

WEST VINCENT TOWNSHIP  
PLANNING COMMISSION

June 15, 2017                      7:30 PM

Attendance: Sara Shick, Jim Helm, Ted Otteni, Steve Merroth, Gil Lappano, Township Engineer Bryan Kulakowsky, Township Manager Erica Batdorf and Township Secretary Tammy Swavely.

Vice Chairman Shick called the meeting to order at 7:35 PM.

**ADMINISTRATIVE:**

**APPROVAL OF MINUTES:** The minutes of April 20, 2017 were unanimously approved on a motion from Mr. Helm and a second from Mr. Otteni.

**CORRESPONDENCE:**

A letter was acknowledged as received from the Chester County Planning Commission urging Chester County residents to take a survey as part of the Chester County Comprehensive Plan Update, Landscapes 3. This survey is online and Ms. Shick encouraged all to fill out the survey and distributed cards with the information to the audience.

**PLANNING/ZONING:**

Eagle Farms/Sunderland Avenue: Attorney for the applicant, Alyson Zarro was present to discuss this plan along with a Toll Bros representative Mike Downs and their engineer, Mark Thompson from Taylor, Wiseman and Taylor. Ms. Zarro stated that this project is almost built out, but as part of a Conditional Use in Upper Uwchlan, Sunderland Avenue has to be constructed. Toll Bros. revised this plan in 2013 and removed it thinking of the wetlands that would be disturbed, but the homeowners in Upper Uwchlan took Toll Bros. to court and a judge ruled that the road must go in. The renaming of a certain portion of Rainer Road was discussed. This can be worked out with the Township and Chester County since no one lives on this portion of the road and it makes sense to be Sunderland Avenue. Bryan Kulakowsky has prepared a revised review letter dated June 12, 2017. Ms. Zarro stated that they will comply with all the comments. Ms. Zarro discussed the waiver requests with the commission. The first one that was discussed was the designation of the road. Toll Bros. would like to have it designated a local access road rather than a minor collector road. This would allow the road to be a little smaller and not have to disturb as many wetlands. The second one is to reduce the Right of Way to 40' and the third one is to use a multi-plate, open bottom corrugated metal arch culvert to reduce the earth disturbance instead of concrete. There was a lengthy discussion on the right of way size and the size of the culvert. Mr. Otteni stated that he has seen culverts like this constructed after 20 years and they fail since they are not the right size. He feels that it should be larger than 40', at least 50'. Mr. Kulakowsky reminded him that the size of the culvert will be the same as the size of the right of way. He added that the tall ones are not easy to maintain. It also would disturb more wetlands to install. Toll Bros. is suggesting a 24' cartway which is 4' more than the ordinance requires and a 40' right of way. The proposed

walkway is 4' wide. Mr. Kulakowsky stated that if you extend the right of way you are not gaining much.

In Mr. Kulakowsky's letter he suggests that an alternative be found for R-8 Riprap. Mr. Downs stated that he is willing to change that to a product called Armor Flex which is a block matting design which will permit vegetation and Mr. Kulakowsky is in favor of this design. Mr. Martin had an issue with this and sent an email with his opinion stating he is concerned with downstream erosion. Mr. Kulakowsky stated that this product will help with that issue.

The right of way was discussed again. Mr. Kulakowsky stated that a 50' right of way for a 40' culvert minimizes disturbance. Mr. Helm stated that if a 20' cartway is called for in the ordinance then it should be followed. Mr. Kulakowsky stated that for comfort level of drivers and bicycle riders a wider cartway is recommended. Sunderland Avenue will be connecting to Rainer Road which is 24' and Eagle Farms Road which is even wider. Ms. Shick suggested that each waiver be voted on individually. Waiver Request #3: Mr. Otteni made the motion that they Planning Commission recommend to the Board of Supervisors that they deny the waiver request to use a metal culvert instead of concrete. Mr. Martin agreed with this in a statement he sent in an email recommending a concrete culvert. Mr. Lappano seconded the motion which carried unanimously. Waiver Request #1: Mr. Helm made the motion to recommend to the Board that Sunderland Avenue be constructed to local road standards of design and construction. Mr. Merroth seconded the motion which carried unanimously. Mr. Helm made the motion to recommend to the Board of Supervisors that Sunderland Avenue have a 60' right of way, a 60' concrete culvert a 22' cartway and a 6' walkway. Mr. Lappano seconded the motion. The motion carried 4-1 with Mr. Merroth voting no. Ms. Shick made the motion to forward these recommendations to the Board of Supervisors including a conversation between Mr. Kulakowsky and the developer which may not have been discussed tonight and that the engineering letter be followed by the developer. Mr. Merroth seconded the motion which carried unanimously.

## **NEW BUSINESS:**

VGK-Trust Subdivision: This subdivision was received for 6 additional conservation lots on approximately 100 acres. Mr. Kling was not present. He will revise his plan according to the Township Engineer review letter and come to the Planning Commission when it is complete. Some neighbors were present with questions. Ms. Shick stated that the plan submitted is the same sketch that was provided for the sale of TDR's several years ago. The commission would like to see conservation easements on the wetland areas. Mr. Kulakowsky asked the commissioners if they are alright with no preliminary plan submittal, just a Final as it was submitted. Ms. Shick stated that as long as all of the engineering comments are addressed it will not make a difference. This will be discussed when Mr. Kling is available.

Flood Plain Ordinance: Ms. Batdorf explained the revisions to the Zoning Ordinance at the request of FEMA. There were several changes necessary and without doing them residents cannot qualify for flood insurance. Changes have been sent by DCED who is working with Cedarville Engineering on the Zoning Ordinance. In order for residents to be able to qualify for flood insurance, this must be adopted by September 2017. The Township Solicitor has also been

working with DCED with language. A draft redlined version has been sent to the Planning Commission for comments. This process started in the spring of 2016. There were a few comments including that the SALDO will also have to be updated. There are some new definitions that they were questioning. Mr. Kulakowsky stated that they are all insurance driven. After some discussions, Ms. Shick made the motion to recommend to the Board of Supervisors to adopt the proposed changes to the Zoning Ordinances with respect to the changes dictated by FEMA and a few formatting issues. Mr. Merroth seconded the motion which carried unanimously.

DAS Ordinance: Distributive Antenna Systems are a new type of utility that focuses on data. These companies can install huge poles without regard to zoning if it is not regulated. The Township Solicitor recommends that West Vincent put in place something to do this. A sample was distributed for review and comment. This needs to be done soon since there was already a building permit application for a one. This was able to be denied, but they will not all be able to be turned down. Sophisticated tech companies will need to be kept out of the right of way. They currently have free rein since the PUC considers them a utility. The commissioners will review the sample and discuss it at a later meeting.

Meeting adjourned 10:20 PM.