

**EAST WHITELAND TOWNSHIP
PLANNING COMMISSION MEETING
October 22, 2014**

Members Present: Greg Davis, Chairman, Todd Asousa, Jeff Broadbelt, John Laumer and Brian Taylor

Absent: Deb Abel and Maureen Martinez

Also Present: Darrell Becker, Township Engineer and Maureen Perri, Secretary

CALL TO ORDER: The regular meeting was called to order at 7:35 pm.

APPROVAL OF MINUTES:

A motion was made by Greg Davis to approve the minutes of September 24, 2014 as written. The motion was seconded by Brian Taylor and the vote was unanimously approved.

PRELIMINARY SUBDIVISION AND LAND DEVELOPMENT – ATWATER/RLD RESIDENTIAL

Represented by Alyson Zarro, Esquire, Ray Grochowski, Bill Reiser

The applicant proposes to construct 549 residential units as follows: 1) 401 townhouses, 2) 80 twin units and 3) 68 single family dwellings on 96 acres in an O/BP Office/Business Park and RMH Medium High Density Zoning Overlay district off of Route 29 and Atwater Drive. Ms. Zarro stated that this plan is the same plan as that submitted for the master plan. Mr. Grochowski stated that no variances are need but they will be asking for three waivers: 1) cuts and fills limited to five–feet (Section 175-27.H; 2) street trees being planted along both sides of a street (Section 175-30 D) 40 foot spacing requirement; 3) Belgian block curb instead of concrete. The applicant will be reviewing the comments of the Township Engineer and Traffic Engineer and will return in November.

ACTION:

None

SKETCH PLAN FOR SUBDIVISION AND LAND DEVELOPMENT: ARGUS PROPERTY GROUP

WILLITS PROPERTY – CHURCH ROAD – to be named “The Valley” –

Represented by: Alyson Zarro, Esquire, Sean Gallagher, Mike Ruffo and Mike Ryan

The proposal is for 40+ single family homes on 47.3 acres on the east side of Church Road in an R-1 Residential Zoning District. They are proposing a cluster development with application of the Historic Density bonus due to a historic home and barn on the property. This bonus provides for a 10% increase of allowable

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building lots, if a historic property exists. At this time, they do not own the property; they have it under an Agreement and are currently surveying the property. They hope to repurpose the existing home but the home is in very poor condition, as is the barn. The applicant said they will present their plan to the Historic Commission in the near future. One design challenge is the required 250' setback from Route 202. They said they would also like to treat the site as a single tract, ignoring the fact that it is divided by Church Road. Ms. Zarro said her client will be submitting a proposed Zoning Ordinance amendment prior to the next meeting.

ACTION:

None

CONDITIONAL USE APPLICATION: FETTERS MILL HOA AMENDING THE ORIGINAL 1999 CONDITIONAL USE APPLICATION APPROVAL – Minimum Buffer Tree Spacing on north side of Lapp Road -- Represented by: Sean O'Neill, Esquire and William Johnston

Mr. O'Neill stated that in 1999 the Board of Supervisors approved a 20 ft. wide buffer with two rows of evergreens spaced 10 ft. apart as part of the Conditional Use Order for this R-1 Cluster development. Since that time, 69 trees were identified as dying and 39 have been replaced. Therefore, they are requesting amending the 10 ft. wide buffer to allow for a 15-20 ft. wide buffer. The HOA has hired an arborist who recommended this change. Also, they have currently identified 29 additional tree as dying. The trees on Lapp Road are showing decay and they are requesting to plant Norway spruce trees. Discussion ensued.

ACTION:

Greg Davis made a motion to recommend to the Board of Supervisors approval of the Conditional Use application submitted by the Feters Mill HOA to amend the original Conditional Use Order of 1999 which modifies the minimum spacing between buffer trees from 10 feet to 15-20 feet. The community is located on the north side of Lapp Road in an R-1 Residential Zoning district. Mr. Laumer seconded and vote was unanimous.

ZONING ORDINANCE AMENDMENT: ADDING A DEFINITION OF 'RACE CAR' AND ADDING LANGUAGE TO REGULATE RECREATIONAL AND BOAT PARKING AND TO LIMIT PARKING IN RESIDENTIAL ZONES

The proposed ordinance would amend Section 200-14 by inserting the following definition:

Race Car: A vehicle being constructed, modified, maintained or repaired for the purpose of racing on a sanctioned drag strip or race course. The term includes but is not limited to: stock cars, race cars, race trucks, figure eight cars, demolition derby cars, drag race cars, off-road race cars or sprint cars. Also, the ordinance would amend Section 200-69. J entitled "Parking in Residential Districts" which limits parking in residential zones.

Several residents expressed their displeasure and frustration with an individual who is running a garage near the corner of Morstein Road and King Road. The residents advised the Planning Commission that they

have been to the Board of Supervisors and the Township Solicitor has been involved in drafting this amendment. Discussion ensued.

Mr. Asousa expressed his concern with this ordinance and the impact it may have on other residents of the entire Township. He wanted to know how this individual was able to construct this building in a residential area. They questioned whether this might be construed as “spot zoning”. Members felt that they did not have sufficient time to make a decision to recommend this ordinance amendment and were uncomfortable with restricting boats and trailers. Discussion ensued.

ACTION:

Mr. Davis requested that the Solicitor be present at the November 25th work session to provide answers to their concerns.

ZONING ORDINANCE AMENDMENT: BRANDYWINE REALTY TRUST AMENDING THE ORDINANCE TO PERMIT MIXED USE DEVELOPMENT IN THE CGO –CORPORATE GATEWAY OVERLAY DISTRICT

Represented by Denise Yarnoff, Esquire and Paul Commito

The property is located at 50-52 Swedesford Road adjacent to Rt. 202 ramps was originally approved for 132,000 sq. ft. of offices on 24 acres with a possible height of 70 feet. The applicant was unable to market the property over the last 7-8 years for office space. As a result, they are proposing a mixed use development with residential, commercial and office buildings on the property. They are proposing a village type concept for the redevelopment as opposed to town center concept. Their request is to amend Section 200-39.A (1 & 3) “Intent” of the CGO – Corporate Gateway Overlay Zoning District to allow for mixed use. They envision the existing office building (A), first floor retail with residential above (bldgs. B & C) of four stories in height and buildings D & E. They estimate 245 multi-family dwelling units with a minimal number of children. Ms. Yarnoff reminded members that in order for a property to be considered Corporate Gateway Overlay district the parcel requires a minimum of 24 acres.

Members asked Ms. Yarnoff to develop a chart highlighting these new Mixed Uses in comparison to the current zoning. Also, they asked the applicant to provide information from their study as to their target market. The members were concerned with this proposed mixed use and how it impacts the surrounding area and zoning districts. Discussion ensued.

ACTION:

None

ADJOURNMENT:

Hearing no new business, the meeting adjourned at 9:45 pm.

Respectfully submitted:

Greg Davis, Chairman

Maureen G. Perri, Secretary