

Draft of 3/2/16

Chadds Ford Township
Delaware County, PA

Planning Commission Meeting
Wednesday, February 10, 2016
7:00PM

Call to Order

The Planning Commission meeting was called to order at 7:00PM. Chairman Craig Huffman, Vice Chairman Tom Singer, Commissioner Tom Kerwin, Commissioner Bill Mock and Commissioner Valerie Hoxter were present. Also present were Mr. Michael Maddren, Township Solicitor, Mr. Patrick McKenna, Planning Commissioner Solicitor, Mr. Michael Schneider, Engineer and Mr. Matt DiFilippo, Assistant to the Manager and Township Secretary. Ms. Amanda Serock, Manager, was absent. Nineteen (19) people from the public were present.

Announcements

Chairman Huffman asked for a moment of silence in recognition of Keith Klaver, past Township and Sewer Authority Chairman, who recently passed, expressing condolences for Mr. Klaver's family on behalf of the Commission.

Chairman Huffman announced that at the regularly scheduled Board of Supervisors' Workshop, February 24th at 7:00PM there will be a public presentation of the Henderson Group's sketch plan and application for the Hillman Drive Extension, commonly referred to as the Loop Road.

Approval of Minutes

Commissioner Hoxter's motion to approve the minutes of January 13, 2016 was seconded by Commissioner Mock and passed unanimously.

Public Comment

There was no public comment.

New Business: SALDO/ Conditional Use Application for Concord Realty, Subaru Dealership, 1713
Wilmington Pike

The applicant nor any of the professionals representing the applicant were in attendance. The agenda item was deferred until the March meeting.

New Business: PRD Application for Harrier LLC Wonderland Farms, Oakland Road (adjacent to Bellefair
Lane)

Mr. Mike Dignazio, solicitor for the applicant, contended that there is no enabling authority in the Township to not permit townhomes in the HARB district overlay of the Planned Residential Development (PRD) zone because a PRD allows townhomes. Mr. Dignazio introduced Mr. Josh Castillo,

PE, Eustace Engineering, representing the applicant, to review and respond to the engineering review letter from the Township's engineer.

Commissioner Hoxter began by inquiring about whether or not certified return mail receipts were submitted to the Township, which was noted in the Township engineer's review letter confirming that proper notification had not been given to abutting owners. To date, properly completed certified return mail receipts have not been received by the Township.

Chairman Huffman inquired about setting a hearing date for the PRD application and working out the substantial comments in the Township engineer's review letter. Solicitor McKenna expressed concern over time constraints of holding a hearing with enough time to respond to the Engineer's review letter. Mr. Dignazio, solicitor for the applicant, ensured that the applicant is willing to present their plans more than once in the future, and will comply with the Engineer's comments.

Mr. Castillo, Engineer for the applicant, reviewed the existing site conditions and designated two portions of the property as the "Lenz Parcel" and the "Baldino Parcel." He pointed out the steep slopes on the plan as the purple and pink shades. He stated that single-family homes are planned on the Baldino Parcel and townhomes on the Lenz Parcel. He continued that the Baldino Parcel will have a 2,800 foot long driveway, 30 acres of open space and 5.25 acre hiking trails. He also stated that there had been septic testing on the Baldino Parcel to confirm feasibility. It was also confirmed that the townhouses on the Lenz Parcel will use a "community" septic system, as the single family homes on the Baldino Parcel will use individual septic systems, and if the option to hook-up to public sewer in the future arises, then both sites will connect to public sewer. An easement from Bellefair Lane was also discussed briefly to the development's 2,800 foot driveway as well as a stormwater management facility.

Chairman Huffman inquired about the Dennigans, the recent purchasers of the existing home and barn on the property and what the conditions of the real estate agreement was and whether the Dennigans were aware of all of the details related to the PRD development, specifically concerning the calculations regarding open space which includes their property. He continued that he would like to know the legal restrictions on the Dennigan's property and their uses of their property. Chairman Huffman requested to see the HOA documents, which Mr. Dignazio replied could be produced in the future. Engineer Castillo responded that the Dennigans' property needed to be included in the calculations to enable the applicant to build the amount of homes that they wanted to build. Township Engineer Schneider asked if the lots would be consolidated to which Mr. Castillo responded no. Commissioner Singer asked how the Dennigans were a part of the PRD application to which Mr. Dignazio responded that a PRD application can have many owners. Chairman Huffman confirmed that anyone who owns property that is a part of the PRD needs to sign the final plan and not the preliminary plan per Township Code. He continued, inquiring as to whether or not the Dennigans had seen the PRD plans and whether or not they were comfortable with the plans which the applicant, Joe Grace, responded that yes they were comfortable with the plans.

Chairman Huffman inquired about pedestrian connectivity between the two parcels, and the proposed 30 acres of open space. He also questioned the pedestrian connectivity and the buffer between the townhouses and Oakland Road, specifically, using the natural topography. In addition, traffic was discussed in detail regarding the entrances on Oakland Road and providing connectivity to Wilmington-West Chester Pike (US 202).

