

1. CALL TO ORDER: David Knies, Chair  
Amy Finkbiner, Vice-Chair  
Lynne Hockenbury, Commissioner (Absent)  
Chris Mongeau, Commissioner  
Mark Niemiec, Commissioner  
Geoff Rubino, Commissioner  
Carroll Siquett, Commissioner (Absent)

Also Present: Dan Daley, Borough Engineer  
Ari Christakis, Borough Solicitor  
Alyson Zarro, Alternate Borough Solicitor  
Christopher Bashore, Borough Manager

2. APPROVAL OF MINUTES:

A motion was made by Mark Niemiec, seconded by Chris Mongeau and carried by a vote of 5-0, to approve the minutes of Thursday, August 3, 2017 as amended.

3. PUBLIC COMMENT:

Dave Knies informed all present that copies of the agenda are available at the front entrance. Citizens/taxpayers were advised that Public Comment is the time to offer comments on any item on the agenda to bring any issues/concerns before the Planning Commission.

- a) No audience member had comments.

4. NEW BUSINESS:

There were no "New Business" items for discussion.

5. OLD BUSINESS:

- a) 100 QUAKER LANE – PRELIMINARY/FINAL PLAN

Owner/Applicant: McMour Limited Partnership	Application #: 17-02
Lot Size: 1.1 acres	Zoned: LI-1
	Tax Parcel: 2-3-3.1

Applicant proposes to construct an approximate 6,300 sq. ft. warehouse addition to the existing warehouse/office space on a 1.1 acre lot.

George McHugh, Applicant was present on behalf of the project.

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Dan Daley, P.E., reviewed his letter dated August 12, 2017. Dan Daley, P.E. noted that the 2010 plan needs to be updated, but that does not need to be a condition of approval for this application. Dan Daley, P.E. stated that he reviewed the updated lighting plan and it meets the Borough's requirements.

David Knies asked the other members of the Commission if they had any issues with the proposed list of requested waivers. There were no issues noted. Dan Daley, P.E. noted that the applicant will be a fee-in-lieu of sidewalk. Ari Christakis, Esq. stated that he has reviewed the proposed easement agreement and it is acceptable. Ari Christakis, Esq. noted that the only condition should be the payment of a fee-in-lieu of sidewalk.

There were no public comments on the plan.

A motion was made by Chris Mongeau, seconded by Geoff Rubino, and carried by a vote of 5-0 to recommend approval of the Preliminary/Final plan for McMour Ltd. Partnership at 100 Quaker Lane, prepared by Vastardis Consulting Engineers, LLC., dated January 30, 2017, last revised August 7, 2017. The Planning Commission's recommendation is centered on the Borough Engineer's review letter dated August 12, 2017, specifically citing four (4) waivers to be granted: 1) Section 300.B.2.& C & 301 – A waiver to allow the plans to be submitted as preliminary/final; 2) Section 301.E. – A waiver for relief of the requirement to submit maps indicating the findings of each step of the Four-Step Design Process; 3) Section 514.B. – A waiver from requiring the installation of curbs in parking areas; and 4) Section 515 – A waiver from requiring the installation of sidewalks. The Planning Commission recommends the following conditions be contingent upon approval: 1) compliance with the comments contained in the Borough Engineer's review letter dated August 12, 2017; 2) agreement to a fee-in-lieu of sidewalks (fee to be determined by the Borough Engineer); 3) review and approval by the Borough Solicitor and Borough Engineer of an existing easement agreement between the applicant and the owners of an existing driveway to the Joebry LP parcel (2-3-5).

b) 323 OLD LINCOLN HIGHWAY – PRELIMINARY/FINAL PLAN

Owner/Applicant: Lewis Sheetz/David Hopkins

Application #: 17-03

Lot Size: 0.89 acres

Zoned: R3-B

Tax Parcel: 2-4-38

The applicant is proposing to subdivide 323 Old Lincoln Highway into three (3) lots and construct one (1) two-family semi-detached dwelling. The existing single family dwelling is proposed to remain. The parcel is located off of the north-side of Old Lincoln Highway, between Miner Street and Raffaella Drive. Access to the proposed two-family semi-detached dwelling is proposed via a private road.

