

Borough of Malvern

Planning Commission Regular Meeting Minutes

Approved

A regular meeting of the Planning Commission was held on Thursday, May 6, 2010 at the Malvern Municipal Building. Members present included: Christopher Mongeau, David Knies, William Coffey, Evangeline Linkous, Vicki Sharpless and Cecelia Oswald.

Call to Order

Chairman Mongeau called the meeting to order at 7:35 pm.

Approval of Minutes

The minutes of the April 22, 2010, were approved as corrected

New Business

1. SALDO – 8 West Broad Street

John Smirga, Engineer, representing Harlon and Theresa Simmons

The Simmons are requesting a waiver to subdivide one 5000 sq ft lot from the original lot, which would result in the existing single-family unit lot and one additional new lot. The lot will become a subdivision.

The Simmons currently reside in the single family dwelling on this lot. The Simmons stated that they do not plan to develop the subdivided lot at this time. They are planning for future sale and development of this parcel when they retire. Based on the analysis of John Smirga, the property meets the bulk requirements in the zoning regulations for R6 Residential District. The lot has a maximum 8-½% grade, front to back grade. There are no steep slopes on the site, except for along the front edge of the parcel, which is a small area. The lots is not located in a flood plain nor are there any environmentally sensitive habitats, such as – wetlands, on the parcel. There are no buried tanks. Sidewalks have been improved along Broad Street.

The owners are requesting a waiver of the 50-foot right of way requirement in the SALDO ordinance (Section 503 Street Standards) because if the full right of way area is netted out of the total land area, the 2nd parcel area no longer meets the bulk requirements (parcel area would be less than 5000 sq ft). The Simmons noted that Broad Street is currently only 33 feet wide and widening of Broad Street would require land acquisition and/or right of way agreements from all other property owners on Broad Street. If the waiver were not granted it would be the only house on the street with a 50-foot right of way.

The Planning Commission discussed that the likelihood of widening Broad Street is quite small, given the large number of different property owners along this roadway and the small front setback distances for many of the existing homes.

A letter from Daniel H. Daley was reviewed with respect to steep slopes, rear yard and sewage.

The Planning Commission unanimously approved the recommendation to Borough Council that the waiver be granted.

Motion: David Knies

Second: Cecelia Oswald

2. Malvern Preparatory School

Tom Stewart, Faculty

Malvern Preparatory School is requesting a waiver from the SALDO process to build a gazebo for use as an outdoor classroom. The structure will be 12 ft x 20 ft x 15 feet high. The structure will have no walls, electricity or running water. The pressure treated decking will sit on concrete piers. A stone bed will surround the structure; dimensions were not provided. The gazebo will have asphalt shingles. The proposed location for this structure is 20-30 feet off of the ring road and labor to build it would be provided by the 2010 senior class.

Cecelia Oswald expressed concerns regarding the project's close proximity to the recently dredged pond, and suggested that storm water runoff from the structure is minimized in order to keep sediments out of the pond.

Cecelia Oswald made a motion recommendation to Borough Council that the waiver is granted with the following conditions:

- The school engage an engineer to do calculations to ensure that the stone bed is large enough to contain runoff from a 100-year storm, and
- The Borough Engineer, Dan Daley, take a look at the plans.

Motion: Cecelia Oswald

Second: David Knies

Old Business

Conditional Use Application of 237 King Partners, LLC

David Della Portal, King Partners, LLC

Façade - Chris Mongeau requested rationale for use of **vinyl siding**. A letter dated April 27, 2010, from King Partners to Sandra Kelley was reviewed. An agreement was reached regarding the amount of vinyl siding to be used that minimized the amount of visible vinyl siding from views along King Street:

- No vinyl siding of front of buildings;
- No vinyl siding on the outside ends of buildings A and B;
- Inside ends of buildings A and B will have no more than 50% vinyl siding; and that 50% to be on the rear-most half;
- Back of buildings will have no more than 80% vinyl siding.

Non-vinyl choices will include brick, masonry and non-vinyl siding. Brick will likely be the predominant material.

