

**EASTTOWN TOWNSHIP PLANNING COMMISSION
REGULAR MEETING MINUTES
MAY 04, 2021**

Call to Order:

The regular meeting was called to order at 7:00 p.m. by Chairperson Mary Hashemi. Other members present: Mark Stanish, Nik Kharva, and Paul Salvaggio. Planning Commissioner Rothmann was absent. Also attending: Eugene Briggs, AICP, CZO, Township Manager; Don Curley, Assistant Township Manager; Sharon Norris, Administrative Assistant to the Township Manager; Tom Oeste, Esquire, Planning Commission Solicitor; Michael Crotty, Esquire, Planning Commission Alternate Solicitor; Bryan Kulakowsky, Township Engineer; Lisa Thomas, RLA, AICP, LEED AP, Township Planner; and Chris Williams, Township Traffic Engineer.

April 6, 2021 Regular Meeting Minutes:

Chairperson Hashemi asked the Planning Commission members if they had any edits to the draft minutes. Mr. Kharva made a motion to approve the minutes as distributed. The motion was seconded by Mr. Salvaggio. Ms. Hashemi called for the vote. The motion passed 4-0.

Sketch Plan:

119 Lancaster Avenue – Mr. Eli Kahn, the property owner/developer and his attorney, Alyson Zarro presented this agenda item which proposes to renovate an existing 15,000 +/- SF building for commercial use. Mr. Kahn reviewed how he arrived at the current plan, including the multiple years of trying to work with Amtrak and SEPTA on a plan for this property. This building, the former Studebaker building, is architecturally interesting and Mr. Kahn noted that he would like to maintain some of the original architectural components where possible; however, adjustments have to be made to make it attractive to potential commercial clients. This includes having appropriate signage, multiple entrances and plenty of parking. The Planning Commission and Applicant discussed stormwater, parking obstacles and needs, and the sidewalk. The Planning Commissioners understood that preserving the architecture would require many waivers. Mrs. Hashemi called for public comment. Cheryl Harper, the Historical Commission liaison to the Planning Commission, commented on preserving the architectural features and restoring the sign.

Subdivision and Land Development Plan Applications:

SD 526 – 422 Waterloo Road – Minor Subdivision Preliminary/Final Plan – Mr. George Broseman, Mr. Rob Lambert and the property owner, Mr. Ted Babiy, were in attendance to present the plan. The plan proposes to subdivide the existing parcel into a total of three (3) lots, and preserve the historic sections of the existing house which will now be located on Lot 3. The Planning Commission discussed the review letters with the Consultants and the Applicant and it was agreed that the applicant had completed everything the Planning Commission had requested. Mrs. Hashemi called for a motion that the Planning Commission recommend that the Board of Supervisors grant approval for SD 526 – 422 Waterloo Road Preliminary/Final Minor Subdivision Plan subject to the following conditions:

- 1) That the Applicant comply with all outstanding comments and recommendations in the following review memorandum and letters:
 - a) McMahan Associates, Inc. letter dated April 21, 2021;
 - b) ARRO letter dated April 27, 2021;

- c) Glackin Thomas Panzak letter dated April 26, 2021;
 - d) Eugene Briggs Zoning Officer Memorandum dated April 28, 2021.
- 2) That a note shall be added to the Plan that the structure labeled “Stone Accessory Structure” on Lot 2 shall be used only for uses permitted by the Zoning Ordinance.
 - 3) That the structure labeled “Stone Accessory Structure” on Lot 2 shall be inspected by the Zoning Officer to confirm no kitchen or cooking facilities are located in the structure.
 - 4) Prior to plan recording, issuance of an NPDES permit and General Permits by the Commonwealth of Pennsylvania that authorize the disturbance of the riparian buffer zone on Lots 2 and 3 for the construction of stormwater management facilities, driveways and any other improvements depicted on the plan located in the Buffer Zone. If said permits cannot be obtained to permit disturbance of the riparian buffer zone, the plan shall be revised to comply with ZO Section 274-19.A and resubmitted for Township review.
 - 5) The 205 Exeter Road lot, UPI 55-3-52.1 shall be removed from the subdivision and all references to the Exeter Road lot shall be deleted from the plan as it is not part of the plan.

