

**East Fallowfield Township
Planning Commission
2264 Strasburg Road
610-384-7144**

**Chairman: Deborah Rush Member: Paul Daniels
Vice-Chairman: Roger Brown Member: Jim Durborow
Member: Bernie Beegle
Member: John Schwab
Member: Dennis O'Neil**

August 07, 2006 Planning Commission Meeting Minutes

The meeting was called to order by Deborah Rush @7:30 p.m.

IN ATTENDANCE: Chairperson; Deborah Rush, John Schwab, Jim Durborow, Paul Daniels, Dennis O'Neill and Linda Hart

Deborah Rush made motion to approve minutes from the June meeting. Second: John Schwab Voted: Jim Durborow, Paul Daniels, Dennis O'Neill

PAULA COYNE

Paula Coyne chairman of the Historic Commission spoke to the Planning Commission members about the Historic Commission purpose in the Township. Paula said when a property has historic resource, that is any building that is 50+ years old, when a subdivision plan comes in front of the Planning Commission Paula said that the Planning Commission should make sure the developer is aware that the Historic Commission has to pass on anything that they are doing that would affect the historic structures. Paula also made sure the Planning Commission was aware of the Historic Zoning Ordinance that is 2004-08 and asked that Linda make copies and give copies out to the Planning Commission. Paula said that Chris Della Penna has been very wonderful about picking up on historic sites when developers turn in a subdivision plan. Deborah said that the Planning Commission will not know if something is Historic or not when a plan is submitted unless the builder tells them or Chris DellaPenna notes it in his letter. Paula stated if a historic structure does come up again on subdivision plan the Planning Commission should make the developer aware that they must contact the Historic Commission and set up a meeting to go over the plan with the Historic Commission and get their recommendation to the Board of Supervisors.

BONSALL FARM ESTATES

Bob Smiley presented the sketch plans to the Planning Commission board regarding the subdivision Bonsall Farm Estates. Bob said they came in front of us couple of months ago but since then Chuck Dudson has left the company and he is now taking over and on the old plans there were a couple of things that Chris DellaPenna picked out that they should look at. Bob Smiley said while they were looking at them they decided to change the plan. On the new plan they changed one of the access roads from Park Ave to Windy Hill Road which will go through Strasburg Hunt Development and the other access road will be Knoll Rd which will exit thru Strasburg Hunt Development also. Bob said they looked at the plan to see if they could reduce tree disturbance, steep slopes, etc. Bob Smiley that they have a Historic house that sits right on the road where the subdivision is going. Bob Smiley said by changing the road access from Park Ave which would have come out right by the historic house located on Park Ave to Windy Hill road the land surrounding the home would be undisturbed. Bob Smiley said

the dark shading in the lower right hand corner is steep slopes that are 25% and greater and there are no wetlands, floodplain on this site they are all located on the other side of the road. Bob Smiley said that leaving the road coming out onto Park Ave with the 24" cartway and the grading necessary to get a road there would be huge cut with the new plan changing the access road to Windy Hill Road would give 50 foot frontage and they wouldn't need site distance since the road would connect thru Strasburg Hunt by connecting to a cul-de-sac in their development. By not having the road come out onto Park Ave they will be disturbing fewer trees and they could put storm water in the rear of the lots at the top of the subdivision so that the storm water would flow down the road into storm water system that would be in the development. Bob Smiley said that they came to the Planning Commission tonight with the sketch plan so that they could get the Planning Commission feedback on some of their ideas before they had a new plan drawn up. Bob Smiley said by changing the plan it has reduce disturbance of steep slope of 15%-25%, very steep slopes by 25% and woodland by 3 acres and 1,000 foot less road and there will be centralized stormwater basin and no disturbance to the historic site. Bob said that they had Conditional Use Application with the Township for crossing some of the small areas of 25% steep slopes. Bob said by moving the access road from Park Ave they will no longer need that Conditional Use Application.

Deborah asked what the 25 foot wide access easement attaching to the bulb of the cul-de-sac is that driveway easement that crosses that person property? Bob Smiley said that is correct: lot #7 has a several hundred feet of frontage along Park Avenue and but instead of taking the driveway down through the slope they would be running the driveway to the end of the cul-de-sac.