John Snook, Brandywine Conservancy, commented that he had been invited to review the process and offer design suggestions by former Township Chairman Keith Klaver. He reviewed the history of the property. He commented that the open space had now become more fragmented in relation to earlier sketches due to the change from a proposed, non-existent PRD-3 allowing half acre lots to the existing PRD which calls for 1-acre lots. He continued that he agrees the PRD ordinance supersedes HARB allowing for townhomes. He continued that under the PRD certain provisions such as setbacks could be modified as it relates to the townhomes. He stated that townhomes aren't necessarily out of character with Historic architecture, but the linearity of the townhomes are out of character suggesting an irregular grouping of the townhomes, referencing the classic-hamlet style of the historic village of Dilworthtown, also stating which is why the 5-point intersection exists there today. He also commented that he supports the pedestrian connectivity and an emergency access route to Wilmington-West Chester Pike (US 202) if the future owner is agreeable to access to US 202. He also stated that he thought public sewage connection would be extended to Concord Township for both the Baldino and Lenz Parcels.

Public Comment

Mike Ashmore, Keepsake Lane, representative on behalf of the applicant, inquired about accommodating recreation within the proposed open space of the project. Chairman Huffman responded that it depends on if the open space is dedicated publicly or if it becomes HOA open space. Solicitor McKenna commented that the Township Code calls for playgrounds and recreational facilities. Chairman Huffman reiterated the importance of pedestrian connectivity between the Baldino and Lenz Parcels, so they don't appear to be two separate developments. He also emphasized the dangers of traffic movement. Engineer Schneider commented that site-distance has to be determined to warrant a stop sign or speed bumps. The linearity of the townhomes and idea of a more irregular grouping of the townhomes was discussed again by the commission as well as coming up with a creative solution to Oakland Road access and traffic control. Commissioner Huffman stated that maybe Oakland Road should be closed off to the 5-points intersection. Commissioner Hoxter commented regarding the road, traffic, buffers and connectivity of the two parcels, and also stated that she would like to walk the site and observe the current conditions. Commissioners Kerwin, Singer and Chairman Huffman agreed with Commissioner Hoxter stating that they have done this and would accompany her. Commissioner Mock also agreed that he would like to look at the possible pedestrian connectivity.

Susan Darrel, Brinton's Bridge Road resident, inquired about public water and sewage. Mr. Castillo, engineer for the applicant, responded that onlot septic is being planned and when the opportunity arises to connect to public sewage then that will be done. Mr. Castillo continued that Chester Water Authority (CWA) will provide a public water connection.

Chairman Huffman concluded that Harrier will respond to the Township engineer's review letter and be placed on the Commission's agenda next month.

New Business: Zoning Map Amendment, PBC to PBC-1, Harrier, LLC

Mr. Mike Dignazio, Solicitor for the applicant, introduced the application requesting a change in zoning of the parcel located on Oakland Road from PBC to PBC-1 to allow for a car dealership by conditional use, specifically, Sipala Kia, the interested purchaser of the property. He continued that the original idea for the property was five (5) different commercial uses but the equitable owner of the property, Harrier, LLC, has now decided to request the zoning change to allow for one (1) commercial use, a car dealership, but needs the property re-zoned to allow for such a use.

Larry Strohm, Solicitor representing Sipala Kia, presented an initial concept-sketch plan for the car dealership at the site. Chairman Huffman and Commissioner Hoxter both inquired about the flexibility of the dealership regarding aesthetics, which Mr. Strohm responded that the dealership would be amenable to working with the Township, but is restrained by the national branding of Kia.

Mr. Strohm reiterated that the property would need to be re-zoned to allow for a car dealership by conditional use. He discussed that the site would be served by onlot septic, and that if the site is re-zoned, and a SALDO application can be submitted, then Kelly and Close would be employed as the applicant's engineer. He continued that public water is available through a CWA hook-up, and if public sewer becomes available then the site would hook-up to public sewer.

Mr. Strohm described the size of the building, setbacks, layout, egress and access. Mr. Strohm confirmed that there would not be a body shop or painting facility onsite. Chairman Huffman inquired about offering a private access to the proposed residential plans on Oakland Road, the Baldino and Lenz Parcels to Wilmington-West Chester Pike (US 202), which Mr. Strohm commented would burden the dealership due to inventory and movement of delivery vehicles. Mr. Strohm continued that an access road would diminish the purchaser's plans and was not consistent with the agreement of sale. Chairman Huffman and Commissioner Mock both inquired about the burden, which Mr. Strohm added that the building would have to be relocated and parking lot reconfigured on the current sketch plan.

Commissioner Huffman also inquired if the applicant and dealership would be amenable to submitting a SALDO application and Conditional Use application concurrent with the zoning change application. Solicitor Maddren, expressed the same concern as Chairman Huffman implied that it would provide a better understanding of what the property would be used for if the applicant ran both applications with the zoning change amendment application. Mr. Strohm commented that if the zoning amendment is adopted, then the applicant would come before the Board of Supervisors with a Conditional Use and SALDO application, and at that time, then certain issues could be addressed and considered. Mr. Dignazio commented that there are time-constraints on the agreement of sale to which Solicitor Maddren responded that currently a car dealership is not a permitted use on this parcel and that running a SALDO and Conditional Use application concurrently with a zoning change application is a basic request. Chairman Huffman commented that changing the zoning is a significant step and that the Township wouldn't engage unless there is a level of comfort knowing what the actual plan is for the

property. He added that a zoning map change isn't required from the Township. It was agreed that Mr. Strohm would discuss the Planning Commissioners' request with his client, Sipala Kia.

Adjournment

Chairman Huffman's motion to adjourn at 9:13PM was seconded by Commissioner Hoxter.

Respectfully submitted,

Matt DiFilippo, Assistant to the Manager/ Municipal Secretary