

**WEST VINCENT TOWNSHIP
PLANNING COMMISSION**

**January 16, 2020
7:30 PM**

Attendance: George Martin, Julie Foster, Art Miller, Jr., Ted Otteni, Steve Merroth, Township Manager Erica Batdorf, Kathy Shillenn, Planning Commission Secretary, Bryan Kulakowsky, Township Engineer; Gil Lappano, George Dulchinos absent

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

APPROVAL OF MINUTES: **MOTION** by Mr. Martin to approve the minutes, with corrections, of December 19, 2019; second by Mr. Otteni. *Motion carries unanimously.*

Nomination of Chairman and Vice-Chairman: **MOTION** by Mr. Otteni to nominate Mr. Martin for the position of Chairman; second by Ms. Foster. Mr. Otteni feels the guidance Mr. Martin has provided over the last year has been very good direction. *Motion carries unanimously.*

MOTION by Mr. Martin to nominate Mr. Otteni for the position of Vice-Chairman; second by Ms. Foster. *Motion carries unanimously.*

PRESENTATION: None.

OLD BUSINESS: None.

NEW BUSINESS:

1. **352 Blackhorse Road - Johnson Subdivision/Land Development** - Andy Eberwein, E. B. Walsh & Assocs., presented the plan and discussed the resubmission. This is a three lot subdivision, with an existing Class II Historical home with an existing barn; two lots will be created on each side of it. There was a review and at the previous meeting he attended the need to have a Historical Impact Study was discussed. The Board of Supervisors did grant a Waiver for the Historical Impact Study. Mr. Eberwein made plan revisions and resubmitted the drawings and received review letters back from Cedarville for the Zoning Review, which was clean, with the exception that he needs to provide an additional notation regarding the sight distance. Mr. Martin asked Mr. Kulakowsky if there are any issues that the Planning Commission needs to address. Mr. Kulakowsky stated that there is nothing in his letter that needs to be addressed. Ms. Foster noted, in item number three, that there are several historic structures that weren't listed on the plot plan; were the Board of Supervisors aware of the other historic assets? Mr. Eberwein stated that the Board of Supervisors were aware and that the historic structures will be labeled on the plan. Ms. Foster also questioned number 11 regarding storm water

control. Mr. Kulakowsky stated that the developer is using a slow release concept, which has been approved by DEP. The applicant will need to get waivers from infiltration requirements. Mr. Eberwein stated that this doesn't affect retention requirements; it's the method of storage. This particular piece of ground does not have infiltration capabilities, the soil is too rocky. They will be building a rain garden with a very deep pool underneath which will store the water and release it over a longer period of time. Ms. Foster asked what the waivers are. Mr. Kulakowsky stated that the waivers are 305A and 306B. Ms. Foster asked that if the water can't be effectively offset, is the site suitable; have you considered larger systems to release the water? Mr. Eberwein stated that based upon the storage and slow release of the water, we are doing what is required by ordinance; this is definitely improving storm water management from what is out there on the property today.

Ms. Foster had a couple of other questions about the waiver from the Greenway requirements. Mr. Eberwein stated that this is not required according to the township ordinance since this is not being developed under that section. Ms. Foster asked if there is a reason that the developer doesn't want to put in a greenway. Has the greenway issue been discussed?

Ms. Shick asked if there are any existing trails on the property. Ms. Foster also questioned if the agreement will be completed prior to the deed recording. Will the developer be doing the deed recording? Mr. Eberwein stated that is part of the approval; the township will need to review and approve. Ms. Foster asked if the recording of the subdivision/land development plan will happen prior to closing. Mr. Eberwein stated that the developer will do the recording.

