

EDGMONT TOWNSHIP PLANNING COMMISSION
REGULAR MEETING MINUTES
November 2, 2009

(Originally to be held October 26, 2009)

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 began at 4:30 p.m. Those in attendance generally discussed items on the agenda. No action was taken.

1. Open Meeting & Pledge of Allegiance: At 5:00 p.m., Mr. Miller called the meeting to order with the Pledge of Allegiance. Mr. Miller explained that the meeting was rescheduled due to the lack of a quorum on October 26, 2009. Mrs. Reiner presented the proof of publication. In attendance were Chip Miller, Chairman; Joseph Raspa, Vice-Chairman; Eleanor Tickner, Member; Randy Bates, Member; David Malman, Esq., Planning Commission Solicitor; Michael Conrad, 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 5 guests.
2. Public Comment: There was no public comment at this time.
3. Approve Agenda: Mrs. Tickner made a motion to approve the agenda for the October regular meeting, rescheduled to November 2, 2009. Mr. Bates seconded the motion. There was no further discussion and the motion approving the agenda passed unanimously.
4. Meeting Minutes:
 - September 28, 2009: Mr. Bates made a motion to approve the minutes from the September 28, 2009 regular meeting of the Planning Commission. Mrs. Tickner abstained due to her absence at the meeting. There was no further discussion and the motion approving the minutes passed with three (3) “Yes” votes and one (1) abstention.
5. Manager’s Report: Mrs. Reiner presented her monthly report to the Commission, noting the upcoming convention of the Delaware County Association of Township Officials (DCATO) and the recently completed work on Valley Road in conjunction with the grant the Township received.
6. Old Business:
 - a. 1830 Middletown Road
Spinelli 5-lot Subdivision
2nd meeting
Plans dated March 24, 2009
Last revised September 18, 2009
Extension granted until January 2010

Present: Stephen Wasylszyn, G.D. Houtman & Son, Applicant’s Engineer
Ross Hellings, Applicant

Mr. Miller stated that this plan was last before the Planning Commission at their April meeting. The applicant is proposing a 5-lot subdivision between Slitting Mill Road and Middletown Road. At the last meeting where this matter was discussed, the

Commission requested that the applicant prepare an Open Space plan as a sketch. An informal meeting was held between the applicant and the Township where it was determined that the Conventional Lot Development plan would have less impact on the Township. The plans are dated March 24, 2009, last revised September 18, 2009.

Mr. Conrad stated that the applicant has worked to address several issues, most notably the issue with lot configuration. Conditional Use approval would be needed to subdivide the property using Conventional Lot Development and lot 1 would need to be deed restricted. Mr. Wasylyszyn stated that the applicant has agreed to deed restrict lot 1, currently at approximately 7.7 acres, from further subdivision. Mr. Wasylyszyn also noted that the apartment would be deed restricted from future residential use. Mr. Conrad asked if the apartment was currently served by a separate sewage disposal system. Mr. Wasylyszyn stated that he was not sure and would need to investigate the matter. Mr. Hellings stated that there was not a separate system for the apartment.

Mr. Wasylyszyn stated that he believes that the applicant is compliant with the requirement for a 50 ft. right-of-way (ROW) as each lot has its own access, but the applicant will add a 50 ft. ROW if required. Mr. Miller stated that the applicant may need to add a 50 ft. ROW and a turnaround in order allow for access for emergency vehicles, school buses, and other large vehicles. Mr. Malman stated that to allow four (4) private access points, the road must be built to public road specifications, but does not need to be a dedicated road.

Mr. Wasylyszyn stated that, in terms of the Planning Module, there have been many soil tests performed, but there is still additional testing that must be done. Mr. Miller raised a concern about the location of the primary system on lot 5. Mr. Bashore stated that the Township Sewage Enforcement Officer's (SEO) concern was the location and the potential of someone driving over the system and potentially damaging the system. Mr. Wasylyszyn stated that the final location of each system will be determined after testing is completed.

Discussion was had on comment #10 on the Yerkes Associates review of October 23, 2009, discussing 4 lots on a shared driveway. Mr. Conrad stated that the applicant will require a waiver from section 804.J. of the Edgmont Township Subdivision and Land Development Ordinance (SLDO). Mr. Malman recommended that the applicant comply with the Township Zoning Ordinance in terms of public street standards and request a waiver from the SLDO.

