

EDGMONT TOWNSHIP PLANNING COMMISSION  
REGULAR MEETING MINUTES  
September 28, 2009

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Work Session – Members of the Planning Commission, municipal professionals, and the Assistant to the Township Manager attended an advertised work session, which began at 6:30 p.m. Those in attendance generally discussed matters on the agenda. No action was taken.

1. Open Meeting & Pledge of Allegiance: Mr. Miller called the meeting to order at 7:05 p.m. with the Pledge of Allegiance. In attendance were Chip Miller, Chairman; Joseph Raspa, Vice-Chairman; Randy Bates, Member; David Malman, Esq., Planning Commission Solicitor; Michael Conrad, P.E., Township Engineer; and Christopher Bashore, Assistant to the Township Manager. Eleanor Tickner, Member; Robert Bristol, Member; Edward Theurkauf, Township Land Planner; and Samantha Reiner, Township Manager, were absent. There were 3 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 September 28, 2009 regular meeting of the Planning Commission as presented. Mr. Bates seconded the motion. There was no further discussion and the motion approving the agenda passed unanimously.
4. Meeting Minutes: Mr. Bates made a motion to approve the minutes from the August 24, 2009 regular meeting of the Planning Commission as presented. Mr. Miller seconded the motion. Mr. Raspa abstained due to his absence from the meeting. There was no further discussion and the motion to approve the minutes passed with two (2) “Yes” votes and one (1) abstention.
5. Manager’s Report: A Manager’s Report had been prepared by the Township Manager prior to the meeting and was circulated amongst the Planning Commission. Mr. Bashore noted that paving of Valley Road in conjunction with the recent grant that the Township received will begin on September 30, 2009.
6. Old Business:
  - a. 1010 Gradyville Road, Clear Wire Communications  
4<sup>th</sup> Meeting  
Plans dated April 30, 2009  
Last Revised August 5, 2009  
Extension to November 2009

Present: Richard Lemanowicz, Esq., Applicant’s Council

Mr. Miller stated that at the August meeting, the applicant requested that this matter be tabled to a future meeting in order to address the outstanding structural items outlined in a previous review from Yerkes Associates. The applicant prepared a letter in response to the review dated September 10, 2009.

Mr. Lemanowicz noted that he had received a copy of the Yerkes Associates review dated September 24, 2009. A response had been provided by American Tower dated

September 28, 2009. Copies of this response were provided to the Commission. Mr. Conrad stated that he would forward the information to the Structural Engineer with Yerkes Associates.

Mr. Raspa made a motion to recommend approval of the plans for Clear Wire Communications, prepared by American Tower Structural Engineering dated April 30, 2009, last revised August 5, 2009 consisting of sheets T-1, Z-1, A-1 through A-4, E-1 through E-4, and EG-1 through EG-3. The plans depict the removal of six (6) existing Sprint antennas at 171' and replacing them with (6) new antennas at 171', as well as the addition of a Clear Wire microwave dish antenna at 171'. Ground equipment is also to be installed in the lease area compound.

Recommend the granting of the following waivers:

Section 302.X. of the Edgmont Township Subdivision and Land Development Ordinance requiring Preliminary and Final Plan submission.

Approval is recommended on the following conditions:

- Township receipt of correspondence from Yerkes Associates demonstrating complete compliance with the Yerkes Associates reviews of August 20, 2009 and September 24, 2009 prior to October 7, 2009;
- Complete compliance with the Delaware County Planning Department review dated June 18, 2009 and satisfactory resolution of any outstanding items therein
- If any modifications to the tower are required to comply, the applicant must return to the Planning Commission.