Dave Hopkins, Developer/Equitable Owner, and Matthew Bush, Engineer, were present on behalf of the project.

Dan Daley, P.E. reviewed his letter dated August 12, 2017. Dave Hopkins noted that he had an arborist come to the site.

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Ari Christakis, Esq. stated that the easement agreement has been reviewed. Dave Hopkins stated that this easement is for a portion of the garage on lot 3. Dave Hopkins noted that the proposed sewer easement has been reviewed and approved.

Amy Finkbiner asked about the possibility of installing a shared driveway. Matthew Bush, P.E. stated that a shared driveway may not be feasible.

The Commission discussed the proposed installation of sidewalk. Dave Hopkins stated that he is in agreement with the payment of a fee-in-lieu of sidewalk.

The Commission discussed the sewer lines for the new houses to the north. Chris Mongeau asked if there was a maximum length for sewer lines. Dan Daley, P.E. stated that the maximum allowed in the Subdivision and Land Development Ordinance is 150 ft. and the applicant has requested a waiver from this requirement. It was noted that the applicant is requesting to install a 340 ft. long lateral. Dan Daley, P.E. noted potential issues, noting that the most significant impact are tree roots.

The Commission discussed the recommendations from the Shade Tree Commission. Dave Hopkins noted that the Shade Tree Commission would like to see the proposed two (2) box elders replace with maple trees. Dave Hopkins stated that he is in agreement with this changed. Matthew Bush, P.E. stated that 27 trees are proposed to be removed from the site. Dan Daley, P.E. stated that replacement is based on the caliper size of the tree and noted that the applicant is requesting a waiver to allow from the installation of 14 trees as opposed to the required 15 trees. Dan Daley, P.E. recommended the installation of an additional tree, bringing the total to 15 and negating the need for a waiver. Dave Hopkins stated that he will install the required 15 trees.

The Commission discussed the paving of Old Lincoln Highway. Matthew Bush, P.E. stated that the paving will be from curb to curb.

The Commission discussed the installation of a fire hydrant for the project. It was noted that a fire hydrant is noted that there is a fire hydrant located at the intersection of Miner St. and Old Lincoln Highway and at the rear of the cul-de-sac at the end of Raffaella Drive. The Commission determined that applicant must verify that there is a fire hydrant within 600 ft. of any existing or proposed dwelling unit as required by 181-520.G.7. Dave Hopkins stated that he would prefer not to install a fire hydrant, but will if necessary.

Dave Knies asked if there were any comments from the public on the proposed plan. Sam Guglielmi, owner of 331 Old Lincoln Highway, stated that he disapproved of the plan and believes that a water main should be installed in the private road. Dave Knies stated that the Borough cannot require the installation of a water main and that is a decision from Aqua, PA. Geoff Rubino asked if the applicant would install a water main if it was financially feasible. Dave Hopkins stated that he would. Ari Chistakis, Esq. stated that the Borough cannot hold up approval due to the water main.

A motion was made by Chris Mongeau, seconded by Mark Niemiec, and carried by a vote of 5-0 to recommend approval of the Preliminary/Final plan for David Hopkins at 323 Old Lincoln Highway, prepared by JMR Engineering, LLC., dated April 4, 2017, last revised July 28, 2017.

