, they will be required to meet the same permitting requirements that a developer is including stormwater management. He added what the applicant has provided is an area on the plans for stormwater management.

Mr. Buczala wanted to confirm that the portion of the road that is to be part of the Reeceville Road extension, as indicated in Condition #16, is 28-feet in width. Mr. Kelly confirmed. Mr. Buczala asked Mr. Kelly to expand on the amenity areas mentioned, particularly, will you be providing a description of exercising activities along the trails and is a model being used. Mr. Kelly stated the amenities are listed on the landscape plan with the specific uses. He added this information was reviewed with Mike Wagoner of the Trails Committee. Mr. Cline added there are several gathering areas as well in addition to the trail.

Mr. Buczala asked if the riparian corridor plan would be submitted prior to final approval. Mr. Kelly confirmed that it would. Mr. Buczala inquired as to when the four-step plan would be submitted. Ms. Camp stated it was submitted on July 15, 2022. He also inquired about potential trail modification plan. Mr. Cline stated that if we move forward with the Reeceville Road extension, we don't want to argue with an HOA. It best to have it at final plan and recorded. Mr. Buczala asked for clarification on Comment #13 of the engineer's review letter regarding vehicles turning on road D and sight lines while entering roads C & D. Mr. Kelly stated those are standard intersections. Mr. Cline added we are waiting on a revised traffic impact study. There are a few outstanding comments adding we can review that then. Ms. Camp suggested the waiver request can be fine-tuned. Ms. Camp asked the Commission if they support the 12 waivers. Mr. Cline added 8 of the 12 waivers were essentially agreed upon with the conditional use decision and other decisions.

Mr. Rawlings made a motion that the Planning Commission supports waivers 1-12. Member Taraschi seconded the motion, with all members voting Aye, motion passed 5-0.

Mr. Carl Croft stated he heard the development has been maxed out for design. Mr. Cline stated that includes the decks on each home. Mr. Croft also voiced concern regarding sidewalks along Horseshoe Pike. Mr. Rawlings confirmed the plan has a sidewalk going up to RT 322 and no further. Mr. Croft added he is not a fan of wood chips on trails. Ms. Camp added if the Commission does not want the wood chips they can be removed and something else used on the trail. Mr. Cline added this was reviewed by the Trails Committee. The other type of trail that could be used is a meadow trail. He added this is a good final plan discussion. Perhaps it should be bounced off the Trails Committee again for their recommendation. Mr. Cline suggested tabling this discussion until then.

Mr. Buczala stated he had one final question regarding item #44, are there alternative solutions if the soil does not infiltrate. He asked is the stormwater system flexible if it turns out there is an issue. Mr. Kelly stated the MRC design is one alternative. Member Taraschi asked if there is feasibility to do grass trails instead of the wood chips. Mr. Kelly stated they can try either. Mr. Rawlings added for now let's look at options and revisit with the applicant. Mr. Wagoner stated to make sure there are connections to Bondsville Road.

Ms. Camp summarized the following:

- Incorporate the Historic Commission recommendations
- Provide a copy of the riparian corridor study to the Planning Commission for review.
- Have the solicitor review the easement plan to make sure it satisfies the Conditional Use order.
- Have the Trails Committee review the surface of the trails.
- Confirmation from DASD that school busses can turn around on the street.
- Have the Fire Marshall update his review letter.
- Have the HOA declaration makes clear to the buyers that the allotment of impervious cover per lot and perhaps limit the size of accessory structures.
- Eliminate the trees discussed: bradford callery pear, black walnut and kousa dogwoods.

Mr. Rawlings made a recommendation to give preliminary plan approval with the conditions agreed upon in this meeting, the conditions Ms. Camp highlighted, the Pennoni letter dated August 8, 2022, permits and documentation will be gathered for final plan, and the understanding the applicant may have to lose or change design to meet stormwater ordinance and obtain NPDES permit. Mr. Buczala seconded the recommendation. With all members voting Aye, motion passed 5-0.