Mr. Bates seconded the motion. Mr. Malman stated that the clean letter must be received by October 16, 2009 in order to be provided to the Board of Supervisors prior to their October 21, 2009 regular meeting. An extension was granted until November 2009 in the event that the applicant would need to return to the Planning Commission. Mr. Bashore noted that if the information for Yerkes Associates is not provided by October 7, 2009, under absolutely no circumstances will they be on the agenda for the Board of Supervisors. There was no further discussion and the motion recommending approval based unanimously.

b. Proposed Zoning Ordinance Amendment

- Ground-Source Heat Pumps: Mr. Miller stated that the Township continues to work on ordinance language which would establish regulations for the installation and maintenance of ground source heat pumps in the Township. This matter was last presented to the Commission as a stand-alone ordinance. Through discussion with Township officials, it was determined that this item should be returned to zoning. In its most current version, the ordinance will create section 1934. The isolation distance table has been revised in order to incorporate comments from industry professionals and the Township's Sewage Enforcement Officer.

Mr. Malman questioned the isolation distance for property lines of properties which do not presently have on-lot septic systems. Mr. Miller stated that if the property in question existed in a public sewer district, it would be 10 feet, and if it

was not a public sewer district, then it would be 40 feet. Mr. Conrad asked if public sewer would include community systems. Mr. Miller stated that it would.

Mr. Bates made a motion to recommend the proposed ordinance, recommended by the Ordinance Committee, amending the Edgmont Township Zoning Ordinance and outlining regulations for governing the installation and maintenance of ground source heat pumps, be advertised for possible adoption by the Township.

Mr. Raspa seconded the motion. There was no further discussion and the motion recommending the proposed ordinance passed unanimously.

7. New Business:

a. Planning Module

- Edgmont Country Fair – Trattoria Giuseppe restaurant (Parcel F & G)  
Present: Richard Johnson, P.E., Advanced Wastewater Engineering

Mr. Johnson stated that Trattoria Giuseppe, a restaurant located in Parcel F & G of the Edgmont Country Fair, is proposing an expansion to the existing restaurant to create a banquet facility. This facility will seat 164 individuals and increase flows by 1,640 gallons per day. The Township SEO has not approved the planning module. The restaurant was originally approved for 133 seats and was re-approved in July 2009 for a seating capacity of 275 seats.

Mr. Miller asked what the space of the banquet facility was. Mr. Johnson stated that he was not sure. Mr. Johnson stated that the bathroom and kitchen waste is currently separated, with the bathroom waste being deposited into the on-site septic system and the kitchen waste being pumped to the large-volume system on Parcel B-1. For the banquet facility, all waste will be pumped to the large-volume system. Mr. Miller asked what percent capacity the large-volume system was currently. Mr. Johnson stated that the peak flow is 8,800 gallons and the average flow was approximately 6,400 gallons and the system is designed for 15,200 gallons. Mr. Johnson stated that he has included flow projections for the new Parker's Prime restaurant. With those flows combined, it would be approximately 10,000 to 12,000 gallons.

Mr. Conrad asked if the equalization tank was on the Parcel B treatment system or Parcel F & G. Mr. Johnson stated that it was on Parcel B and that the system for Parcel F & G was designed for 3,300 gallons per day and the average currently is 700 gallons per day. There is capacity for Parcel G in the event the existing vacancies are filled. Mr. Conrad asked if the vacancies are filled, would the Pennsylvania Department of Environmental Protection (DEP) require them to submit a new application. Mr. Johnson stated that if the vacancies were filled with similar uses to those originally approved, they would not be required to submit a new Planning Module. If a change in use occurs, then DEP would need to be notified.

Mr. Malman asked what caused the recent issue between the Township and DEP relative to Edgmont Country Fair. Mr. Johnson stated that DEP had issued a policy procedure a year ago and attempted to cite the Township for failing to notify them

that a new business was entering the former Roux 3 location, even though the document states that DEP does not need to be notified if a business of the same use enters a previously occupied space and flows are not increased. A meeting was held with DEP and it was determined that the Township did not need to notify DEP because the seating capacity/flows were not increasing between Roux 3 and Parker's Prime.