Dennis O'Neill said that there is significant amount of traffic that goes through Strasburg Hunt and it is quiet possible you could look at this as Windy Hill Rd could be a cul-de-sac from the point it leaves Three Stone Lane in Strasburg Hunt. Bob Smiley said that currently it is a cul-de-sac now but it will no longer be a cul-de-sac because it would loop back to Knoll Rd and the only cul-de-sac would be 1000 feet. There will also be second access on the loop that you can go either direction by making that connection.

Dennis O'Neill said the second point is the considerable opposition to any access through Strasburg Hunt by the Strasburg Hunt residents. Dennis O'Neill said that they should make an effort to speak with the residents of Strasburg Hunt about now having two access points through their development instead of one. Bob Smiley said that when Strasburg Hunt was approved back in 1980's by the Township felt where possible and required you run stubs to the property line for future connections.

Jim Durborow asked would the utilities in Strasburg Hunt cover the 18 lots proposed for this subdivision. Bob Smiley said the water would come in thru there but they need to see if they are able to get sewer connection. There is a pump station at the end of Windy Hill Road. He is not sure if they will be able to connect into that.

Deborah said that the residents from Strasburg Hunt who came in were concerned about through traffic that they would receive. There was discussion putting speed bumps or other traffic reduction measures. Paul Daniels said their major concern was traffic going down to Strasburg Rd and being a thru way. Paul said that concern would be eliminated since they are changing the access entrance to Windy Hill Rd instead of Park Ave. The Historic house will not be affected since the access entrance has been moved from Park Ave. John Schwab asked the members if they think it will be a less of a problem with having the two access roads going thru Strasburg Hunt instead of one. Paul Daniels said he does, because there will be a little more traffic because of the 18 dwellings that are going in but there would have been more if they keep the one entrance coming off of Park Ave. Paul Daniels said he likes the idea of having all the greenery and open space by changing the access road. Bob Smiley said that all the lots could be deed restricted so we wouldn't have to worry someone coming in later to build something.

Bob Smiley said that development could be 17 lots instead of 18 lots. They would like it not to be but if through putting the basin in the only location it can go were they might have to put in two basins in the general area and need easements and if they can't do the juggling act needed one lot maybe eliminated.

Deborah said about getting information on traffic calming ideas down for both of these access roads and recommends that they meet with the residents of Strasburg Hunt about the two access roads and any of their concerns should be ironed out before the Planning Commission meeting and let the residents know when they will be coming back before the Planning Commission.

Chris Della Penna said as far as the basin is concerned, the Township is getting away from centralized basin they will need to be all done on lot with the BNP. Bob Smiley said they would do what ever the BMP grant will allow them to do. Bob asked will the BMP going to have to be with the easement and then gets limited from the lot area? Chris said not unless they are on individual lots.

Deborah asked the Planning commission members how they felt about the planning of the lot shapes and houses? Everyone on the Planning Commission was fine with the lot shapes and the location of the houses. Deborah asked the Planning Commission members if anyone had any comments regarding this subdivision the response was no.

DUNSMORE

Denny Howell Jr. presented the preliminary plans to the Planning Commission board regarding the Dunsmore subdivision. Denny Howell Jr. said that he has Chris Della Penna letter and that it would be easier to sit down with Chris and show them what their intent is. Denny Jr. said that their intent as to use the Dunsmore driveway for access to lot #3 & #4 and build another driveway down off the south side to service #1 & #2 in easements and show a right-a-way that doesn't go towards lot area, so if they wanted build a private road they would have the room to do it. Paul Daniels said how would you access #1 & #2 and Denny Jr. said they would access it from the existing driveway and there is a break through the pine trees. Deborah asked Denny Jr. that he is showing a cul-de-sac but it's really not one. Denny Jr. said that is correct. Because 4 houses can't be on shared driveway per our ordinance but in this case it would be a private street and that they would get waivers. Denny Jr. said the idea is not to build a private street so they don't have to knock down a whole bunch of trees.

Deborah asked Denny Jr. if he is planning on having any public streets? Denny Jr. said no. He is planning on having private streets. Deborah asked Chris DellaPenna are private streets allowed to be length and have as many houses on them? Chris DellaPenna said no. Chris said they are still restricted basically the same criteria as public streets expect that they are narrower. Deborah said how then do they get around accessing 4 lots off of one road? Denny Jr. said that they can access 4 lots off of one road, but not 4 lots off a shared driveway. Denny Jr. said that lot#4 will access the private road and lot#3 is the Dunsmore house that will continue to access the driveway and a shared driveway will built off of that to lot #1 & lot #2.