The Planning Commission recommends that the Board approve the following waivers:

- 1) Section 400-22.B to not provide the required plan sheet size;
- 2) Section 34.A to not require the Applicant to widen Exeter Road along the site frontage subject to the payment of a fee-in-lieu of widening equal to \$10/square foot of widening;
- 3) Section 400-41 to not require the Applicant to provide curb and sidewalk along the Exeter Road site frontage subject to the payment of fee in lieu of construction of curb and sidewalk of \$33.00 per lineal foot of curb and \$12.00 per square foot of sidewalk.

The motion was made by Mr. Stanish and seconded by Mr. Kharva. Mr. Hashemi called for public comment. There was no public comment. Mrs. Hashemi called for a vote. The motion carried 4-0.

SD 536 – 2133 and 2155 Buttonwood Road – Final Minor Subdivision Plan – Mr. Stanish recused himself from this agenda item. Mr. Scott Johnson, the property owner and Mr. Chris Yohn, the Applicant engineer, reviewed the Plan with the Commission stating that last fall a lot line plan for this property to move an interior lot line was approved by the Planning Commission. Over the course of time, it became clear to the owners that they should have made a different adjustment and that is why they submitted this new plan to the Commission. It is a plan for an interior lot line change that does not create any new lots or make any improvements to the lot. When asked, the applicant noted that this change will allow them to situate their new pool further away from the house and would mean that the existing barn and two sheds would now no longer be located in the setback and be fully compliant with the Zoning Ordinance. Mrs. Hashemi called for public comment. Cheryl Harper commented on the future development plans for the larger parcel. Mr. Oeste noted that a note should be added to the plan specifying the reason for the lot line change and that it will be recorded with new deeds issued. Ms. Hashemi made a motion that the Planning Commission recommend that the Board of Supervisors grant approval for the Lot Line Change Plan subject to the following conditions:

- 1) The Applicant shall comply with all outstanding comments and recommendations in the following review memorandum and letters:
 - a. McMahan Associates Letter dated April 21, 2021;
 - b. ARRO letter dated April 19, 2021;
 - c. Eugene Briggs Zoning Officer memorandum dated April 27, 2021.

- 2) A note shall be added to the Plan that no new lots are approved by this plan. The purpose of the plan is to permit conveyance of 0.6322 acres to and from Parcel A and Parcel B as indicated on the plan.

The PC also recommended that the BOS approve the following waivers:

- 1) Section 400-34.A to not require the Applicant to widen Buttonwood Road along the site frontage and waive the payment of a fee-in-lieu of widening because no new lots are being created;
- 2) Section 400-41 to not require the applicant to provide curb and sidewalk along the Buttonwood Road site frontage and waive the payment of fee-in-lieu of construction of curb and sidewalks because no new lots are being created.

The motion was seconded by Mr. Salvaggio. Mrs. Hashemi called for public comment. Cheryl Harper commented on the property owner's future intention for the larger lot. Mrs. Hashemi called for the vote. The motion carried 3-0.

SD 533 – 578 Lancaster, 4 Midland and 5 Woodside Avenues – Preliminary Subdivision and Land Development Plan for Mixed Use Building – Commissioner Stanish recused himself from this discussion. Messrs. George Broseman, Todd Pohlig and Rob Lambert were in attendance to present this project which proposes to consolidate three existing lots and redevelop the consolidated lot with a 129,000 Sq. Ft. multi-story mixed use building consisting of 112 multi-family units and 3 commercial units. Mr. Pohlig clarified for the Commissioners and the public why there are two plans before the Commission. SD 533, the mixed use concept plan, requires a height variance which was granted by the Zoning Hearing Board over a year ago. The mixed use plan utilizes this relief and otherwise complies with all of the Zoning Ordinances. However, the height variance decision is currently being appealed by a group of residents. The Applicant understands that if the height variance does not hold up in Court, then this plan would not be approved. And that is the reason they have submitted the multifamily plan (SD 537), which fits within the building height requirements and therefore, does not require a height variance. The Applicant and Planning Commission discussed the review letters. The applicant has been working with SEPTA regarding placement of a bus stop. It was noted that the HOP permit will cover the approval of a right-turn upgrade to the traffic signal. It was also indicated that Berwyn Avenue has two new traffic signals proposed. The Commissioners agreed that the new design meets what they are trying to achieve in Berwyn and appreciate the effort the applicant put forth in creating this plan. They were in agreement they would support the plan once the consultant review comments and Zoning Officer comments were satisfied.

