

## **SADSBURY TOWNSHIP PLANNING COMMISSION**

### Meeting Minutes Regular Monthly Meeting, July 11, 2006

The regular monthly meeting of the Sadsbury Township Planning Commission was held on Tuesday, July 11, 2006 in the Sadsbury Township Municipal Building Board Room.

The following Commission Members were in attendance:

Matt Arnoldy, *Chair*  
John Lymberis, *Vice Chair*  
Jay Gregg, *Secretary*  
Stephanie Silvernail, *Supervisors Liaison*  
Theodore Claypoole  
George Dalmas  
Carlyle Rivers

Mr. Arnoldy called the meeting to order at 7:32 pm, and led those in attendance in a moment of silence and the Pledge of Allegiance.

#### **REVIEW OF PREVIOUS MEETING and APPROVAL OF MINUTES**

An Action Summary of the June 13, 2006 Planning Commission Meeting was read by Mr. Gregg. Mr. Gregg explained that the Meeting Action Summary will not take the place of Meeting Minutes, but will be used as a tool to more quickly communicate the content, decisions and actions of Commission Meetings to those attending subsequent meetings. From this meeting on, the Action Summary of the previous meeting will be read and reviewed, with printed copies available to the public as well.

Full minutes will still be taken at all meetings, and will be reviewed and approved as an agenda item at all meetings. The full text of the minutes, however, will not regularly be read aloud at meetings. After approval by the Planning Commission, all minutes will be available for review in printed form at the Township Office, and will also be posted for viewing on the Township web site.

Full Minutes of the June 13 Meeting were previously distributed to Commission Members for review and were also made available to the public at the Township Office. Motion to approve the minutes with amendments made by Mr. Dalmas, seconded by Mr. Arnoldy, motion approved by unanimous Commission vote.

#### **NEW BUSINESS**

Mr. Arnoldy announced the addition of D & S Developers to the Agenda, immediately following the Sadsbury Village Home Owners Association.

#### **PROJECT/APPLICANT: Keystone Helicopter**

Represented by Joe Rosella. This Project is taking place on Lot 20A of the Keystone Business Center. The Applicant is requesting changes to the previously appended plan. The Project building footprint remains the same, the sizes of each of the two proposed structures change; total impervious surface area will decrease with the proposed changes.

The Township Engineer recommends considering this plan as the final plan submission. These Plan revisions, submitted last week of July 2006, incorporated comments from the most recent Engineer Review Letter. The Applicant agrees to defer submission of final plan to Board of Supervisors until a final Review Letter, without further comments, has been received.

***MOTION** by Mr. Arnoldy, seconded by Mr. Lymberis, to recommend approval of Keystone Helicopter's Plan as submitted and described at this meeting; recommendation is contingent upon final approval recommendation from Township Engineer. **Motion approved** by unanimous Commission vote.*

**PROJECT/APPLICANT: Larry and Susan Constable**

Represented by Ken Crossan, Crossan Raimato Surveying. The Applicant submitted a Sketch Plan for a proposed property reconfiguration. The involved property was previously subdivided, believed to be in 1999, Applicant now wishes to reconfigure the property. Mr. Lymberis asked if Applicant desired to complete a “reverse subdivision”, and if so is this possible. Mr. Claypoole stated that such an action was possible from a legal perspective, and the Applicant confirmed that this was their inclination.

Mr. Lymberis stated that Chester County prefers shared over multiple driveways – with this in mind, can Lot 5 driveway be reconfigured to impact only Lot 4 or Lot 6 instead of both? Applicant agreed to this.

Lot 3 is currently in agricultural use, but this will cease with property reconfiguration and Lot 3 will become residential use only.

Mr. Lymberis suggested reconfiguration of Lot 1 & 2 driveways to present a better shared use configuration, by building a single drive with individual spurs meeting in a “T” configuration. Mr. Crossan agreed this could be a possibility, also suggesting the drives be reconfigured as two individual drives built immediately side by side at the lot lines.

Mr. Crossan asked if any waivers would be required for the proposed project. After review of applicable ordinance(s) Mr. Lymberis and Mr. Claypoole replied that a conditional use request will be necessary. Mr. Crossan then asked for guidance on timing of this request, consensus from the Commission was that the request could be made/reviewed at any time from sketch plan on, but the Applicant would be best served to wait until the project's design concept was firm to make the conditional use request. Mr. Crossan asked if Board of Supervisors can and will review Sketch Plans, and stated that he will submit the Sketch Plan to the Board upon hearing a positive reply.

The Commission thanked Mr. Crossan and the Applicant for being proactive in submitting a Sketch Plan to seek guidance from the Planning Commission and Board of Supervisors.

**PROJECT/APPLICANT: Cowan Estates**

Represented by Joe Rosella.

Mr. Lymberis is a principal in this project, and recused himself as a Commission Member for the discussion.

The Applicant has regularly appeared before the Commission since summer 2005, and has made two changes in that process. Mr. Rosella distributed copies of the Highway Occupancy Permit received from PennDOT, which satisfies comment # 6 of the most recent Township Engineer Review Letter.

