

EDGMONT TOWNSHIP PLANNING COMMISSION  
REGULAR MEETING MINUTES  
March 22, 2010

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Work Session – Members of the Planning Commission, municipal professionals, the Township Manager and the Assistant to the Township Manager attended an advertised work session, which commenced at 6:30 p.m. During this time, those in attendance met with Susan Sharp, the Building Department Administrator, to discuss the proposed revisions being undertaken to the Township’s sign ordinance. These revisions have been discussed and crafted by the Edgmont Township Sign Committee. The discussion that occurred during this time can be found in the “Miscellaneous Discussion” section of the minutes for this meeting.

1. Open Meeting & Pledge of Allegiance: Mr. Miller called the meeting to order at 7:00 p.m. with the Pledge of Allegiance. In attendance were Chip Miller, Chairman; Joseph Raspa, Vice-Chairman; Eleanor Tickner, Member; Randy Bates, Member; David Malman, Esq., Planning Commission Solicitor; Michael Conrad, P.E., Township Engineer; Edward Theurkauf, Township Land Planner; Samantha Reiner, Township Manager; and Christopher Bashore, Assistant to the Township Manager. Robert Bristol, Member, was absent. There were 4 guests.
2. Public Comment: There was no public comment at this time.
3. Approve Agenda: Mr. Raspa made a motion to approve the agenda for the March 22, 2010 regular meeting of the Planning Commission. Mr. Bates seconded the motion. There was no further discussion and the motion approving the agenda passed unanimously.
4. Meeting Minutes:
  - February 22, 2010: Mr. Bates made a motion to approve the minutes from the February 22, 2010 regular meeting of the Planning Commission. Mrs. Tickner seconded the motion. There was no further discussion and the motion approving the minutes passed unanimously.
5. Manager’s Report: Mrs. Reiner read her report on to the record, highlighting information about the 2010 Census and the upcoming Second Annual Appreciation of the Arts Night.
6. Old Business:
  - a. 1830 Middletown Road  
Preliminary Plans / Conditional Use application  
Proposed 5-lot Major Subdivision  
4<sup>th</sup> Meeting  
Extension: April 2010  
Conditional Use Time Clock: April 2010  
  
Present: Matthew Houtman, P.E., Applicant’s Engineer  
Ross Hellings, Applicant  
James Bulkley, Thornbury Township Planning Commission Chairman

Mr. Miller stated that this is the applicant’s fourth appearance before the Planning Commission. The plans, prepared by G.D. Houtman & Son, are dated March 24, 2009, last revised March 10, 2010. The previously submitted Conditional Use application for conventional lot development of a tract of 10 acres or more has been amended to include the installation of a stormwater management facility (basin outflow pipe) within the flood prone area, pursuant to section 1506.C.3.a. of the Edgmont Township Zoning Ordinance.

A meeting was conducted with representatives from the applicant’s engineering firm, G. D. Houtman & Sons, Inc., and municipal professionals. Discussion at this meeting centered on the stormwater management plan for the site. The applicant is now proposing the installation

of a stormwater management basin on lot #1. The piping to be installed will take stormwater run-off away from Slitting Mill Road to the basin, which will ultimately discharge into the pond also located on lot #1.

Mr. Houtman stated that the proposed plan will drastically reduce stormwater discharge from the site onto Slitting Mill Road. A stormwater basin has been relocated from lot #5 to lot #1. The pond on lot #1 will be used as part of the stormwater management plan. An inlet will be installed at the corner of lot #3 to collect and pipe water to the basin on lot #1. A pipe will be installed to discharge right to the edge of the pond. All water from the site will be captured except for a small strip along Slitting Mill Road on lot #3.

Mr. Malman commended the applicant for their design, but asked about the depth of the pond and if lowering the depth by the proposed one inch would have any affect on the pond. Mr. Houtman stated that he was unsure of the ponds depth, but believed that the effect would be negligible. Mr. Malman stated that the note on the plan regarding deed restriction of lot #1 should indicate that the lot is deed restricted. This is being requested in the event that someone neglects to include the deed restriction language in the deed for the property. Mr. Malman stated that a Declaration of Covenants, Easements, and Restrictions should be required for this project in order to document all the restrictions for the development. The Declaration document will be recorded with the final plan.

Mr. Conrad stated that the design will help the Township address an on-going stormwater issue. Mr. Conrad noted that the applicant must be careful of tail water due to the shallow depth of the pipe and to ensure that the inlet near lot #3 has adequate capacity to capture the flow. These items should be considered as part of the final plan design. Mr. Malman asked if there was any consideration to installing a riser or clean out in the event of clogging. Mr. Houtman indicated that this would be considered during preparation of the final plan.

