

PLANNING COMMISSION

UNAPPROVED MINUTES

FOR THE

JULY 12, 2010 MEETING

Planning Commission Meeting
called to order at 7:30 PM by
Jim Durborow, Vice Chairman

In Attendance:

Jim Durborow, Vice Chairman; Members: Fran Digian, Vince Lyons, Garth Monaghan, John Schwab and Terry Young (Secretary) were in attendance. Ryan Ray, Chairman and Jim Weeks, Member were absent.

Minutes:

Mr. John Schwab made a motion to approve the June 7, 2010 Planning Commission Minutes. Mr. Vince Lyons seconded. All approved. Motion passed.

Conrad DeAbreu, a resident in the audience, asked why the Unapproved Minutes were not put on the Internet or available at the Township building for residents' review prior to being approved by the Commission. Terry Young explained that it was her understanding the minutes were not to be posted until approved. There seems to be a discrepancy regarding the procedure. Ms. Young apologized and said she may have misunderstood the direction given to her and she would look into the matter.

South Brandywine Middle School

Brian Bingeman, RLA of K&W Engineers represented the South Brandywine Middle School. Plans before the Planning Commission this evening have previously been before you. We were hoping to receive a recommendation for approval tonight, but I have to withdraw that request based on some comment letters we received.

The biggest issue is the sewers. When we did the original building renovation we were utilizing the existing system. Everybody was okay with the plan. When we moved to the new building location our assumption was to use that existing system. Of course we would like to get public sewers but public sewers are nowhere close to our site so we want to utilize the existing system. The County wants us to look at it a little closer, do additional testing and also provide an alternate system. **With all that being said our request for a recommendation for Approval of Final Land Development plans by the Planning Commission is withdrawn.**

We are having a meeting with the County at the end of July to address their concerns. The concerns referenced in Chris Della Penna, Township Engineer's July 12, 2010 letter will be addressed and finalized.

We met with PennDOT and we are in agreement with the improvements needed to be done. There were a couple of adjustments regarding the lane widths. We anticipate having their approval prior to the August Planning Commission. Discussion followed.

The flashing light of the school zone system has been a big concern with the Planning Commission. The lights will be taken care of by K&W, however, Mr. Bingeman would like to request the Planning Commission to make a recommendation to the Township Board of Supervisors to make a resolution requesting PennDOT to install the flashing light.

Mr. Garth Monaghan made a recommendation that the Board of Supervisors make a resolution to support the installation of the flashing light of the school zone system for the South Brandywine School. The recommendation was unanimously approved.

Mr. Bingeman addressed issues in Mr. Chris Della Penna's July 12, 2010 review letter that he received by fax prior to the meeting.

The issue of steep slopes was again addressed. K&W had requested interpretation from the Zoning Officer and still has not received a response. Mr. Della Penna said he does not have an objection to the applicant's request, however, the Zoning Officer should make an official interpretation. Mr. Della Penna said he would contact Rob to see why he is not responding. Discussion followed.

The applicant met with the Historical Commission in June 2010 and addressed their concerns. However, the Historical Commission requested that K&W meet with them again to review the revisions. Discussion followed.

K&W met with the Board of Supervisors and they have agreed the water and sewer is basically a franchise issue. The franchise is to the north of Strasburg Road. To get public water to the site we need to extend the franchise just to the south of Strasburg Road to put in a water meter pit. The Board of Supervisors acknowledged that they will grant that, but they want to do more investigation on the franchise extension. It should be noted that it is part of the PA American Water Franchise Agreement that if homeowners want to tie in they can, however, they are not forced.

Issues regarding the crosswalk and lighting are not yet resolved, but Mr. Bingeman is confident the issues will be finalized in time for the Planning Commission meeting in August.

Mr. Bingeman addressed the question regarding the plantings. He explained there was one area that needed about 70 trees and additional shrubs. This was part of the Historical Commission's comments. K&W added additional buffering to the rear property line. About twice as heavy as originally submitted.

Mr. Bingeman feels that by the next meeting with the Planning Commission all concerns will be satisfied and we will be able to ask for approval of the Final Land Development Plans.

East Fallowfield Elementary School – Modular Units

Mr. Bingeman asked if he could make an additional request. He spoke with Mr. Della Penna concerning East Fallowfield Elementary School. The District has four (4) modular units they would like to locate on East Fallowfield's Elementary campus to relieve classroom crowding. Basically they have two existing modular units to the rear of the school and they are looking to locate the four additional modular units right in line with those extending the existing access way. They will be primarily classroom units. There are no plans of moving or redistricting the students to this area. It is to handle the typical increases or decreases and to give the students of East Fallowfield Elementary a little more room in the class. There will be no water or sewer to the units. Each unit will have electric and heaters. Discussion followed.

It is acknowledged that they would need to go through the permit and approval process. However, they are trying to avoid a full Land Development Plan. They are trying to work as quickly as possible so they can be ready for the school year. He spoke with Township Engineer, Chris Della Penna, and Rob McLarnon, Zoning Officer, to see if this is possible.

Mr. Della Penna thinks it would be helpful to have abbreviated procedures to get this going before the school season. He agrees that if they had to go through the whole process of Land Development that it will not happen, **but there are issues**. If there is a procedure to address parking, erosion control, storm water management, landscaping, etc. he would not have a problem. Discussion followed.

Mr. Garth Monaghan made a motion that the Planning Commission recommend approval for the modular classrooms with the concurrence of the Township Engineer's clean letter. The motion was unanimously approved.

Variance Application

Tiffany Sprows was in attendance to apply for a variance for a Home Occupation Section 1712 under Day Care Home which allows up to six children unrelated to you. The variance she is applying for is the parking requirement (Section 201). There is a minimum of two off street parking spaces in addition to the required number for a resident. Also, an area for the discharge and pick up of the children shall be provided, which can be removed from both the parking.

She believes she is asking for three additional parking spaces or two parking spaces plus a drop off /pick-up and she does not have the land to do that. However, she has a home with a two car driveway that can fit four cars front to back and cannot be expanded any wider. Her situation is very quick, not even five minutes. Parents just pick-up/drop-off very quickly. The most she will ever have is six children and the likelihood of them coming at the same time frame is unlikely. This is the only requirement that she would not be able to comply with so that is the one she needs the variance for.

There are no employees and she operates the business out of her home. She presently cares for three children between the hours of 7:30 AM and 5:30 PM.

She needs to complete this step in order to go to the state to get a license. You are allowed to watch three children in your home; any more than three requires a license from the state. And the state requires a Certificate of Occupancy. She spoke with Rob McLarnon, the Zoning Officer, and he said in order to do that she needs to get the variance for the parking first.

The letter dated April 2, 2010 from Branford Village Homeowners Association does not state their position and they have not yet passed the amendments required to make a change to their declaration from a three-person to a six-person home day care. It is totally uncommitted. Discussion followed.

Ms. Sprows was advised to bring letters from her HOA and neighbors to the Zoning Commission meeting at the end of July. The Planning Commission cannot give a recommendation.

Garth Monaghan made a motion that Ms. Sprows provide a letter from her Home Owners Association acknowledging the change in the Township's Ordinance and confirming they are okay to have a Day Care Center in the community. She should also bring letters from her neighbors supporting the Day Care Center at her address. The motion was unanimously approved.

The meeting adjourned at 8:45 PM.

Submitted By

Terry Young