Chris Della Penna said you can have 4 houses on a public or private road. Chris said the cul-de-sac part, the actually turn around part you are not allowed to have more than 4 houses and this plan has no more than 4 so Chris said he is ok there. Chris said the question is that the plan has a lot of waiver requests which are listed below.

1. Section 611 of the East Fallowfield subdivision and land development ordinance to allow a private street within a subdivision.
2. Section 604.A of the East Fallowfield subdivision and land development ordinance to allow a private street to be less than 18 feet in width. Denny Jr. said they would like to do 16 feet so that way they won't have to disturb so many trees.
3. Section 608.C to allow the proposed street to be offset less than two hundred feet from opposing entrances. Denny Jr. said they got a waiver on the original Dunsmore plan regarding this section due to the fact the Iron Horse Lane entrance is across the street there is no way they can meet this one.
4. Section 608.D. to allow the intersection of the proposed road and West Chester Rd to be placed 900

feet from the intersection of the proposed Ridgcrest entrance road and West Chester rd, less than the required 1,000 feet. Denny Jr. said that there is no way they can meet this. In our ordinance it does state except in those cases deemed by the Board to require close spacing without endangering the safety of the public. Separation distances shall be measured centerline to centerline.

5. Section 606.C of the East Fallowfield subdivision and land development ordinance to allow a tangent less than the required 100 feet between reverse curves. Denny Jr. said that they asked for this waiver so that they could use the alignment of the existing Dunsmore driveway.

6. Section 607.B of the East Fallowfield subdivision and land development ordinance to allow a street grade to be greater than 10 percent. Denny Jr. asked Chris Della Penna about this waiver because he doesn't think they will need it. Chris said no they don't need it. Denny Jr. will have this removed from the revised plans.

7. Section 603.C of the East Fallowfield subdivision and land development ordinance to allow a paved cul-de-sac to be less than the minimum 80 feet diameter. Denny Jr. said they weren't going to build a cul-de-sac but if it comes down to it that the Emergency Services would want it they would build one. Denny Jr. said he would like to do it on a spot where he wouldn't have to take down a lot of trees.

Deborah asked Denny Jr. that he basically planning on not building anything but just selling the 4 lots off and have some else put in the driveway to access #1 & #2. Denny Jr. said yes and who ever buys #1 & #2 will build the driveway back to #1 & #2. Denny Jr. that they are just showing the right-of-way because what usually happens these days that anyone who has a private road right-of-way they don't want it to be a private road anymore and for the Township to take it. In this case Denny Jr. said they are granting the right-of-way for the road and the cul-de-sac so if the 4 people who buy the 4 lots decide to build the road 18 feet wide they will be able to do it.

Dennis O'Neill said he thinks that Denny Jr. is opening himself up to a lot of trouble by having a driveway servicing the back lots. Denny Jr. said that there are shared access agreements written all over the county all the time. Denny Jr. said that when he was in front of the Planning Commission last month he said they got a response that it was a good idea on what they wanted to do so go ahead and design it. He said he wouldn't have otherwise. Dennis O'Neill said no private street, and Denny Jr. said no it was to ask for a private street but to ask for waiver down to a being a shared driveway because he said they couldn't do a shared driveway. Deborah Rush said she doesn't remember seeing anything like the plan in front of her that she would have agreed to. Dennis O'Neill said weren't you going to come out with 3 25 foot legs and Denny Jr. said yes and he said they could still do that. Paul Daniels remember talking about taking the width from 18 ft which is our ordinance to 16 ft of the Dunsmore driveway for the access road. Dennis O'Neill said will that fix in that right-of-way and Denny Jr. said no. Dennis O'Neill said he suggested at the June meeting about building a 16ft wide street and using the Dunsmore alignment and Denny Jr. said that is what they are doing by widening the Dunsmore driveway and Dennis said it won't fix in the right-of-way and Denny Jr. said no not the way it is now it will have to follow the easement he said that he why he granted himself the easement where the Dunsmore driveway is. He said if they wanted to build a physical road there they have the right-of-way. Chris said can't you move the right-of-way so that it aligns with existing driveway. Denny Jr. said he probably could bend it around it. Chris said that would satisfy some of Dennis concerns. Denny Jr. asked Dennis if that is what he was thinking about and Dennis O'Neill said yes, whatever road they are doing has to be in the right-of-way. Dennis said he is not opposed to narrowing it to 16 foot as long as some way there is notation on the plan that at some point it has to be widened to its full width. Deborah Rush said has 16 feet all the way out from the cul-de-sac to lot #1 & #2. Dennis O'Neill said there has to be a cul-de-sac bulb or have some way to turn around back into the property. Denny Jr. said no problem they can do that so that fire or ambulance departments would be able to get back in there but have a way to turn around to get back out. Dennis O'Neill also said there has to be some kind agreement with this private driveway and in that agreement it has to spell out before the Township takes it over that the 4 lot owners must build a cul-de-

