

**EASTTOWN TOWNSHIP PLANNING COMMISSION
WORK SESSION
MEETING MINUTES**

April 5, 2016

Work Session Meeting

The work session meeting was called to order at 6:30 p.m. All Planning Commission Members were present. Planning Commission discussed the matters that were on the regular meeting agenda.

**EASTTOWN TOWNSHIP PLANNING COMMISSION
REGULAR MONTHLY MEETING
MEETING MINUTES**

April 5, 2016

The regular meeting was called to order at 7:00 p.m. by Chairman Mark Stanish. Other members present: John McCarty, Mary Hashemi, Tim Brennan, Mike Cappelletti Also attending: Eugene Briggs, Assistant Township Manager/Zoning Officer, Kevin McAghon, P.E., Township Engineer, and Kristin Camp, Esquire, Solicitor.

1. Approval of Minutes from the March 1, 2016 Meeting.

Motion by Mike Cappelletti and second by Mary Hashemi to approve the Meeting Minutes from March 1, 2016; unanimously approved.

2. Subdivision and Land Development Plan Applications.

a. SD 508 – 72 Main Avenue. Stacy Ballard, the Applicant, presented the sketch plan which proposes to adjust a common lot line between two existing lots with the VR Village Residential Zoning District to add property to the 72 Main Avenue property. No building improvements are proposed as part of this subdivision application. Ms. Ballard indicated that she can comply with all of the comments in the consultant's review letters. Mark Stanish questioned what will occur within the permanent easement area. Ms. Ballard indicated that she is willing to accept a restriction that there will be no impervious cover and no improvements constructed within the easement area. At the conclusion of the presentation, the Planning Commission recommended that the Board of Supervisors approve the sketch plan as a minor preliminary/final subdivision plan subject to compliance with the following conditions:

- (i) Compliance with all outstanding comments in Eugene Briggs' Memorandum dated March 30, 2016;
- (ii) Compliance with all outstanding comments in ARRO's review letter dated March 25, 2016;
- (iii) Compliance with all outstanding comments in McMahon Associates, Inc.'s review letter dated March 23, 2016;
- (iv) Compliance with all outstanding comments in Glackin, Thomas & Panzak's review letter dated March 25, 2016;
- (v) The plans shall be revised to use darker print to more clearly depict the existing improvements on the lot; and

- (vi) A note be added to the plan and a restriction included in the deed for the property that prohibits the installation of any impervious cover in the proposed easement area of 533 square feet.

- b. SD 509 – Dorset Green. The Applicant previously received subdivision plan approval which required a sidewalk along the Dorset Road frontage. The sidewalk was constructed, but it was discovered that it did not comply with the specifications on the original approved plan. The Applicant now seeks to revise the original plan to not install a sidewalk along the Dorset Road frontage and seeks a waiver from Section 400-41 of the SALDO. The Applicant would have to remove trees to install the sidewalk in the location which was previously approved on the original plan. The original plan did not have any details on the sidewalk and it was, therefore, not discovered that relocating trees would be necessary. Mary is comfortable with granting a waiver. Tim lives on Dorset Drive and doesn't think that sidewalks will ever extend beyond this subdivision. The Planning Commission recommended that the Board of Supervisors approve the plan and grant a waiver from Section 400-41 of the Township Code subject to compliance with the following conditions:
 - (i) Applicant pay a fee in lieu of sidewalk in an amount to be recommended by the Township engineer; and
 - (ii) Applicant remove the crushed stone area adjacent to Dorsett Road and plant grass in its place.

- c. LD 109 – 4 Midland Avenue. The land development plans propose to construct 16 residential townhouse condominium type units on an existing lot within the VB Village Business Zoning District. The plans propose the removal of an existing commercial building, underground stormwater management detention, public sewer and public water. George Broseman, Esquire, made a presentation to the Planning Commission and explained that he believes that the Applicant can comply with a majority of the comments in the consultant's review letters. Mr. Broseman explained the differences in this plan from the original sketch plan. The Applicant is no longer proposing townhomes, instead they are proposing condominium units on top of one another. They will present architectural renderings when they are completed. They agreed to treat the alley as a street right of way and comply with the build to line which will require relocation of the garages. The Applicant asked the Planning Commission for feedback on the sidewalk configuration. They would prefer to have the residential standard and may seek a waiver to allow different specifications. The project manager, Jack Robinson, P.E., explained that all the stormwater will now be underground in recharge beds underneath the pavement. Kevin McAghon commented that the Applicant will need to evaluate the capacity

