The regular meeting was called to order at 7:00 p.m. by Acting Chair Ann Rothmann. Other members present: Mark Stanish and Nik Kharva. Also attending: Eugene C. Briggs, Jr., AICP, CZO, Assistant Township Manager/Director of Planning and Zoning/Zoning Officer; Kristin Camp, Esq., Planning Commission Solicitor; and Bryan Kulakowsky, PE, Township Engineer.

January 07, 2020 Meeting Minutes

On a motion by Mr. Stanish and seconded by Mr. Kharva, the Commission unanimously approved the meeting minutes from January 07, 2020. There were no comments from the public.

SD 526 – 422 Waterloc and 205 Exeter Roads – Preliminary/Final Subdivision and Land Development Plan

The Applicant proposes to subdivide two residential lots into four residential lots for the construction of two new single-family dwellings. Ted Babiy, and Anne Marie Quinn were in attendance representing the Applicant. Ms. Camp summarized her opinion memorandum dated January 16, 2020 disagreeing with the Applicant that the information they presented at the January 07, 2020 Commission meeting does not resolve the Zoning Officer’s recommendation that the property be evaluated for wetlands by either the US Army Corps of Engineers or an independent wetlands professional. Ms. Rothmann opened the floor to the Commission. After discussion, the Commission agreed with Ms. Camp. Ms. Rothmann opened the floor to the public. John Toates, of 415 Waterloo Road, commented on a watercourse and wetlands on the property.

Mr. Briggs asked the Applicant for an extension and the Applicant said he would grant one to avoid an action by the Commission to recommend disapproval of the plan.

ZHB 595 – 1014 South Leopard Road

The Applicant is proposing to install a shed. A variance is requested from Figure 3-2 to increase the nonconforming impervious surface from 17.41% to 17.68% where the maximum allowable impervious surface is 13.5%. The Applicant was not in attendance. Ms. Rothmann opened the floor to the Commission for discussion. After discussion, Ms. Rothmann opened the floor to the public and there was no comment.

On a motion by Mr. Stanish and seconded by Mr. Kharva, the Commission unanimously recommended to not comment on the Application.
ZHB 596 – 1497 Sugartown Road

Mr. Stanish recused himself from this Application. The Applicant has installed a fence, patio, and walkway. A variance is requested from Figure 3-2 to increase the impervious surface from 18.5% to 22.92% where the maximum allowable Impervious Surface is 18.5%, and an appeal of the Zoning Officer’s Zoning Permit Application disapproval dated October 28, 2019 for a six foot six inch high fence where the maximum fence height allowed is six feet. Christos Christakis was in attendance representing the Applicant. Ms. Rothmann opened the floor to the Commission for discussion. Mr. Christakis advised that since he submitted the Application he reduced the height of the fence and he no longer needed relief. After discussion, Ms. Rothmann opened the floor to the public and there was no comment.

On a motion by Mr. Kharva, and seconded by Ms. Rothmann, the Commission voted 2-0 to recommend denial of the variance to increase the impervious surface to the Zoning Hearing Board.

ZHB 597 – 413 Dorset Road

The Applicant is proposing to construct a new home, driveway, walkway, patio, and pool. A variance is requested from Section 455-14.F to increase the impervious surface from 18.5% to 22.3% where the maximum allowable Impervious Surface is 18.5%. George Broseman, Esq., was in attendance representing the Applicant. Ms. Rothmann opened the floor to the Commission for discussion. Mr. Broseman explained the two existing sanitary sewer easements and driveway within the flag lot access strip are unique characteristics of the lot causing a hardship. Ms. Rothmann and Mr. Kharva agreed that the property should only be allowed an 18.5% impervious surface coverage, if the area of the two existing sanitary sewer easements are added back into the maximum allowable impervious surface calculation. After discussion, Ms. Rothmann opened the floor to the public and there was no comment.

On a motion by Mr. Stanish, and seconded by Mr. Kharva, the Commission unanimously voted to not support the requested variance, but agreed that the Applicant should be entitled to deduct the area of the two sewer easements from the net lot area when calculating the total impervious surface.

Act 537 Special Study Review

Mr. Kulakowsky presented this item. He explained that the Township has an approved Act 537 Sewage Facilities Plan with the Pennsylvania Department of Environmental Protection (DEP). Approximately 10 years ago, DEP placed the Easttown Municipal Authority (EMA) under a Corrective Action Plan (CAP) as a result of excessive stormwater infiltration and inflows. Since that time the EMA implemented several capital projects that have helped to correct the excessive flows. In order to remove the CAP, the EMA is required to submit an Act 537 Special Study confirming that the capital projects have corrected the excessive flow. This process requires the Study be reviewed and, if necessary, commented on by the Planning Commission. Ms. Rothmann opened the floor to the Commission for discussion. After discussion, Ms. Rothmann opened the floor to the public and there was no comment.

On a motion by Mr. Stanish, and seconded by Mr. Kharva, the Commission unanimously voted to have the meeting minutes reflect that the Commission has reviewed the Act 537 Special Study and had no issues or comments or it.
Village of Berwyn and Easttown Library Parking Study Recommendations.

Mr. Briggs presented this item. At the Board of Supervisors’ January 21, 2020 meeting, the Board asked the Planning Commission to review the Village of Berwyn and Easttown Library Parking Study and develop a list of recommendations that the Board should consider implementing in 2020 and 2021. Ms. Rothmann opened the floor to the Commission for discussion. The Planning Commission will formulate a list to recommend at its March meeting. After discussion, Ms. Rothmann opened the floor to the public and there was no comment.

Public Comment

Michael DeFlavia (125 Bartholomew Road) commended on future Township projects.

Mr. Briggs recalled that the Applicant for 422 Waterloo Avenue stated that he would grant an extension after the meeting, but did not actually agree to an extension date at the meeting. Out of an abundance of caution, and to avoid the Applicants claiming a deemed approval should they not grant the extension, Ms. Rothmann made a motion to deny the Application based on noncompliance with the issues raised in the outstanding comments in the Township Consultant review letters should the Applicant not grant an extension. The motion was seconded by Mr. Stanish, the Commission unanimously voted to deny the Application based on noncompliance with the issues raised in the outstanding comments in the Township Consultant review letters in the event that the Applicant does not grant the extension.

The next tentatively scheduled Workshop is Tuesday, March 03, 2020 at 6:30 p.m. and the next regularly scheduled Regular Meeting is Tuesday, March 03, 2020 at 7:00 p.m.

Adjournment

The meeting adjourned at 8:31 p.m.

Respectfully submitted,

Eugene C. Briggs, Jr., AICP, CZO
Recording Secretary