Mrs. Reiner stated that she met with representatives from PennDOT and Jeff Seagraves, Thornbury Township Manager, on March 17, 2010 to discuss concerns with the intersection of Slitting Mill and Middletown Roads. Mrs. Reiner indicated that there were a few recommendations made by PennDOT, including the installation of a "STOP AHEAD" sign, a stop bar, and a single yellow line to designate the center of the roadway. Mr. Houtman stated that the Township should take the lead on addressing these issues, but his client would be happy to support the endeavor. A letter outlining the March 17, 2010 meeting is on file and was provided to the applicant.

Mr. Conrad asked about the status of the Planning Module for the site. Mr. Houtman stated that Susan Ahern from Evan's Mill Environmental has been working on the Planning Module application. Mr. Houtman noted that he had provided the issues Stuart Pollock, Edgmont Township Sewage Enforcement Officer, had with the proposed systems to Ms. Ahern, who was working to address those concerns. Mr. Conrad stated that a replacement system has been added for lot #1. Mr. Houtman stated that the type of system is approved by DEP. Mr. Miller asked what kind of system was proposed. Mr. Conrad stated that it is a micro-mound system.

Mrs. Reiner asked if a Homeowners Association (HOA) would be established to maintain the shared facilities. Mr. Houtman stated that there would not be an HOA, but there would be maintenance agreements for specific items between the lot owners. Mr. Malman again urged the incorporation of all easements and maintenance requirements be clearly stated in one document, a Declaration of Covenants, Easements, and Restrictions, to be recorded with the final plan. Mrs. Reiner asked if the four (4) new lots would require Slitting Mill Road

addresses (vs. Middletown Road). Mr. Houtman stated that they would and only lot #1 would continue to use Middletown Road for its address.

Mr. Bates made a motion to recommend that the Conditional Use application proposing conventional lot development of more than 10 acres of land, pursuant to Section 401.D.2., located at 1830 Middletown Road and the installation of a stormwater management facility (basin outflow pipe) within the flood prone area, pursuant to Section 1506.C.3.a. of the Edgmont Township Zoning Ordinance, move to the Board of Supervisors for a public hearing.

Mr. Raspa seconded the motion. Mr. Bates amended his motion to recommend approval of the Conditional Use plan. Mr. Raspa seconded the amended motion. There was no further discussion and the amended motion recommending Conditional Use approval passed unanimously.

Mr. Bates made a motion to recommend approval of the Preliminary Plans prepared by G.D. Houtman & Son, dated March 24, 2009, last revised March 10, 2010. The plans propose the subdivision of a tract of land located at 1830 Middletown Road into 5 lots. This motion also recommends the granting of the following waivers from the Edgmont Township Subdivision and Land Development Ordinance:

- Appendix P, Section 405.A.12.e. – requiring minimum freeboard of 2 feet (plan proposes less than 2 feet for both basins)
- Appendix P, Section 405.A.12.i. – requiring a maximum side slope of 4:1 (plan proposes side slopes of 3:1 in both basins)
- Article 8, Section 804.J. – a maximum of three (3) principal units can utilize a shared driveway (plan depicts four (4) principal buildings off of a shared driveway)
- Article 8, Section 811.B. – requiring the planting of shrubs (plan proposes buffer trees in lieu of shrubs)

This recommendation also carries the following conditions:

- Complete compliance with any Conditional Use decision issued by the Board of Supervisors
- Satisfactory resolution of all outstanding items outlined in the Yerkes Associates review dated March 19, 2010 and the TCA review dated March 16, 2010
- Satisfactory compliance with section 812 of the Edgmont Township Subdivision and Land Development Ordinance, requiring a fee-in-lieu of dedicated open space. Fee amount to be determined by the Board of Supervisors
- Conditioned on the applicant securing all local and third party permits including:
  - Edgmont Township and the PaDEP for Planning Modules;
  - PaDEP for a Stormwater NPDES permit;
  - Edgmont Township for Highway Occupancy Permits for the shared driveway to be located off of Slitting Mill Road; and
  - Delaware County Conservation District approval of the overall E & S plans
- Conditioned on the applicant entering into a Developer's Agreement for the completion of any public improvements necessary for the completion of the subdivision
- Conditioned on the applicant forwarding satisfactory deed restriction language to the Township for the restriction of Lot #1 from taking any course of action which will create a new building lot on this tract OR any adjoining properties and restricting the use of the apartment located on Lot #1
- Conditioned on restricting construction of any homes or improvements until after final plan approval is granted.

Mr. Raspa seconded the motion. Mr. Malman recommended that the condition regarding deed restriction language be amended to require the applicant to submit a Declaration of Covenants, Restrictions, and Easements for the entire parcels, including, but not limited to, the deed restriction language for lot #1 and all the notes outlined on the plan, satisfactory to the Township Solicitor.