Mr. Conrad addressed the issue of stormwater management and stated that there are stormwater issues in this area of the Township. Mrs. Reiner stated that the Township receives repeated complaints from residents of Thornbury Township about stormwater run-off from the property in its current state. Mr. Conrad stated that the stormwater management facility should not be in the current ROW or the future ROW and it appeared as though the trees on the plan are in the ROW. Mr. Wasylyszyn stated that the trees are in the future ROW, but the berm is outside the new ROW. Mr. Miller asked if there was a certain sequence in which the Township would like to see the stormwater management facilities completed. Mr. Wasylyszyn stated that the basins will be installed first and they will be held to this sequence by the Delaware

County Conservation District. Mr. Wasylyszyn noted that each lot is showing 5,000 square feet of impervious coverage and the basin is designed to hold up to 6,300 square feet of run-off per lot.

Discussion turned to the review from Thomas Comitta Associates dated October 23, 2009. Mr. Theurkauf stated that the minimum planting requirements will require a waiver from requirements of the Township's SLDO. Mrs. Reiner asked if the recently adopted Ordinance #212, which amended tree replacement requirements, would apply to this application. Mr. Theurkauf stated that it does. Mr. Wasylyszyn noted the parameters established by this ordinance amendment were used in the subdivision design. Mr. Theurkauf stated that the Edgmont Township Comprehensive Plan shows a trail connection parallel to Middletown Road and the Township must advise the applicant as to the importance of the trail.

Discussion turned to the review done by Catania Engineering, Thornbury Township's engineer, dated October 23, 2009. Regarding the first item on the review regarding culvert capacity, Mr. Wasylyszyn stated that the applicant will be reducing the flows into the culverts from Slitting Mill Road. Mr. Wasylyszyn stated that he would contact Thornbury Township regarding the stormwater issues. Concerning the discrepancy in the speed limit, Mrs. Reiner stated that Edgmont Township conducted a traffic study, which Thornbury Township declined to participate in, where the engineer recommended that the speed limit be 35 mph. Furthermore, the PA State Police will not enforce speed limits below 35 mph.

James Bulkley, Vice-Chairman of the Thornbury Township Planning Commission, addressed the Commission. Mr. Bulkley stated that Thornbury Township would like to see the entrance to the development designed with a site distance for one speed limit. Mr. Miller stated that they were designed for 35 mph. Mr. Bulkley expressed concern over the possibility of increased stormwater run-off. Mr. Miller stated that Edgmont Township has been working with the developer in order to guarantee that there will not be an additional stormwater impact on the neighboring residents.

Larry Barrett, a member of the Thornbury Township Planning Commission, addressed the Commission. Mr. Barrett stated that he was originally concerned about the possible impact this development would have on the intersection of Middletown Road and Slitting Mill Road. After reviewing the plan, Mr. Barrett believed that these concerns have been allayed. Mr. Barrett noted that there should be consistency with the speed limit on the road. The Commission thanked the members of the Thornbury Township Planning Commission for attending the meeting.

Mr. Wasylyszyn stated that his office will address the outstanding issues and submit a revised plan for the December Planning Commission meeting. Mr. Miller noted that a fee-in-lieu requirement would apply to the application. No action was taken.

7. New Business:

a. Proposed Zoning Ordinance Amendments

- Article 15 – Flood Hazard District
2009 FEMA/FIS Study

Mr. Miller stated that the Federal Emergency Management Agency (FEMA) has recently completed its 2009 Flood Insurance Study (FIS). Flood Insurance Rate Maps (FIRM) have been revised as well. These maps have been reviewed by the Township staff. Due to this new study, the Edgmont Township Zoning Ordinance (Ordinance #141, as amended) must be further amended in order to incorporate the changes resulting from the study. The existing ordinance was reviewed by the PA Department of Community and Economic Development (DCED) and the suggested revisions were incorporated into the ordinance.

Mr. Raspa made a motion to recommend that the proposed Ordinance, which will amend the Edgmont Township Zoning Ordinance to incorporate changes resulting from FEMA's 2009 FIS, receive a public hearing and possibly be adopted. Mr. Bates seconded the motion. There was no further discussion and the motion recommending the proposed Zoning Ordinance amendment passed unanimously.

8. Miscellaneous Discussion: There were no items to discuss.
9. Announcements:
 - a. The Board of Supervisors and the Planning Commission will hold a quarterly joint work-session on Wednesday, November 18, 2009 at 5:30 p.m.
 - b. The Board of Supervisors will meet for their regular November meeting on Wednesday, November 18, 2009 at 7:30 p.m., with a work session beginning at 6:30 p.m.
 - c. The Planning Commission will meet for their November meeting on November 16, 2009 at 7:00 p.m., with a work session beginning at 6:30 p.m.
 - d. The Zoning Hearing Board did not meet in October as no applications were received. If any applications are received, the Zoning Hearing Board will meet on Tuesday, November 24, 2009 at 7:00 p.m.
10. Adjournment: At 6:00 p.m., Mr. Raspa made a motion to adjourn the meeting. Mrs. Tickner 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