### **Brandywine Walk Final Plan Approval**

Mr. Brian Nagle, solicitor for the applicant, informed the Commission that they were in attendance this evening to address the Pennoni letter dated August 2, 2022. He stated that he would like to address the Waivers first. He stated Waiver #1 345-305 is regarding stormwater requiring full volume control and retention. He added based on the final design results and using MRC, a partial waiver is needed. Mr. Cline advised that our Code will be updated in October to allow this design. Mr. Reven asked if this is an optional design. Mr. Cline stated this is the design he is recommending to his clients. Ms. Gibson

asked how the MRC basin functions. Mr. Justin Brewer from D.L. Howell explained the MRC basin will take the two-year volume that is to be infiltrated, held back into the system and released through a small pipe ranging from .7 inches to 1.25 inches. This extends the time of dewatering; the volume is spread out over a period of time, approximately 72 hours. Mr. Buczala asked if it was a closed underground system. Mr. Brewer added there are some that are underground and some above. Ms. Gibson voiced concern that the underground basins will cause the same issue that are currently occurring between Mapleview and the Timbers. Mr. Nagle explained this is a different project and different design and different location. Mr. Buczala asked for locations and the number of MRC basins installed. Mr. Brewer added the HOA will be responsible for more inspections as they are required due to the smaller discharge pipe.

Mr. Rawlings made a motion that the Planning Commission support Waiver #1 345-305. Member Taraschi seconded the motion. Motion passed 4-1 with member Gibson abstaining.

Mr. Nagle went on to state Waivers #'s 2-6 have already been approved. Mr. Wagoner spoke on Waivers #'s 7 and 8. Mr. Wagoner stated he did not have an issue with Waiver #7, however, he added we still have not seen a planting plan. Mr. Rawlings asked what the purpose of having the street trees spaced at 30 feet is. Mr. Brewer stated it's due to the townhouses and placement around the driveways. Mr. Brewer added Waiver #9 is a stormwater related Waiver 345-311. Having a larger pipe makes it easier for maintenance.

Mr. Rawlings made a motion that the Planning Commission support Waiver #'s 7-9. Member Taraschi seconded the motion. Mr. Buczala seconded the motion with all members voting Aye, Motion passed 5-0.

Mr. Denny Howell stated they will add the stormwater profile to the plans. Mr. Nagle addressed question # 9 regarding landscaping and lighting. He added this is not a zoning issue. He added with the other design measure and the buffering on the plan, this just needs to be approved and does not require any special approvals. He also stated this was discussed with Township Solicitor Camp. Mr. Brewer explained the design measures which relate to visual buffering. Mr. Nagle addressed question 23 on page 14. This is regarding the improvement at the intersection of Hopewell Road and Bondsville Road and whether or not project can be designed if the improvements do not occur. Mr. Nagle stated the project can be developed as planned. He added they have a HOP permit for the required improvements. Mr. Cline pointed out that the Traffic Impact Study included these improvements to be completed by Applecross in the assumptions regarding traffic and impact of that intersection. Mr. Nagle confirmed. Mr. Cline asked if your assumptions for the Impact Study included those improvements and those improvements do not happen, where does that leave us. Mr. Nagle stated there are improvements pending and when they happen, they happen. Mr. Cline stated the improvements are not happening. Mr. Braver advised PennDOT issued the HOP permit with no condition. Mr. Cline stated there needs to be a discussion with all of the traffic engineers to get clarification on these issues. Mr. Nagle stated he feels the plan is where it should be/will be 2-3 weeks prior to going before the Board to ask for Final Plan approval. Mr. Reven inquired about the comment of no conditions on the HOP permit. He asked if there are there any improvements that Brandywine Walk will make offsite relative to the plan set regarding traffic in the area. Mr. Nagle added the Traffic Impact Fee in the amount of \$345,000 will be paid.

Mr. Rawlings presented the following questions and comments to Mr. Nagle and the applicant:

- Brandywine Walk 295 units, 161 single, 134 townhouses
- Public water and public sewer, while working with Mapleview while the system is being built. Mr. Nagle added the systems will eventually be turned over to the Municipal Authority.
- 55+ community, with no children living in the home under the age of 19. This will be in the HOA Declaration.