sac on that private driveway that meets Township requirements for a private road or the Township doesn't take it over. Denny Jr. said that is no problem either. Dennis O'Neill said he doesn't like easements because it gets so confusing and when it comes time to put the road in the 16 foot wide driveway that they worked so hard not to disturb trees will be taken out and a new road will come in and disturb all the trees.

Chris Della Penna said to Denny Jr. that he knows that he wasn't happy about the review letter that Chris did for this subdivision. Denny Jr. bought up the one section in Chris letter regarding Section 1808.E – A master landscape plan should be prepared for the project to show compliance with the planting requirements listed in this section. Denny Jr. said he doesn't feel he should have to do this since he is just selling the lots off. Chris asked about the common driveway and showing some kind of grading for someone to build that in the future. Denny Jr. said that when they come in and decide what they are going to do there and where they are going to put and then they will show the grading for it and Denny Jr. said that he agreed to put the notation on the plan. Chris asked Denny Jr. about how he was going to go about getting the Chester County Conversation District and NPDES approval. Denny Jr. said that he already meet with the County about this and will submit a plan. Denny Jr. said the buyer of the lots will have to go through getting the NPDES approval because even if he got it now and if the new owner comes in and wants something different they have to go through it again. Denny Jr. said that they will note on the plan prior to any building permit issued given Lot#1 owner will have to get NPDES permit, grading permit from the Township and erosion control plan from the County. Chris asked would the owner be required to do the perimeter planning and landscaping. Denny Jr. said yes based upon how many trees they take out. Deborah said that she just wanted to point out that everything Chris is saying he is just bringing up ordinances and rules that he does for his job and if it doesn't apply to this lot and because the lot is so incredibly different than anything in the Township it's not Chris fault.

Denny Jr. said they are only proposing 3 lots the way the ground is today and no land development at all. Denny Jr. said that you can subdivide 100 acre property into two 50 acre lots without doing grading or anything else. Deborah said that if it's not going to be built on Deborah said that we have done that before. Chris said if he doesn't want to do it he can ask for the appropriate waivers or get variances whatever he needs but the plan doesn't address it one way or another and Chris said he cited the ordinance versus the way the plan shows.

Deborah asked the Planning Commission members their feelings on this subdivision. Dennis O'Neill said that he isn't opposed to the subdivision being done without the land development provided that the proper notation is on the plan that they have to go through land development with each lot. Dennis said as far as the road is concerned he suggested the private road because it was possible to build it and not go to the Zoning hearing board to get relief for having 4 lots off a common driveway. Dennis said if they are going to use the Dunsmore driveway then the right-of-way should at least capsule the road that you are going build and I think that some point there should be a cul-de-sac for some form or some turn around built. Jim only comment was to Denny Jr. on why he meet Garth Monaghan out there instead of Chris Della Penna. Denny Jr. said that his partner Vic set the meeting up between them and Garth. Paul Daniels said that he is fine with the private road as long as it gets straightened. John Schwab asked Dennis O'Neill about clarifying something he said about something has to be done to demonstrate that the extension of the road to Lot#1 and Lot#2 can be done talking about some engineering work. Dennis said yes and that they are going use the Dunsmore driveway that is in the clearing of the trees and Denny Jr. said yes and Dennis said that should be part of the right-of-way. Dennis O'Neill said if Denny Jr. can show where the road is going to be and show that there is adequate buffering left and demonstrate it to Chris. John Schwab said that he would be ok with the plan as long as the comments in Chris letter are satisfied. Chris Della Penna said that he isn't opposed to the plan he said he just thinks that Denny Jr. just needs to put more detail on it and Denny Jr. comment where each owner needs to apply for the appropriate permits would work. Chris said that just needs to be shown on the plan.