MOTION by Mr. Martin to recommend to the Board of Supervisors approval of this plan contingent on compliance with the January 9, 2020 Arro letter and the January 8, 2020 Cedarville letter and also recommend waivers from Section 403F, Section 403I, Section 305A and Section 305B; second by Mr. Merroth. *Motion carries 5-1 with Ms. Foster voting no.*

2. **2969 Horseshoe Trail - Morgera Minor Subdivision** - Linda Layer, Engineer with Inland Design discussed this Minor Subdivision Application. She is here with her clients Bella Home Builders, Dave MacAtee and Patricia Morgera, owner. She is planning on subdividing a 10 acre piece of land at 2969 Horseshoe Trail. The parent tract of this lot is a 17 acre piece that was subdivided in 2018 by Jean White. Bella Homes asked her if she could get two lots out of this land. After meeting with Tracey Franey, the township zoning officer, it turns out that two lots can be made out of the 10 acre piece of land. It is a Tier III which has an existing conservation easement on it. There was a problem with the deed which was not recorded correctly; but this has since been resolved. After Mr. Kulakowsky issued a review letter; Ms. Layer came before the board in December to get one of the issues out of the way. They came in with four waivers and are now down to one waiver. Ms. Layer noted that they will be maintaining the existing trail. Ms. Layer further discussed the plan and

the approvals that are still needed. Mr. Martin asked if the infiltration beds shown on the map will be planted. Ms. Layer said that they will be grass. Mr. Martin asked if the overflow will go across Horseshoe Trail and into the Birch Run. Mr. Otteni asked what the reason for the sub-grade infiltration bed. Why not do a traditional storm water basin. It seems like a subgrade infiltration bed will be more difficult to maintain; for two homes it seems like a traditional basin would be better. Ms. Layer said that a traditional basin would get quite large plus DEP would probably have them plant with native plants. Mr. Kulakowsky stated that above ground basins fail a whole lot sooner; above ground basins are a lot more labor intensive. Mr. Otteni asked if there are inspection requirements. Mr. Kulakowsky stated yes, every five years. Mr. Otteni is worried about 15 years from now. Mr. Kulakowsky noted that nothing in his letter dated January 9, 2020. Ms. Layer wanted to make sure she had the correct information regarding who the right-of-way gets deeded to. Mr. Kulakowsky stated that it will get deeded to the township. Ms. Foster questioned the note about the well ordinance. Ms. Foster asked about the waiver being requested. Mr. Kulakowsky stated that this is the sewer and water feasibility study. This has already been done through the planning module process. Mr. Otteni asked if either of the lots were further sub-dividable; Ms. Layer stated no. Mr. Otteni also asked about comment #15 which asks about the test holes; was this just mislabeled? Mr. Kulakowsky said they were tested, they were just mislabeled. Mr. Martin asked if there would be any objection to a 30 day extension and come back before the Planning Commission next month. He would like to visit the property and take a look around. This plan will come before the Planning Commission again at the February 20, 2020 meeting.

Ordinance Codification - Ms. Shick asked Ms. Batdorf if she could explain the process of the codification of the ordinances. Ms. Batdorf explained that this has been a very complex process which was done by General Code. The process is complete and the ordinances are now in a nice bound book and also on the website as E Code 360. The Board of Supervisors must officially adopt the codification through a new ordinance. The Comprehensive Plan is also complete. This puts the township on proper footing and make it a lot easier for everyone involved. Ms. Shick would like the Planning Commission to take a look at the codification and would appreciate their comments. Ms. Shick also stated that Ms. Batdorf and she will be meeting with the Chester County Planning Commission to look at Vision Partnership Grants. She asked if the Planning Commission had any ideas to let either herself or Ms. Batdorf know.

Ms. Foster asked if the Planning Commission has met for a holistic review of the township. Would this be useful? Mr. Martin asked if the supervisors have any particular issues that they would like the Planning Commission to look at in light of the approval of the Phoenixville Regional Plan. Ms. Batdorf will recirculate the Comprehensive Plan to the Planning Commission. Mr. Martin commented that previously the Planning Commission would receive a copy of the Board of

Supervisor's minutes from the previous month; he felt that this would be helpful. Ms. Shick also stated that the historic commission is still trying to work out their processes and the flow of information and spoke about the 352 Blackhorse Road Waiver. A discussion on the waiver request process ensued. Ms. Foster asked if it is possible to ask the applicants to submit a digital plan.

REPORTS: None.

BUSINESS FROM THE FLOOR: None.

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

Meeting adjourned at 8:46 p.m.

Respectfully Submitted,

Kathy Shillenn
Planning Commission Secretary