- Will there be any on street parking on the private roads? Mr. Brewer confirmed there is no on street parking. Mr. Rawlings asked who will enforce no on street parking. Mr. Nagle stated the HOA.
- You are dedicating an easement to the Township for a roadway from the building to Reeceville Road. You are not building the road or bridge over the wetlands. Mr. Rawlings asked if they would be providing the permits. Mr. Brewer added it is on the HOP.
- You are deeding a 4.5-acre area for the Township to use as compost. Who will own the property? Mr. Nagle stated it is an offer for the Township to accept. He added if accepted it would be the Township's.
- Will the two emergency access roads be paved all the way out? Mr. Brewer confirmed. Mr. Rawlings asked if the access roads are one-way or two-way. Mr. Brewer stated the roads are 10 feet. Mr. Rawlings asked if there would be an easement. Mr. Brewer stated he believes it is a 20-foot easement, however, it is not on this document. Mr. Brewer add there will be swing gates or a chain at the opening on the access way.
- Regarding trails, how much of the trails are wood chipped. Mr. Nagle stated he believes most of the trails will be grass trails with a few concretes and macadam.
- Is Pulte aware they will need to build their trail out to the entrance on Bollinger to connect with Brandywine Walk? Mr. Brewer confirmed.
- Will golf carts be permitted in the community? Mr. Braver stated he didn't believe there was anything either way in the documents.
- Will the mailboxes be located at the clubhouse? Mr. Braver stated they will have to work with the postmaster as to location. Adding it is his preference they are located in the clubhouse. However, there will be temporary mailboxes until the clubhouse is completed.
- Will the mailbox locations be lit? Mr. Brewer stated the mailboxes are shown by the community center; the community center is lit.
- Fee-in-Lieu of Recreation - Mr. Nagle stated during Preliminary the fee agreed on was approximately \$200,000. Adding the recreation improvements were 1.9 million dollars. The improvements have since grown to approximately 2.3 million.
- Traffic Impact Fee - Mr. Nagle stated this is on the check list that was provided under the preliminary development approval list and per the Township's Ordinance they will be paid at the time of building permit submissions.
- Maximum size of decks and patios - Mr. Brewer stated what is shown on the plan is the maximum size of product that can be built on either the townhome or the single. Mr. Braver indicated the HOA documents will state the size of deck and patio permitted to be built on each house. Mr. Brewer added stormwater is built for the maximum size units and decks for each individual lot.
- Are there landscaping plans for planting around each unit? Mr. Brewer advised what is on the plan is what is being proposed. Mr. Rawlings asked if the developer is planning to provide foundation plantings. Mr. Braver stated there will be some kind of plantings.
- Have the revisions been made regarding truck turning radius? Mr. Brewer confirmed.
- Is there a Fire Marshal letter? Mr. Brewer stated he has not received a letter to date.

Mr. Taraschi stated that he is concerned with the addition of over 500 new units being built in the Township and basically getting no traffic improvements. Mr. Braver stated Pulte set money aside for the intersection work. Mr. Taraschi asked who is going to build the improvements for the developers to do their projects. He advised the Township needs the Reeceville extension built, with the number of new units being added to the Township and the amount of new traffic.

Mr. Rawlings suggested if Pulte is doing the road work at N. Guthriesville Road and Route 322, to change it into a right turn only. Mr. Reven stated that is a component of the approved Giant Plan.

Ms. Van Dyk asked if we have received a lighting plan. Mr. Cline confirmed it has been received, however, it has not yet been reviewed.

Mr. Buczala stated he has concern regarding the large number of conditions, per the conditional use decision, the Zoning Hearing Board Preliminary Plan approval and the very large number of conditions that have not been met. He added he does not feel it's ready for Final Plan approval tonight. Mr. Cline stated he thinks with a project this size, there are lot of things going on. He stated we have to keep track of fees, HOA documents, edits and notes to the plan. He stated there is nothing in his letter outstanding that will change the layout of this plan. He added it is the Planning Commission's level of comfort with the plan to make a determination whether to approve or not.

Ms. Camp inquired as to what is missing in regard to the Historic Commission. Mr. Buczala added there wasn't any details with regard to provisions in the agreement between the Historic Commission and Ryan Homes. Mr. Nagle stated they have agreed to work with the Historic Commission and be compliant. Mr. Buczala added there was a letter written by Mr. John Black providing the details of what was agreed upon and what would need to be provided. He advised those details were not provided in the plan. Mr. Nagle confirmed there was a letter and they are waiting to make sure everything raised in the letter has been checked off. He added there is no open issue of significance. It was dealt with during preliminary plan approval. Mr. Buczala summarized that there are items that you are going to be required to provide, acknowledgement of the history of the springhouse, maintenance and rehabilitation of the springhouse, signage with regard to the Weaver Farm and the springhouse. He also added the comments in the letter did not make it into the plan itself. Mr. Nagle stated they have agreed to comply with what the Historic Commission requested.

Mr. David Perme, a resident of the Township, voiced concern that we are going to add 500 plus new units based on a Traffic Study of an improvement that doesn't exist and may never exist. He added what will exist is the traffic. Mr. Perme asked what happens if the negotiations do not go through with Pulte. Ms. Camp answered the Township may then have to evoke eminent domain.

