

**CHADDS FORD TOWNSHIP
PLANNING COMMISSION
May 28, 2003**

MINUTES

The Planning Commission of Chadds Ford Township met in the Township building on Wednesday, May 28, 2003. Present were Chairman William J. Taylor, Vice-Chairman Maurice Todd, Jim Reamer and Anthony Cutrona. Also in attendance were James P. Kelly for James C. Kelly, Township Engineer, and Maryann Furlong, Township Secretary. The meeting was called to order at 7:38 PM.

APPROVAL OF MINUTES OF April 30, 2003

Upon motion and second (Reamer, Todd), the minutes of the April 30, 2003 meeting of the Planning Commission were unanimously approved.

PUBLIC COMMENT

No comments were offered.

DiSABATINO PRELIMINARY/FINAL SUBDIVISION – First Submission

Jim Fritsche of Register Engineers, presented a summary of the proposed subdivision/land development plan dated April 10, 2003, for the property owned by Christopher DiSabatino at 103 Heyburn Road. Mr. DiSabatino and two adjoining neighbors are requesting subdivision of some 8.841 acres to revise existing lot lines. Benefits to be gained would be a more standard configuration to all three lots and new construction would fall within setback ordinances.

Mr. Fritsche addressed comments contained in the review letter of Kelly Engineers dated April 28, 2003, with the following issues being significant interest to Planning Commission members:

10. A planning module exemption has been submitted by the applicant.
Mr.

Register stated that he had spoken with Stuart Pollock, Township SEO and had been advised that there it would not be necessary to submit any paperwork to DEP. An operation & maintenance agreement will be required and will be submitted to the Township.

14. Pursuant to Mr. Kelly's suggestion, it was determined that concrete monuments will be placed at the primary lot corners, with pins placed at all change of direction sites.

26. Mr. Todd questioned documentation of the agreement for the sewage area. Mr. Fritsche stated that an easement agreement will be entered into regarding the sewage disposal area, plus easements for possible tie ins to future public sewers. The easement will extend across the back of DiSabatino's property and the northern boundary line up to the road and will be termed a sanitary easement for the Chadds Ford Township Sewer Authority.

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30. NPDES approval will be required and a note will be added to the plan stating that no chlorinated water will be discharged into the wetland areas.

Mr. Pollock's review letter of April 27, 2003, was discussed, with Mr. Fritsche agreeing to comply with the requirements set forth therein. An existing well will be removed.

ENZO'S SOUTH PRELIMINARY/FINAL SUBDIVISION – First Submission

Ted Jasinski of Vollmer Associates, presented a review of the proposed land development plan for applicant Andy Varriale, owner of the former Copy Cats site. Mr. Jensen suggested that the applicant will need relief from the Zoning Hearing Board in order to expand the non-conforming structure and address the 25% cubical content requirement. Mr. Jensen further stated that use of the non-conforming structure should not present a problem.

The following issues set forth in the review letter of Kelly Engineers, dated May 28, 2003, were of significant interest to Planning Commission members:

5. Security lighting is to be shielded from residential areas.

7. There was discussion of minimum tract area requirements. Mr. Jensen did not believe that relief from Township zoning ordinances would be necessary for this issue.

8. The Applicant is proposing a shopping center with approximately 120 parking spaces. A restaurant may be one of the rental sites within the structure. Mr. Jensen stated that if there are to be three or more multiple uses within the site, the calculation for parking should be four parking spaces for every 1,000 square feet. Mr. Todd suggested that Planning Commission members will be especially concerned as to the adequate number of parking spaces for the restaurant.

9. Several loading spaces are available both behind and in front of the building that will accommodate rear or front delivery from large trucks. Mr. Jensen asked that the plan be revisited to prevent noise from trucks backing up during night deliveries.

14. Applicant has submitted a planning module exemption request to DEP. Mr. Varriale has purchased 22 EDU's for future use.

21. A fire hydrant must be within 600 feet of the structure and on the same side of Route 202.

Mr. Jasinski indicated that the Applicant will make application to the Zoning Hearing Board to seek necessary relief.

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CARRABBA's RESTAURANT PRELIMINARY/FINAL LAND DEVELOPMENT – Second Submission

Donald T. Petrosa, Esquire, presented on behalf of Carrabba's Restaurant and the Henderson Group. Plans have been last revised as of May 13, 2003. Jeffrey Nagorny of Brandywine Valley Engineers summarized the plan for Commission members.

The following comments contained in Kelly Engineer's review letter dated May 28, 2003, were of significant interest to Commission members:

9. Commission members were unclear as to access for large trucks. Mr. Nagorny is to submit a truck turning plan to Kelly Engineers by the end of the week.
10. The Applicants believed that the parking count as it presently exists meets Township requirements. The actual number of spaces available will be verified by Mr. Nagorny.
21. Confirmation of capacity of the Knight's Bridge sewage facility is outstanding.
29. Grease trap flow calculations will be submitted for Mr. Jensen's review.
32. Areas of dense shrubs will be identified on the plan.
33. A sequence of construction must be added to the plan.

Mr. Kelly stated that he was satisfied with the review and suggested that the Planning Commission recommend approval to the Board of Supervisors pending compliance with all outstanding issues of the Kelly review letter of May 28, 2003.

Mr. Todd voiced concern that Commission approval was premature with outstanding major issues being the need for clarification of the truck turning radius, the lack of a construction sequence, and the necessity of a letter from Knight's Bridge regarding sewage capacity.

MOTION TO RECOMMEND APPROVAL – CARRABBA'S RESTAURANT

Upon motion and second (Todd, Cutrona), the Planning Commission unanimously recommended approval of the Preliminary/Final Land Development plan of Carrabba's Restaurant, subject to resolution of all outstanding issues presented in the letter of Kelly Engineers of May 28, 2003, with a revised copy of the plan to be submitted to Kelly Engineers by Friday, May 30, 2003.

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**MOTION TO RECOMMEND ADOPTION - BED and BREAKFAST
ORDINANCE**

Upon motion and second (Todd, Cutrona), members of the Planning Commission agreed that reference to the Historic Resources Survey of Birmingham Township of 1984 should be incorporated into the ordinance, but it was strongly recommended that the ordinance be limited to the R1 zoning district only.

PROPOSED OPEN BURNING ORDINANCE

Planning Commission members reviewed the most recent draft of the Open Burning Ordinance and made minor revisions.

**MOTION TO RECOMMEND ADOPTION – OPEN BURNING
ORDINANCE**

Upon motion and second (Cutrona, Todd), members of the Planning Commission unanimously recommended adoption of the Opening Burning Ordinance as revised.

MOTION TO ADJOURN

There being no further business, the meeting was adjourned at 10:10 PM.

Respectfully submitted,

MARYANN D. FURLONG
Planning Commission Secretary

