

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

SEPTEMBER 06, 2018

The regular meeting was called to order at 7:00 p.m. by Chairman Mark Stanish. Other members present: Vice Chairman Tim Brennan, Jim McCarty, and Ann Rothmann. Also attending: Eugene C. Briggs, Jr., AICP, CZO, Assistant Township Manager/Director of Planning and Zoning/Zoning Officer; Brady Flaharty, PE, Township Engineer; and Kim Venzie, Esq., Alternate Planning Commission Solicitor.

August 07, 2018 Meeting Minutes

On a motion by Mr. McCarty, seconded by Ms. Rothmann, the Planning Commission unanimously approved the meeting minutes from August 07, 2018.

SD 519 - 616 Leopard – Final Minor Subdivision Plan

The Applicant proposes to subdivide a single residential lot into two lots for the construction of two new Single-family Detached Dwellings. The original decision deadline was to expire on June 04, 2018, but was extended to September 18, 2018 by four agreements.

Ted Moser was in attendance representing his son, the Applicant. He explained the steps the Applicant has taken to comply with the Consultant's letters, including the removal of a tree to improve site distance from the driveway exit.

After discussion, Mr. McCarty made a motion to recommend Subdivision Plan 519 616 Leopard Road to the Board of Supervisors. Mrs. Rothmann seconded the motion. Chairman Stanish opened the floor to the public and there were no comments. The motion passed unanimously subject to the Applicant's compliance with the outstanding conditions in the following Township consultant review letters: ARRO review letter of August 24, 2018; McMahon Associates, Inc. review letter of August 29, 2018; and Glackin Thomas Panzak review letter of August 23, 2018. The Commission recommended that the following waiver which is referenced in the various consultant review letters be granted: SALDO Section 400-41 — a waiver to not require curbs and sidewalks along the subdivision frontage along Leopard Road provided that the Applicant pay an appropriate fee-in-lieu of curb and sidewalk in accordance with the Township's adopted 2018 Fee Schedule (\$28/LF for curb and \$32/LF for sidewalk). Such fees shall be paid prior to recording of final plans.

After the motion was made, public members entered the meeting and asked to be heard.

John McDevitt, of 1410 Byrd Drive, stated his concern over increased stormwater runoff to neighboring properties. Mr. Moser responded that the Applicant is required to comply with the regulations set forth in the County's Conservation District plan.

Tim Cogswell, of 1428 Byrd Drive, sought clarification regarding the 100 foot radii drawn around the wells on the Plan and added that one of the radii extended over the property line to his property. Mr. Moser responded that this is regulated by the County Health Department.

Mr. Flaharty explained the Township's stormwater management review process to the public and Mr. Briggs added that the project will not be allowed to move forward without full Township code compliance.

Polly Alden, of 563 Canterbury Lane, expressed her concern over the proposed home being built over an existing ephemeral stream.

John Benjamin, of 569 Canterbury Lane, and Mr. Cogswell sought clarification over the neighbor's legal channels for recourse should the stormwater management controls not work as intended.

Stuart Alden, of 564 Canterbury Lane, added that the approved minutes are not high level in detail and inquired as to how neighbors could get their concerns officially on the record should issues arise. Ms. Venzie answered that they can submit a letter for the record when Board of Supervisors consider approval at a public meeting.

Mrs. Alden asked that the Township provide her with a copy of the NPDES permit review letter from the Chester County Conservation District and Staff said that it would provide that to her.

Sketch Plan – 440 Darby Paoli Road

The Applicant proposes to subdivide one residential lot with a historic resource into three new residential lots for the preservation of the historic resource on one new lot and the construction of two new single-family detached dwellings on the other newly created lots. The Applicant has not requested informal reviews from the Township Consultants.

Ted Babiy was in attendance representing the Applicant and presented the Plan to the Commissioners. The property, which is distressed, currently hosts two historical structures, the main house and its spring, or tenant, house. A discussion began with the Planning Commission regarding the updated plan, which was well received.

Shena Tharnish, of 237 Exeter Road, stated that she is glad to see the proposed improvements to the property and requested that the Applicant consider putting in sidewalks. She also requested that the excess vegetation on the property be cleared.

ZHB 579 – 440 Darby Paoli Road

The Applicant proposes to partially demolish, reconstruct, and expand its pool facility, including 1 nonconforming accessory building. Variances are requested from Section 455-14.A. to allow an accessory building height of 28.5 feet where the maximum height allowed is 20 feet; from Sections 455-31.D and 274-24.A.(1) to cover Moderately Steep Slopes with 26.3% Impervious Surfaces, where the maximum Impervious Surface allowed is 15%; from Sections 455-31.D and 274-24.A.(2) to cover 9.64% of Very Steep Slopes, where the maximum Impervious Surface allowed is 5%; and to disturb 33.8% of Very Steep Slopes, where the maximum disturbance allowed is 15%. Additionally, a Special Exception is requested in accordance with Section 455-123.A.(3) to expand the nonconforming accessory building within the maximum allowable expansion of 25%.

Ms. Rothmann made a motion to support the relief requested by the Applicant. Mr. McCarty seconded the motion. Chairman Stanish opened the floor to the public and there were no comments. The motion passed unanimously with Mr. Brennan recusing himself from the vote.

ZHB 580 – 107 Chester Road

The Applicant has constructed a nonconforming driveway without Township permits. Variances are requested from Section 455-74(6)(4) to allow the nonconforming driveway to encroach 5.5 feet into the required minimum 10-foot side yard setback and Section 455-74(D)(2) to allow parking spaces with a width of 7.75 feet where a minimum width of 9 feet is required. There was no public comment. After discussion, the Commission took no action on this application.

Draft Code Amendments

The Commission discussed various proposed code amendments but did not take any formal action.

Public Comment

None.

Announcements

Next tentatively scheduled Workshop is Tuesday, October 02, 2018 at 6:30 p.m. Next scheduled Regular Meeting is Tuesday, October 02, 2018 at 7:00 p.m.

The meeting adjourned at 08:35 pm.

Respectfully submitted,

Kate Jones
Recording Secretary