***MOTION BY Mr. Dalmas, seconded by Mr. Rivers, to recommend approval of the proposed plan; motion amended by Ms. Silvernail to be contingent upon receipt of all other outstanding certifications detailed in Review Letter; amendment approved. Motion approved by unanimous Commission vote, Mr. Lymberis recusing himself.***

**PROJECT/APPLICANT: Sadsbury Village Home Owners Association**

Represented by Adam Marcus, Esq., Legal Counsel; also participating in the presentation: Gloria Gellman, President, Tanya Curry, Member-At-Large & Playground Chair, Mike Guerrieri, M.A. Guerrieri, playground builder, Valerie Pyle, Wentworth Property management Group.

From Ms. Gelman: HOA Board formed in June 2005, was reminded by Wentworth Group that HOA was committed to construct a playground with funds committed by builder. A committee was formed to oversee playground construction, contractors were interviewed, and proposed site was deemed unsafe and undesirable. An alternate site was identified by the committee, approved by the HOA Board, and ratified at HOA Annual Meeting. Additional insurance (\$ 5,000,000 rather than \$ 2,000,000) has been secured. Safety issues associated with original site included large amount of fill necessary to prepare the site, necessity of constructing a large retaining wall, close proximity to a storm water detention basin. These conditions also led to high construction cost.

All of these conditions were backed up by Mr. Guerrieri.

The original recreation site was based on a plan assuming a smaller basin, and greater use as a passive recreation area rather than a developed playground.

Mr. Gregg asked if a trail surrounded the proposed playground site – answered yes. Does trail have public access – answered no.

Mr. Lymberis asked about plans for safety fencing for the proposed project. Entire recreation area will be surrounded by a locked fence with access granted only to subdivision homeowners. Ms. Gelman pointed out that the proposed new site will be less accessible to passerby.

Public comments:

- Playground idea is fine, opposed to basketball court because of concern that older youth will be attracted, possibly from outside the subdivision.
- Private basketball hoops are being installed, sometimes in the street, in increasing numbers.

- Street side courts are a problem in Quarry Ridge, could become if not already in Sadsbury Village.

Ms. Silvernail stated that a public basketball court exists at Bert Reel Park, at which no known problems have occurred.

From Ms. Pyle: concerns over private basketball nets prompted the HOA to propose temporary guidelines on their placement until HOA court is in place.

***MOTION** by Ms. Silvernail, seconded by Mr. Dalmas, to recommend approval of newly proposed recreation area site and design, contingent upon review and approval by Township Engineer. **Motion approved** by unanimous Commission vote, Mr. Arnoldy abstaining to avoid conflict of interest (Sadsbury village homes were built by Mr. Arnoldy's employer).*

**PROJECT/APPLICANT: D & S Developers**

Represented by Mike Sodl, P.E., Wilkinson & Associates. Also present were D & S principals Don Distefano and John Smith.

Proposed project has been on hold pending sewer issues related to public sewer nonavailability.

Ms. Silvernail inquired as to the status of Health Department Certification and PA American Water "Will Serve" certification – Mr. Sodl replied that both applications have been submitted, no response thus far.

Mr. Lymberis asked if Applicant is willing to agree upfront that they will connect to public sewer when it becomes available. Applicant replied yes, but not willing to place funds in escrow for sewer due to lack of timetable.

Mr. Sodl stated that recorded plan notes that property owner will be responsible to connect to public sewer once it is available.

Regarding Comment 6c on most recent review letter – David Biloon has told Mr. Sodl that he is satisfied that issue does or will not exist.

Ms. Silvernail expressed concerns over possible impacts from the proposed location of the property driveway, and asked if Applicant would consider moving the driveway to align with Western Drive. Mr. Sodl stated that constructing the driveway in a different location than proposed would negatively affect the property's marketability.

Mr. Lymberis recommended denial of request to recommend approval of plan, unless Applicant will grant an extension for plan consideration. Mr. Gregg concurred.

Applicant granted a 30-day extension for consideration – current clock date is August 5.

Mr. Sodl requested a recap of issues of concern. Issues include: requested waiver of requirements for handicapped reserved parking spaces, driveway location and impacts, Township Solicitor's comments regarding comment 5c of most recent review letter. Mr. Sodl requested a letter from the Planning Commission stating these concerns; Mr. Gregg to draft and send letter.

**OTHER BUSINESS:**

Public Comments:

- Copies of Agenda for this Meeting were not readily available. Planning Commission will make sure that additional copies are made available in the future.
- Clarification was requested on new Planning Commission Meeting Minutes format(s) – Meeting Agendas, Action Summary of the previous meeting, draft minutes of the previous meeting will be available to the public at each meeting. Minutes will be available for review in the Township Office, and posted on the Township web site after approval by the Planning Commission.

**ANNOUNCEMENTS:**

Mr. Arnoldy announced his resignation from the Planning Commission due to relocation. His resignation was reluctantly accepted, and Mr. Arnoldy was thanked for his years of service.

**MOTION TO ADJOURN:**

With no further business before the Commission, Mr. Arnoldy moved to adjourn; seconded by Mr. Dalmas, motion approved by unanimous Commission vote.

Respectfully submitted,

Jay M. Gregg  
Secretary  
Sadsbury Township Planning Commission