Mr. Malman asked if there was a provision in the Zoning Ordinance which stipulated a maximum number of lots that could utilize a shared driveway. Mr. Houtman stated that since two of the lots share frontage with Middletown Road, they would not fall under this provision. Mr. Malman stated that he believed that they had to meet public street standards. Mr. Conrad noted that the provision specifies length before the public street standards go into affect. Mr. Miller stated that the applicant has provided for a 50-foot right-of-way. Mr. Malman stated that street standards, inconsistent with what is shown on the plan, may need to be waived.

Mr. Bates further amended his motion to require the applicant to submit a Declaration of Covenants, Restrictions, and Easements approved by the Township Solicitor and to recommend the grant of a waiver from section 803 of the Subdivision and Land Development Ordinance requiring curbing. Mr. Raspa seconded the amended motion. There was no further discussion and the motion recommending approval of the preliminary major subdivision plan for 1830 Middletown Road passed unanimously.

James Bulkley, Thornbury Township Planning Commission Chairman, was present and asked if the shared driveway would be a named road or lane with a collection of mailboxes and a stop sign. This concept has yet to be determined and will be further discussed during the final plan process.

7. New Business: There were no new business items to discuss.

8. Miscellaneous Discussion:

a. Proposed Sign Ordinance Amendments

Present: Susan Sharp, Building Department Administrator

Mrs. Reiner stated that a committee began working to revise the Township's sign ordinance (Article 18 of the Edgmont Township Zoning Ordinance) in February 2009. There was a year long hiatus and the committee has now begun working on revisions to the ordinance again. Ms. Sharp was on-hand to discuss the committee's activities and to review the proposed sign definitions with the Planning Commission. Ms. Sharp stated that the goal is to make the regulations more understandable. Mrs. Reiner noted that the current sign ordinance does not contain a Statement of Intent. This was included in the revisions done by the committee and is believed to be an important element of the new ordinance.

The Commission reviewed the revised definitions being proposed. The Commission suggested altering the definition of abandoned signs from a 6-month to 12-month abandonment period. Mr. Malman stated that with most uses, ordinances create a presumption of 12 months as the intent to abandon. The 12 months creates a presumption of abandonment and the burden of proof shifts to the applicant. Mr. Miller stated that he believes 12 months is the standard defined term for establishing abandonment.

Discussion turned to animated signs. The Township does not currently allow animated signs and they will continue to be prohibited. Mr. Malman stated that the exception would be time and temperature signs. Ms. Sharp stated that what is being presented are definitions, not regulations. Mrs. Reiner stated that the committee has worked to remove regulatory language from the definitions so that there is a separation of what something is and how it is regulated.

Members of the Planning Commission made recommendations for revisions to the definitions being proposed. During the course of discussion, members of the Planning Commission were given different sign type definitions to work on before the next meeting. The assignments were as follows:

- Mr. Raspa will address the proposed definition for “Banner Signs”;
- Mrs. Tickner will address the proposed definition for “Portable Signs”; and
- Mr. Bates will address the proposed definition for “Window Signs”.

In addition, Mrs. Reiner will gather information regarding signs allowed in the right-of-way by PennDOT.

The sign committee will work to refine the definitions and incorporate the recommendations of the Planning Commission. This ordinance will be provided to the Commission for review in pieces as the committee addresses certain sections. No action was taken.

9. Announcements:

- a. The 2<sup>nd</sup> Annual Appreciation of the Arts Night will be held at the Edgmont Township Municipal Building on Wednesday, March 31, 2010 from 5:30 p.m. to 8:30 p.m. This event is free to the public and light refreshments will be served.
- b. The Board of Supervisors will meet on Wednesday, April 14, 2010 at 7:30 p.m. for their regular meeting, with a work session at 6:30 p.m.
- c. The Planning Commission will meet on Monday, April 26, 2010 at 7:00 p.m. for their regular meeting, with a work session at 6:30 p.m.
- d. The Zoning Hearing Board will meet on Tuesday, March 23, 2010 at 7:00 p.m. for their regular meeting and will re-consider a request for extension by Eagle National Bank.
- e. Census Day is April 1, 2010. Please remember to complete your Census forms and return them to the U.S. Census Bureau Office.

10. Adjournment: At 8:30 p.m., Mr. Bates made a motion to adjourn the meeting. Mr. Raspa seconded the motion. There was no further discussion and the motion to adjourn the meeting passed unanimously.

Respectfully submitted,

Samantha Reiner, Recording Secretary  
Township Manager

Chip Miller, Chairman  
Planning Commission