Green Building Practices - King Partners agreed to build the project to the existing 2010 **LEED** standard, and they will provide the reference for the current standards. They also agreed to provide documentation to the Borough Engineer that the requirements have been met during project construction.

Utilities - King Street Partners confirmed that **utilities** for the project would be buried underground as well as utilities from the Building A to Bridge Street. Therefore, utilities from the east end of the project (Borough boundary) to Bridge Street will be buried as part of the project. Mr. Della Porta estimated that burying the utilities on the south side of King Street would cost \$300,000 – \$400,000. At the Commission’s request, King Partners will explore the possibility of burying part of the utilities on the South side of King Street. King Partners has already stated that burying all utilities on the South side is not feasible due to very high cost.

Traffic - 237 King Partners, LLC, submitted a traffic study. in July 2008. Since there have been no significant changes since the study was done, the application does not intend to submit another traffic study.

Parking - David Knies expressed concern that people living in or visiting the new buildings would use up the existing on street **parking** spaces and deny current residents places to park. Discussion included the distance of the ground lot from the retail spaces, lack of retail parking spaces in the underground parking area, 17 new on-street parking spaces, location of handicapped parking and the conditions of a “transit oriented, walk able community.”

One parking spot is needed for every 400 square feet of non-restaurant retail space. The restaurants that have approached and have expressed interest to 237 King Partners, LLC, have indicated their desire to be located in the eastern-most building, closest to the Office Building ground-level lot. The Commission had a discussion regarding what constitutes a reasonable walking distance from parking to shops. The Commission took a poll and most members felt the distance from the Office Building parking lot to Building A was within a reasonable distance given current informal shared parking arrangements within the Borough. This poll is supported by the shared parking study provided by the project applicants.

Recreation/Open Space Contribution - Chris Mongeau asked King Partners to consider making a contribution to Malvern that would maintain the desirability of the Borough's recreation facilities since there will be a 10% population increase in the Borough as a direct result this project. Some suggestions from the commission included: increasing network of sidewalks at the east end of town based on recommendations in the Sidewalk Study, increasing safety for pedestrians crossing Bridge Street on the north side of King Street, improving recreation spaces and services possibly in Randolph Woods since this is the closest open space to the project, or providing a new playground on the east side of the Borough. Concern was expressed for deteriorating conditions in the Borough if extra amenities are not provided for the expanded population.

David Della Porta explained that up-front costs are a concern in the current economy, and that the Borough would benefit from the increase in the tax base that the proposed project provides and that this additional tax money could be used for recreation purposes. 237 King Partners, LLC may be coming to the Borough for support in terms of Grant Applications as they seek financial backing for the project. Mr. Della Porta also suggested that contributions could be done in the future and/or over time. The Commission asked about probable selling prices of units, and Mr. Della Porta stated that the units would go for about \$300 per square foot. Some discussion was held regarding a fee for each unit sold/occupied in lieu of requiring contributions at the front end of the project.

Loading - King Partners is seeking a waiver from Section 2502. B 1.c that restricts trucks from backing out of loading berths on to King Street. Chris Mongeau asked King Partners to revisit the issue to see if they cannot make changes that will accommodate large trucks. Mr. Dell Porta stated he would have his engineers look at various turning scenarios for the next meeting. Discussion was held regarding specifically how moving trucks would be able to access the buildings, particularly the west building. David Della Porta said one option would be to limit the size of the trucks that deliver to the buildings, but the Planning Commission felt that this would be impossible to enforce.

Public Comment

John Buckley asked if the Borough was going to buy a pattern for the stamped concrete sidewalks.

Carroll Sinquette asked about the cost to King Street Partners for burying the utilities in front of Sheffield Design Center and wondered if this cost was not a contribution to the Borough. He asked if wires on south side of King Street could be moved behind the buildings. Chris Mongeau replied that PECO does not currently want to move utilities to rear yards, probably due to access issues. Mr. Sinquette then asked if the bump out on King Street at the east end of the Borough would be narrowed in size. According to Chris Mongeau, this issue was part of a previous project and that issue that is still being litigated.

The meeting was adjourned at 9:23 pm.

Minutes recorded by Marty Laney