of the stormwater pipes in the street. The existing stormwater pipes in Midland Avenue may be substandard, but he does agree that the Applicant's proposal will improve the stormwater management condition from its existing condition. Mark Stanish indicated he does not like the location of the garages. Bud Buchanan, the owner of Handels, which is the adjacent property owner, is concerned about the parking. He believes that the plan does not provide enough. Nick Kennedy from Berwyn Avenue is concerned over traffic and indicates that students walk on this road. The Applicant will revise the plans to address the consultant's comments and appear before the Planning Commission at a future meeting.

3. Zoning Permit Applications.

- a. ZHB 546 – 327 South Fairfield Road. The Applicants propose to install a 6 foot tall fence and 9 foot tall pillars in their front yard. Mrs. Cleary presented the application and explained that they are trying to improve their front yard and would like to have a fence and pillars consistent with the neighbors. Mark Stanish indicated that he was opposed to the application. Mr. Cleary explained that they supported their neighbors' variance application and that the height of their proposed fence is less than the height of the fence across the street. John indicated that he believes the height of the fence and pillars are out of scale with the property as compared to the property across the street which is a much larger estate. Mark explained the purpose of the height restriction. Mike does not see any hardship, but does not want the Planning Commission to make any recommendations or comments. John asked if the Applicants would consider scaling back the application. The consensus of the PC was that they do not support the variance and would want the Zoning Hearing Board to deny the requested relief.

- b. ZHB 547 – 131/133 Lancaster Avenue. Debbie Shulski, Esquire, representing Patient First explained the zoning variance application to allow certain signs to be constructed at the Patient First building which is being constructed at 131/133 Lancaster Avenue. The Planning Commission suggested that the Applicant should have reviewed the sign regulations in the Ordinance when they submitted their development application so that they knew whether or not they could comply with the Ordinance. The Applicant is now arguing that they can't construct the wall signs at a maximum height of 15 feet because of the particular design of the building. The Planning Commission members felt that had Applicant investigated the sign regulations prior to designing the building, they could have incorporated a sign which complied with the sign heights. John looked at the architectural rendering along Lancaster Avenue and believed that you

could install a sign at the maximum height of 15 feet as required by the Ordinance. John does not support the variance and believes that Applicant has other options. Mary and Mark both agree with John and believe that the variance to allow the wall sign to be at a height of 21.5 feet should not be granted. The Planning Commission had no objections to the Applicant's request to permit the wall sign on the eastern elevation to be located on the building façade which is not along a street frontage and had no objection to the size of the freestanding ground sign or inclusion of hours and days of operation on the freestanding ground sign.

- c. ZHB 548 – 2550 Crum Creek Drive. This vacant lot was part of a 1960 subdivision when the Ordinance did not have regulations concerning riparian buffers. The riparian buffer regulations were enacted in 2009 and now require a 50-foot buffer. The Applicant, Therese Hone Woodman, proposes to construct a single-family detached dwelling on the property. In order to do so, Applicant needs a variance from the riparian buffer zone ("RBZ") standards in Section 274-18.A of the Natural Resources Protection Ordinance which are incorporated into the Zoning Ordinance. Applicant requested a variance from Section 274-19.A to permit disturbance in the RBZ in order to construct the single family dwelling. The Planning Commission asked whether or not the Applicant would need any additional variances and the Applicant indicated that she would not. Mary questioned the purpose of the riparian buffer guidelines. Ms. Camp pointed out to the purpose standards in the Natural Resources Protection Ordinance. The Planning Commission had no opposition to the application, but recommended that the Applicant maintain a 10-foot wide riparian buffer. Ms. Woodman indicated that she would revise the plan to establish such 10-foot minimum buffer.

Respectfully submitted,

Kristin S. Camp, Esquire
Buckley, Brion, McGuire & Morris LLP
Planning Commission Solicitor