

Borough of Malvern
Planning Commission Regular Meeting Minutes
April 28, 2011
Approved Minutes

A regular meeting of the Planning Commission was held on Thursday, April 28, 2011 at the Malvern Municipal Building. Members present included: Amy Finkbiner, Will Harley, David Knies, Vicki Sharpless, and Carroll Siquett. Wendy McLean, Malvern Borough Solicitor and Dan Daley, Malvern Borough Engineer, were also present.

David Knies called the meeting to order at 7:30 pm.

Approval of Minutes

Tabled

Old Business

Case Log

Highlighted items are new.

Shade Tree Commission

4-27-11 memos (2) reviewed.

Preliminary/Final land Development Plan East King Street

237 King Partners LLC

David Della Porta

Mr. Della Porta reported that the Erosion and Sedimentation Plan is pending.

237 King Partners LLC met with Sandra Kelley and the county to determine addresses for the planned buildings to be used as part of the county emergency plan.

The Shade Tree Commission is recommending that the Planning Commission (PC) approve the East King Street Development Streetscape Plans as revised on 4-1-11. The STC also suggests that a clause be added to the owner's maintenance agreement stating that they will replace the trees as they die (if such a clause is not already in place.)

237 King Partners LLC has met with the neighbors on the north side of the railroad tracks whose properties back up to the planned development and has agreed to plant trees on the neighbors' properties to provide privacy.

The Borough is requesting that King Partners pave a portion of Railroad Alley.

The PC requests that King Partners give the revised streetscape plan to the STC for review. See STC meeting summary dated 4-27-11. The streetscape appearance and materials will be the same for Malvern and Willistown.

Mr. Della Porta showed the PC samples of CertainTeed Main Street vinyl siding. It is a wide profile, muted color, insulated product. It will be used on the rear of the buildings and to a limited degree on the sides. The other exterior finishes will include stucco, metal and stone.

Wendy McLean discussed the proposed sewer plan. It will be a private sewer system operated by the building's owner. The pipe that will run under the railroad tracks is an issue. The Borough will assume responsibility at the manhole after the pipe goes under the tracks.

Mr. Della Porta stated that King Partners met with Neil Vaughn, Assistant Fire Chief. Five fire hydrants will be added and a diagram of the sprinkler system will be provided to the fire company. King Partners must ensure that adequate water pressure exists for the sprinkler system at the highest occupied level of 45 feet.

Wendy McLean described how tax parcel numbers will be determined.

King Partners has purchased the two story structure that lies in back of, and between, the two planned buildings. It currently consists of a garage on the first floor and an occupied apartment on the second floor. King Partners plans to keep the apartment and use the first floor as a maintenance storage area and shop. No one knows where the sewer line from this structure goes. Wendy McLean stated that the set back is not an issue.

PECO has told King Partners that they cannot bury the wires. PECO will only discuss this matter with the Borough about. The current poles and wires will need to be relocated, and the type of trees planted may need to be changed. There will be no wires leading from the poles to the buildings – transformers will be used. A five foot setback from the curb is required. The actual setback varies from 15-25 feet. Ms. McLean suggested that the Borough approach our State representatives to see if they can influence PECO's decision. The safety of the wires so close to the buildings was questioned.

Dan Daley's letter to Sandra Kelley dated 4-22-11 was reviewed.

Zoning Ordinance

- Section 2425 – Multi-Use Development: the PC will send a letter to Borough Council asking them to review the addition of the two story structure to the Master Development Plan. The PC can only approve the Preliminary Plan at this time because the issue with PECO and the utility lines is unresolved.

- Section 2425.E – Design Standards: the proposed streetscape improvements on the south side are not doable. Crosswalks will be done as part of the Partner’s contribution to the Borough.
- Section 2425.E.2.f: a lighting plan will be submitted by King Partners.
- Section 2309 – Buffering and Screening: E. King partners has met with the neighbors on the north side of the railroad tracks whose properties back up to the planned development and has agreed to provide trees to be planted on the neighbors’ properties to provide privacy. Screening will be on revised plan
- Article XXIX, Section 2910 Conditional Uses – Condition 15: details of amenities are pending. The hardscape and concrete (on ground) will be provided now. Benches, bike racks and trash cans (above ground) will be provided later.

Subdivision Ordinance

- Section 303.A.1: won’t be pushing for waiver now.
- Section 510: plan for signs is pending.
- Section 513.L: Approved by PC. Waiver approval is pending.
- Section 514.D: Approved by PC. Waiver approval is pending. King Partners is happy to do roadway frontage as part of their contribution.
- Section 517: The storm water plan was discussed.
- Section 518 – Erosion and Sedimentation Control: plan is pending.
- Section 519 – Sewage Disposal: A flow meter should be installed at the end of the private sewer line on Railroad Alley to monitor flow from new project. The sewer bill is based on water usage. A flow meter at Old Lincoln Highway should determine if current structure is sufficient to handle flow from project. Tredyffrin Township sign off is needed. Capacity is not a problem. The Wilson Road pump station is nearing completion, and Malvern has capacity. King Partners has an agreement with Sheffield Design Center for maintenance access the sewer line.
- Section 525: replacement trees may be needed across the railroad right of way. Excavation behind buildings could kill trees in the future.

General Comments

King Partners and Borough Solicitor should review lot line configuration at the Borough line with Willistown Township to determine if the Lot Consolidation/Title Plan is sufficient.

New Comments – contains a tickler list of things that need to be addressed.

Mr. Della Porta would like Borough Council to weigh in on some items. Dr. Knies stated that if we are down to a short list on May 26th the PC could act. King Partners would like to start demolition by late summer. A letter of extension is needed from, and will be provided by, King Partners.

New Business

Ethics forms are ready to be picked up and completed.

Public Comment

John Buckley asked about burying of utilities, change in size of curbs, how many units will be built and number of bedrooms. Six inch curbs are better for pedestrians. Moving utility lines to back of south side properties has proved not to be feasible. PECO has refused to bury utility lines on north side. There will be 190 apartments, one and two bedrooms.

John Buckley also asked about why he was unable to get a waiver on his property to put up a fence. David Knies indicated that this was not a SALDO – type waiver.

The meeting was adjourned at 8:45 pm by David Knies.

Recorded by Marty Laney