

**Borough of Malvern
Planning Commission Regular Meeting Minutes
February 3, 2011
Approved Minutes**

A regular meeting of the Planning Commission was held on Thursday, February 3, 2011 at the Malvern Municipal Building. Members present included: Amy Finkbiner, David Knies, Christopher Mongeau, Cecelia Oswald, Vicki Sharpless, and Carroll Sinquett

Chairman Mongeau called the meeting to order at 7:34 pm.

Approval of Minutes

January 6, 2011 minutes were approved

Old Business

Subdivision of Lands of Theresa and Harlon Simmons - John Smirga

The applicant's engineer, John Smirga, representing the Simmons and the Planning Commission reviewed the Borough Engineer's letter dated January 25, 2011. Many of the outstanding items on this project had been resolved since the prior engineer's review letter. Mr. Smirga stated that he was requesting a waiver from both the Financial Security Agreement and the Subdivision and Land Development Agreement because the Simmons were not going to sell or build on the property in the foreseeable future and that having, what could be a substantial amount of money, in an escrow fund for many years did not seem to make sense. The Planning Commission discussed the potential problems associated with not requiring an escrow fund at the time of the application. It was suggested that a note be placed on the engineering plan, but other members' felt this would be overlooked or not legally binding. The Planning Commission requested that this matter be discussed with the Borough Solicitor. The Planning Commission agreed and asked the applicant to submit a draft of his request to the Borough Solicitor for review and attend a future meeting upon completion of the review. Mr. Smirga stated that he would comply with this request and attend the Planning Commission's next meeting

New Business

Planning Commission met in executive session to interview potential candidates for the open seat on the commission

Public Comment

None

The meeting was adjourned at 8:25 pm.

Recorded by Chris Mongeau