Mr. Carl Croft, Township Supervisor, asked Mr. Cline if the HOP has been reviewed and what does it say about the intersection. Mr. Cline stated the HOP does not say anything about the intersection. He advised the HOP only address the two access points to the neighborhood plus the two emergency access locations. Mr. Croft asked if East Reeceville is a state road. Mr. Reven confirmed. Mr. Croft stated he is not in favor of the HOA being in charge of the impervious or side yard restrictions. He added that in his experience, the HOA's ignore them anyway. He asked if this can be placed in a deed restriction. Ms. Camp explained the HOA Declaration serves as a deed restriction. Mr. Croft stated he is in favor of the project. However, he did not feel it was ready for approval at this meeting. He stated there are too

many pages of what ifs and maybes. Mr. Nagle thanked Mr. Croft for his comments. He added he feels these issues will be resolved prior to attending the Board meeting.

Mr. Rawlings asked who is going to do the housekeeping and verify all of these issues have been resolved prior to the applicant appearing before the Board of Supervisors. Ms. Camp stated Mr. Nate Cline and she would be. She added, Mr. Nagle created a checklist that both she and Mr. Cline have received. Ms. Camp stressed it's important that these items that are marked pending or outstanding are resolved. Mr. Cline stated he is comfortable in the fact that there will be no structural changes to the plan.

Mr. Rawlings suggested they can move forward with this plan with the knowledge that there will be no structural changes. Adding he would like to see the correction prior to the applicant going before the Board of Supervisors.

Mr. Rawlings made a motion that the Commission approve final pan approval for Brandywine Walk with the conditions, letters and discussions held this evening. The final condition is the Township Engineer and Solicitor review the documentation and bring it together prior to the Board of Supervisors meeting. Member Taraschi seconded the motion. With all members voting Aye, motion passed 5-0.

## **Township Plans**

There were no new plans.

## **Ordinance Task Force Update**

Mr. Wagoner present the Commission with an update of the Ordinance Task Force meeting that was held on July 27, 2022. The action items are as follows:

- The Official Map
- Parking requirements for new developments
- Dog sitting businesses as home occupations
- Review of landscaping requirements for new developments
- Minimum lot sizes in residential zones
- Review Minimum Dwelling size in TND-1 Zone

Proposed action items discussed were the code amendment to omit provisions of Chapter 399 Article XX "Amendments" not otherwise required by MPC. Mr. Wagoner added the 2022 Comprehensive Plan was presented in a public meeting on July 6<sup>th</sup>. It was forwarded onto the appropriate parties on July 7<sup>th</sup> and will be potentially adopted on September 15<sup>th</sup> at the Board meeting. Mr. Reven stated on August 18<sup>th</sup> the Board will hold a public hearing to potentially adopt the Ordinance Change of the Maximum Impervious in the R-1, R-2 and R-3 Zones. Mr. Wagoner also stated the 2022 Stormwater Ordinance that was presented on July 6<sup>th</sup> will be presented to the Board on August 18<sup>th</sup> and will go into effect on September 30<sup>th</sup>. He added the next Ordinance Task Force meeting is scheduled for August 24<sup>th</sup> at 7pm.

**Public Comment on Non-Agenda Items**

Mr. George Henderson, 8 William Penn Drive, stated based on the recent meeting he attended he feels that the Commission is not looking at the big picture of the impact these developments have on the Township beyond the traffic patterns.

Ms. Jenna Richter, a resident of the Estates of Dowlin Forge, asked the Commission what the next steps are in deciding on the non-voting members, what are the expectations, what are the responsibilities, how long are the terms and how far in advance of the meeting does the Commission receive the materials. Mr. Rawlings explained that typically there is a date at which all material needs to be received by the Commission. This is typically two weeks before the meeting. He added the Township Engineer will then perform his review. The Commission hopes to have all the documents the Friday before the meeting. He also added that sometimes with vacations and holidays these items are not received until a day or two before the meeting. Ms. Richter asked how the action items regarding the Comprehensive Plan are assigned. Mr. Rawlings and Mr. Taraschi both stated these items are discussed during public meetings adding they are required to follow the Sunshine Law. She also inquired about alternate members. Mr. Rawling stated they are currently in discussions regarding alternate members. Mr. Reven stated our Ordinance states the Commission can have up to four non-voting members with no specification on the end of the term. He added the Commission members have a 4-year term. They are staggered so the terms are not expiring at the same time. The MCP does state that there can be alternate voters, however, we have no precedence of that. He advised this can be done by resolution.

**Adjournment**

Chairman Rawlings made a motioned to adjourn the meeting at 10:15 PM. Member Van Dyk seconded the motion, with all members voting Aye. Motion passed 5-0.

Respectfully submitted,

Lisa Taraschi,  
Township Secretary