Mr. Malman stated that it appeared as if several items outlined in Stuart Pollock's memorandum of September 22, 2009 had been addressed; however, the issue of eliminating the pump station near the patio dining area had not been addressed. Mr. Johnson stated that he had met with Mr. Pollock on site and noted that no odors had been observed. A large amount of bees were observed near the pump station. Mr. Johnson stated that he had discussed relocating the pump station for both the restaurant and the banquet facility to the rear of the building. Mr. Malman asked if this was to be done. Mr. Johnson stated that it was under consideration. Mr. Malman stated that an Operation and Maintenance Agreement would need to be executed.

Mr. Miller asked about the capacity of the grease trap. Mr. Johnson stated that the grease trap was approximately 1,500 gallons. Mr. Miller asked if all kitchen lines would be relocated to the rear of the building. Mr. Johnson stated that he would recommend that the grease trap remain in its current location and the pump station be relocated to the rear to accommodate both the existing restaurant and the proposed banquet facility. Mr. Miller asked what would be done about sewage in the interim. Mr. Johnson stated that the line could be adequately addressed. Mr. Johnson stated that the grease trap will not be relocated because it is recommended that the line be close to the grease source. In this case, the source is the kitchen.

Mr. Miller asked where the odors were occurring. Mr. Johnson stated that there were some at the pump station near the patio dining area, but chlorine tablets were placed to reduce the odors. The vent pipe at the Parcel B pump station was extended. Mr. Johnson stated that Mr. Pollock had directed him to research the capacity of the pump station because it was designed for 1,000 gallons per day, but is currently pumping nearly 4,000 gallons per day. Mr. Johnson advised that the actual pumps installed were of adequate capacity. Mr. Miller asked about the age of the existing system. Mr. Johnson stated that DEP issued a permit in 1992 and the large volume system was upgraded in 2000. Mr. Johnson stated that the lines were recently flushed.

Mr. Malman asked about the reserve capacity and if it was still in place. Mr. Johnson stated that the existing pump station at Parcel B is a duplex system. Mr. Johnson stated that the main pump station for the shopping center has an overflow tank. Mr. Conrad stated that it may be helpful to have the interim as-built plan updated to reflect all the sewer lines in the shopping center, including the proposed lines for the banquet facility. Mr. Conrad asked if there was an updated breakdown of the flows going to the Parcel G pump station. Mr. Johnson stated that there was not as DEP had not requested one as new tenants were not going into Parcel G.

Mr. Raspa made a motion to approve the Planning Module for the expansion of Trattoria Giuseppe. The following conditions are placed on this approval:

- Complete compliance with the memorandum of Stuart Pollock dated September 22, 2009
- Execution of an Operation and Maintenance Agreement acceptable to the Township Solicitor
- Evidence of sufficient reserve capacity for the Parcel B pump station
- Update of the interim as-built plan for ECF to reflect this proposal
- Commitment to provide a revised land development plan to the Township for Parcels F & G

Mr. Bates seconded the motion. There was no further discussion and the motion approving the planning module passed unanimously.

8. Miscellaneous Discussion: There were no items to discuss.
9. Announcements:
  - a. The Board of Supervisors will meet on Wednesday, October 21, 2009 at 7:30 p.m. for their regular meeting, with a work session at 6:30 p.m.
  - b. The Planning Commission will meet on Monday, October 26, 2009 at 7:00 p.m. for their regular meeting, with a work session at 6:30 p.m.
  - c. The Zoning Hearing Board will not meet in September. If any applications are received, the Zoning Hearing Board will meet on Tuesday, October 27, 2009 at 7:00 p.m.
10. Adjournment: At 8:30 p.m., Mr. Raspa made a motion to adjourn the meeting. Mr. Bates seconded the motion. There was no further discussion and the motion adjourning the meeting passed unanimously.

Respectfully submitted,

Christopher Bashore, Assistant Secretary  
Asst. to the Township Manager

Chip Miller, Chairman  
Planning Commission