OPEN DISCUSSION

John Schwab said that he got a call from the codes guy regarding Pelham Place wanting to know what kind of finish that the Planning Commission members want on the pump house. John said the choices they gave are split face block or stucco. John Schwab asked Chris if he would get back to Don McDermott that the Planning Commission wants it to be stone.

John Schwab bought up about the stormwater management that came down Oaklyn Rd across the creek basin at the bottom of the hollow and the bottom of Pelham Place property. John Schwab said most of the stormwater did not come from Pelham Place it came from east and north and John feels that it came from the development in West Bradford on Strasburg and Romansville Rd and the development in West Bradford on West Chester Rd. Chris said that he will look into it and speak with someone at West Bradford about it.

George bought up about having a meeting with Stan regarding Pelham Place

Dennis O'Neil brought up about the Tom Comitta letter that they rec'd regarding 1300-2-C (The Conditional Use Plan shall have sufficient detail to demonstrate to the satisfaction of the Board of Supervisors, feasibility of compliance with all design standards and criteria of this Article, such as, but not limited to, compliance with the Open Space Design Standards in Section 1304.1, Area and Bulk Regulations in Section 1304, General Development Standards in Section 1305.1, stormwater requirements of the Subdivision and Land Development Ordinance, and sewer and water requirements of the Township, County and State. The applicant is strongly encouraged to meet with the Township Planning Commission, prior to formal Conditional Use application, to discuss conceptual plans for development under this Article, in view of community development and open space resource conservation objectives. Dennis still is concerned that it doesn't have enough definition in it to say what sufficient detail to demonstrate is. Dennis O'Neill said that he looked at our subdivision ordinances Section 501 – Standards for Preliminary Design. Dennis said we should look at referencing that Section 501 to define actually what needs to go Conditional Use plan because a lot of times Conditional Use plans come in are pretty covered words that looked good and everyone is happy with them and when it gets down to it they skip preliminary plan design and go straight to final and then it's too late fix anything. Deborah said what if we have Tom just add in at the end of that Section 1300-2-C (Please reference Section 501 (Preliminary Plan), Section 504 (Conservation Plan) & Section 506 (Impact Statements) in the Subdivision & Land Development Ordinance book). Dennis said Vince or Tom need to look at Section 504 and Section 506 and say it is covered somewhere else in the Conditional Use process. Deborah said that she will call Tom Comitta and express Dennis concerns to him and ask what the best way to go about it is. Deborah asked that everyone look at the information that Tom Comitta sent in dated 07/31/06 and if they see any other changes please call her with them.

Garth wanted to address Jim Durborow question about why did Denny Jr. ask Garth to come out and look at the property and not Chris. Garth said he wasn't out there in Engineer capacity but out there to look at the trees that Denny Jr. wanted to avoid having to cut down. Garth said he wasn't there in official capacity. Chris said he would never have gone out at that point to look at the job, but now that Denny Jr. has come before the Planning Commission with plans he would go out now and go over his review letter with him out there at the property. Paul Daniels said maybe it would be a good idea for the Planning Commission to meet Denny Jr. out and do a site walk of the property. Garth asked Chris in his review letter about public water being an error and Chris said yes that shouldn't have been on there.

George brought it up to the Planning Commission that they will be having a meeting with Deluca regarding the Pelham Place subdivision. The Board of Supervisors think it is a good idea for the Planning Commission members and them & Deluca to have a meeting regarding the proposed changes from Mendenhall plans to the Pelham Place plans. The meeting will be set for 08/21/06 @7:30 p.m. Deborah asked who is paying for Tom Comitta for the work that he did for them regarding subdivision plans, Garth said that is a good question no one is sure but Deluca should be. Dennis asked since he wasn't here during the approval process with the Mendenhall plan he asked if it could explain why there is such opposition to the new plans and why some feel it's such a significant change. John Schwab said

that when they were developing this plan they put a lot of effort into the open space design and trying to avoid what happened at Brinton Station where they had a village concept with village green surrounded by the houses and alley ways which is what they tried to do at Brinton Station but it fell apart. John said when they were working through it with the Developer this is where they were going and avoid the mistakes they made at Brinton Station and try and come up with something that really is what the open space design village green concept. The couple of the features paramount in were the village green alleys, and they saw the detached garages as part of it and it was those things that really created the village green concept design in his mind. Deborah asked John were the breeze ways kind of architectural kind thing that you wanted to bring back and John said kind of and Deborah said that would be the difference between the two plans.

The meeting was adjourned at 9:30 p.m.