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The Planning Commission's recommendation is centered on the Borough Engineer's review letter dated August 12, 2017, specifically citing eight (8) waivers to be granted: 1) Section 300.C – A waiver to allow the plans to be submitted as preliminary/final; 2) Section 301.E. – A waiver for relief of the requirement to submit maps indicating the findings of each step of the Four-Step Design Process; 3) Section 503.A. – A waiver from requiring the widening of the private road from 30 ft. to 32 ft.; 4) Section 503.B. – A waiver to allow a 24 ft. wide cartway rather than a 28 ft. wide cartway on the private road; 5) Section 513 – A waiver for the driveway locations for lots 2 & 3 to be within 5 ft. of a side or rear property line; 6) Section 514 – A waiver from requiring curbs on the private road frontage; 7) Section 515 – A waiver from requiring sidewalks on both sides of the private road; and 8) Section 519 – A waiver from requiring a maximum sewer lateral length of 150 ft. The Planning Commission recommends the following conditions be contingent upon approval: 1) compliance with the comments contained in the Borough Engineer's review letter dated August 12, 2017; 2) pavement restoration following utility improvements on Old Lincoln Highway from curb to curb and in accordance with Ordinance section 179.17.I.1(c); 3) agreement to a fee-in-lieu of sidewalks (fee to be determined by the Borough Engineer); 4) the applicant shall install a fire hydrant, water line, and connections in accordance with SALDO 181-520.G.(7), and at a location acceptable to both the Fire Marshall and the Borough Engineer; and 5) the planting of one (1) additional tree on the property to not require a waiver from section 181-525 of the SALDO.

c) 51 RUTHLAND AVENUE – PRELIMINARY/FINAL PLAN

Owner/Applicant: Richard & Walter Haly, III  
Lot Size: 0.85 acres

Zoned: R4

Application #: 17 – 04  
Tax Parcel: 2 – 4 – 38

Matthew Bush, P.E., the applicant's engineer, was present to discuss the application.

Dave Knies noted concerns with the design of the proposed subdivision, specifically highlighting the driveway entrances onto Ruthland Ave. Dave Knies noted that the Planning Commission has worked to encourage designs with driveways and garages to the rear of the property. Dave Knies asked if a driveway or alleyway could be placed in the rear to connect to Raspberry Ave. Matthew Bush, P.E. stated that the desire was to separate the drives and respect the Borough's ordinances. Matthew Bush, P.E. stated that his client is willing to install the garages and a driveway in the rear or install a turnaround, noting that there is enough space in the front for a turnaround. Dave Knies asked how the design would change. Matthew Bush, P.E., stated that there would be approximately 20 ft. between the right-of-way and the garage for each proposed house.

Chris Mongeau stated that he does not believe that the driveways in front add to the streetscape. Chris Mongeau asked about installing an access point off of the private drive instead of Raspberry Ave. Alyson Zarro, Esq. stated that there is an existing easement requiring the Malvern Fire Company to maintain the private drive and they would need to be approached. Matthew Bush, P.E. noted that the feasibility of this option has not been evaluated. It was noted that installing a rear driveway would result in the new houses being shifted closer to Ruthland Ave. Amy Finkbinder noted that she was not in favor of pushing the houses back to accommodate a turnaround. Amy Finkbinder asked if shared driveways could be installed to limit the number of curb cuts. Matthew

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Bush, P.E. stated that this would need to be evaluated. Dave Knies noted safety concerns with drivers backing out onto Ruthland Ave. and that a single access point would be more desirable.

Dan Daley, P.E. recommended a meeting with the Malvern Fire Company to discuss access. Christopher Bashore stated that the Borough staff will arrange a meeting with the applicant, the Malvern Fire Company, and the Borough in advance of the next Planning Commission meeting.

The Committee discussed the layout of the plan. It was recommended that the applicant evaluate the possibility of a four (4) lot subdivision.

The applicant will consider these items and be before the Commission again at a future meeting.

6. ADJOURNMENT:

All business having been discussed, a motion was made by Chris Mongeau, seconded by Geoff Rubino, and carried by a vote of 5-0, to adjourn the meeting at 9:42 p.m.

Respectfully submitted,

Christopher Bashore  
Borough Manager/Secretary