

PLANNING COMMISSION

APPROVED MINUTES

March 5, 2012 MEETING

Planning Commission Meeting

Called to order at 7:30 PM by

Jim Durborow, Chair

In attendance: Jim Durborow, Chair; John Schwab, Vice-Chair; Jim Weeks, member; Garth Monaghan, member; Vince Lyons, member; Fran Digian, member; Joe Perzan, member; Chris Della Penna, Township Engineer. **Absent:** Jim Weeks, member; Chris Amentas, BOS liaison.

Approval of Minutes: Mr. Schwab moved to approve the February 6, 2012 Planning Commission minutes as presented with no corrections. Mr. Perzan seconded. Vote: unanimous.

Proposed Reverse Subdivision Discussion:

Mr. and Mrs. D'Angelo of 2380 West Chester Road presented their proposed subdivision. Mrs. D'Angelo stated that her parents owned the property at 1525 S. Bailey Road, originally bought in 1950 with a lot size of 1.9 acres. Later in 1965 and 1970 they bought the back half of two neighboring properties. Her parents would now like to transfer these two properties to Mrs. D'Angelo. There is currently a two stall stable and pasture on this site that would continue to be utilized in the same manner. These two parcels are landlocked and less than 2 acres. There are three separate deeds for this property which the County, at some point, combined into one parcel number. Sue Torrance, Mapping and Data Supervisor of Chester County told Mrs. D'Angelo that she is willing to do the subdivision but needed permission by the Township Manager so that no ordinances or zoning laws were being violated. Since there is no Township Manager, Rob McLarnon said this should be brought before the Planning Commission. Mr. Durborow indicated that the Planning Commission can only make a recommendation, not take action.

Township Engineer Chris Della Penna indicated that there are some zoning issues, the primary issue being that there are three deeds for one parcel. Mr. Della Penna stated that the current subdivision plan would have to make it clear that the land would not be a separate parcel and would have to be combined with 2380 West Chester Road. The remaining land would have to be adjusted to 2 acres to conform to zoning. Another issue is that a Township line cuts through the property. One portion is in West Bradford Township and the other is in East Fallowfield Township. West Bradford Township does not tax the parcel. Mrs. D'Angelo indicated that her brother will be moving into 1525 S. Bailey and the intent would be to have the lots as separate parcels in case one was sold. Mr. Lyons asked if any paperwork from the County existed that specifies when the properties were merged into one parcel. Mrs. D'Angelo said she was not aware of any documents of this nature. Mr. Digian asked if the three deeds had the same owner and Mrs. D'Angelo confirmed that fact.

After further discussion, Mr. Durborow suggested that the D'Angelos consult with a lawyer to determine which takes precedence: (1) the tax maps and Township records showing it as being one parcel, or (2) the County and deeds showing that it is three parcels. Mr. Della Penna indicated that if the Township created a separate lot, it may not conform to current Township zoning. A lawyer would have to determine the deed issue. Mr. Monaghan felt that if the acreage was divided in such a way, two conforming lots could be made that meets the acreage requirement. The primary discussion then split into six separate conversations held at the same time among Planning Commission and audience members, at which point the Planning Commission Secretary stopped taking notes.

New Business: There were not items for New Business.

Adjourn: Mr. Schwab moved to adjourn the meeting. Mr. Monaghan seconded. Vote: unanimous. The meeting adjourned at 8:15 p.m.

Respectfully submitted,

Barbara Ann Henry

Planning Commission Secretary