

**WEST VINCENT TOWNSHIP
PLANNING COMMISSION**

**October 17, 2019
7:30 PM**

Attendance: George Martin, Ted Otteni, George Dulchinos, Gil Lappano, Township Manager Erica Batdorf, Bryan Kulakowsky, Township Engineer. Steve Merroth, Joe Casey, Julie Foster, absent.

Mr. Martin called the meeting to order at 7:30 PM.

APPROVAL OF MINUTES: **MOTION** by Mr. Otteni to approve the minutes of August 15, 2019; second by Mr. Dulchinos. *Motion carries 3-0, with Mr. Martin abstaining.*

PRESENTATION: None.

OLD BUSINESS: None.

NEW BUSINESS:

1.) 1414 Birchrun Road – Neff Minor Subdivision Application –

Chris Daily, engineer with D.L. Howell, and Harry Price, Realtor, presented on behalf of the applicants and owner, Roy and Rosalind Neff, regarding the 1414 Birchrun Road 2 lot subdivision application. Mr. Daily explained the applicant is looking to subdivide the existing forty-acre lot into two twenty acre lots which will be served by an existing driveway, proposed with an easement to the proposed two lots. Mr. Martin asked if the applicant would install their proposed driveway along the existing dirt road on the property. Mr. Daily noted the parcel is wooded and the driveway will closely follow the existing driveway. The access for proposed Lot 2 may shift given a proposed new owner's intentions for the property.

Mr. Daily indicated they have submitted their plans to the Township for review and they are generally satisfied and will comply with Arro Engineering's review letter dated October 14, 2019. Mr. Kulakowsky reviewed his engineering letter and indicated a waiver request letter is needed, proof of agency approvals required, and legal descriptions and closure reports needed prior to recording. Related to greenway, the allocation is delineated and compliant now, but if a new owner desires to reallocate greenway that is recorded on their plan, the plan must be resubmitted to the Township and greenway re-recorded in the lot with no change in percentage of greenway area in accordance with existing Ordinance requirements.

Mr. Martin asked the applicant if they would consider a condition against further subdivision. Mr. Price responded that the applicant would not be interested in applying this condition on the property to limit a future property owner's rights on the properties.

Mr. Martin stated during heavy rains the existing driveway gets flooded. Mr. Price indicated he is aware of these conditions and the water does recede in a reasonable amount of time and he is not prepared to install a bridge. Mr. Otteni asked about the greenway provisions. Mr. Kulakowsky indicated the building envelope becomes smaller due to the greenway allocation, however certain improvements are permitted to be installed in greenway including sewerage and stormwater facilities.

Ms. Batdorf indicated that the Environmental Advisory Council met this past month and wanted to report that there are several trails located on the property regularly used by pedestrians and equestrians. Sara Shick, 1201 Davis Lane, commented that these trails are not eased but have been used for several years by Township residents. Mr. Martin asked if Mr. Price would be willing to delineate a trail easement on the plan for public access. Mr. Price indicated that the applicant is not interested in adding a permanent trail easement to the property and this can be reviewed by a new owner.

MOTION by Mr. Otteni to recommend the approval of the minor subdivision application of 1414 Birchrun Road subject to the conditions of the October 14, 2019 Arro engineering review letter and the October 17, 2019 Cedarville zoning review letter; second by Mr. Lappano. *Motion carries 3-0, with one abstention by Mr. Martin.*

2.) 352 Blackhorse Road - Minor Subdivision/Land Development Application -

Andy Eberwein, engineer with E.B. Walsh, presented on behalf of the applicant, Randolph Smith, and owner, Robert Johnson, regarding the 352 Blackhorse Road minor subdivision and land development application. Mr. Eberwein stated the applicant proposes to subdivide the existing 8.6 acre parcel into three lots, one of which contains proposed Lot#2, which will contain the existing dwelling and barn, and the surrounding two lots created by the subdivision, (Lot #1 and Lot#3), are proposed for development of single family dwellings. Mr. Eberwein stated that he has reviewed the engineering and zoning review letters and will continue to work through plan comments.

Mr. Eberwein wanted to address a zoning comment pertaining to the historic impact study requirement for the project as the existing dwelling and structures are considered a Class II historic resource. The Township Zoning Ordinance Section 2410.A. states that a Historic Impact Study, or any applicable portions thereof, may be required, unless waived or modified, by the Board of Supervisors or Zoning Hearing Board, when subdivision or land development plans which lead to the new construction of buildings, structures, roads, driveways, parking areas, etc. located within five hundred (500) feet of the exterior walls of a Class I, II, or Class, III historic resource. Mr. Eberwein stated that the proposed subdivision itself has very little impact, if any, on the existing historic resources. The

proposed two new lots will include the new proposed dwellings. No improvements are planned on the proposed parcel containing the historic structures which is proposed to be subdivided as Lot #3.

Additionally, Mr. Eberwein stated that in reviewing Arro's engineering review letter he will follow up with Mr. Kulakowsky to provide required septic testing and documentation pertaining to requested waivers. Mr. Dulchinos asked about the need for a sewer and water feasibility report. Mr. Kulakowsky stated that proof of sewer planning approval is fine in this instance. If a higher density development is proposed he would not recommend the waiver of this report.

Mr. Eberwein wanted to confirm whether a PennDOT or Township Road Occupancy Permit is needed. Mr. Kulakowsky confirmed the applicant would need a Township Road Occupancy Permit. Mr. Eberwein reviewed and confirmed his understanding of the greenway requirements in the Cedarville zoning review letter. Mr. Eberwein stated the Zoning Officer reviewed the plans using Appendix F of the Ordinance, pursuant to Section 602.D. as the parcel was created prior to the existing Zoning Ordinance and contains less than ten acres, therefore greenway compliance is not required. However, Mr. Eberwein stated the proposed dwellings are rather large and as two acre lots they will no longer be able to be subdivided.

Mr. Lappano inquired regarding the status of the Chester County Planning Commission comments including the expanded Right of Way along Blackhorse Road and if the applicant is okay with this condition. Mr. Eberwein stated he reviewed the Chester County Planning Commission letter and that the additional 25 foot Right of Way is fine. Brian Curry, 512 Blackhorse Road, inquired as to the pond located adjacent to the proposed lots. Mr. Eberwein stated the pond is located on a different parcel in Upper Uwchlan Township. An easement does exist on one of the proposed lots for potential access to this lot.

Mr. Otteni stated there is a requirement in the stormwater section of the engineering review letter to require gutter guards on buildings. Mr. Kulakowsky indicated this requirement is directly from the stormwater ordinance which was developed with model ordinance language through Chester County. Mr. Kulakowsky noted that he recommends the applicant resubmit their plans to address his review letter. Mr. Kulakowsky noted the Commission may want to address the historic impact study waiver tonight as a recommendation to the Board to allow the applicant to deal with other aspects of their resubmission. Mr. Martin commented that he was fine with this approach and the subdivision appears to have minimal impact to the historic structures.

MOTION by Mr. Martin to recommend the waiver of the historic impact study requirement to the Board of Supervisors; seconded by Mr. Otteni. *Motion carries unanimously.*

REPORTS:

BUSINESS FROM THE FLOOR:

There being nothing further to discuss, a **MOTION** and a second were made.

Meeting adjourned at 8:30 p.m.

Respectfully Submitted,

Erica L. Batdorf
Township Manager