Ms. Hashemi called for public comment on the mixed use plan only. Francine Danenhower, 552 Woodside Avenue, commented on the design, the size of the project and setbacks. Additionally she commented on bias, transparency of ownership, renting commercial space and segregating the neighborhood. Cheryl Harper commented on the design, developing a smaller project, retail on the first floor and the targeted age group. Debra Dooling, 736 Berwyn Avenue, read aloud a letter written by Mr. John Leone, of 17 Woodside Avenue, which commented on increased traffic, density, schools, emergency services, the transient nature of renters and the overall impact on existing residents. Buck Buchanan, 683 Wetherby Lane, owner of Handels, clarified he is not an owner of either of the two residences as suggested and the condition of the commercial properties. Scott Carpenter, 539 Woodside Avenue, commented on the similarity of the plans, the height variance,

transition zone, and the building size. Mr. Oeste noted that some of the presentation items were not officially submitted in this month's packet and even though they had been submitted previously, each page that is being considered must be submitted as part of a complete submission packet. The Commission asked the applicant to come back in June with the outstanding items resolved. The applicant requested confirmation on what exactly they need for the next meeting.

SD 537 – 578 Lancaster, 4 Midland and 5 Woodside Avenues – Preliminary Subdivision and Land Development Plan for Multifamily Building – Mr. Pohlig explained the plan which was further revised to address comments from last month's meeting. The Applicant and Commission went through the Review letters. The Commissioners all agreed they prefer SD 533, the mixed use plan, over this plan; however, this plan meets the requirements of the Ordinance. Mrs. Hashemi called for public comment. Francine Danenhower commented on the size of the loading area. Cheryl Harper commented on the transition. Scott Carpenter asked for clarification on the road widening.

Mrs. Hashemi made a motion that the Planning Commission recommend that the BOS grant approval of SD 537, Preliminary Subdivision and Land Development Plan for 578 Lancaster, 4 Midland and 5 Woodside Avenues subject to the following conditions:

- 1) The Applicant shall comply with all outstanding comments and recommendations in the following review memorandum and letters:
 - a. McMahan Associates letter dated April 23, 2021;
 - b. ARRO letter dated April 19, 2021;
 - c. Eugene Briggs Zoning Officer Memorandum dated April 28, 2021.
- 2) The Applicant shall relocate and design the bus stop on Lancaster Avenue in compliance with SEPTA requirements;
- 3) The architectural elevations shall comply with Drawings ASK01 through A-8 submitted with the Application.

The PC also recommended that the Board approve the following waivers:

- 1) Section 388-17.A, which regulates post-construction stormwater runoff, provided the Applicant receives NPDES permit approval;
- 2) Section 388-18 which regulates stormwater infiltration, provided the Applicant receives NPDES permit approval.

Mr. Salvaggio seconded the motion. Mrs. Hashemi asked for public comment. There was no public comment. The motion carried 3-0.

Zoning Hearing Board Application:

ZHB 618 – 431 Dorset Road – The Planning Commissioners discussed this application which seeks to put a garage/pool house in the front yard. The applicant is requesting relief from the prohibition of putting the structure in the front yard (building setback line – Section 455-14) and from the maximum impervious cover limit (Section 455-14(F)). The Planning Commission identified their concerns associated with these requests and discussed these concerns with the Applicant. Ms. Hashemi called for a motion. Mr. Stanish made a motion that the Zoning Hearing Board not approve this application because of the front yard setback which would then negate the need for an impervious surface variance. Mr. Salvaggio seconded the motion. Ms. Hashemi called for public comment. There was no public comment. Mrs. Hashemi called for the vote. The motion carried 4-0. The applicant indicated they would submit a revised plan.

Other Business:

Berwyn Parking Study – Due to the late hour, the Planning Commission decided to hold this discussion at next month’s meeting. Mrs. Hashemi called for public comment and there was none.

Mr. Kharva noted that Ms. Rothmann will take over as the liaison to the Historical Commission and Mr. Kharva will be her backup. Moving forward, the PC’s Historical Commission liaison report will be listed under “Other Business” of the Planning Commission agenda.

Public Comment:

Mrs. Hashemi called for public comment. There was no public comment.

Announcements:

The next regularly scheduled meeting is Tuesday, June 01 2021, at 7:00 p.m. preceded by a Workshop meeting at 6:30 p.m.

Adjournment:

The meeting was adjourned at 10:40 p.m.

Respectfully submitted,

/s/Sharon Norris

Sharon Norris

Administrative Assistant to the Township Manager