

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

Also Present: Ari Christakis, Borough Solicitor
Neil Lovekin, Assistant Borough Manager/Secretary

2. APPROVAL OF MINUTES:

A motion was made by Lynne Frederick, seconded by Carroll Siquett and carried by a vote of 5-0, to approve the minutes of Thursday, January 18, 2018 as submitted.

3. OLD BUSINESS:

- a) VACANCY INTERVIEWS

Planning Commissioners were in agreement to postpone making a recommendation to fill the vacancy until all members of the Commission are present. On January 18, 2018, the Planning Commission interviewed three (3) candidates for the vacancy, no new applications have been submitted as of tonight's meeting.

- b) ORDINANCE REVIEWS

Dave Knies stated the Borough Council, at its January 16th Meeting, charged the Planning Commission with reviewing the R3a, R3b, and R4 Residential Zoning Districts, specifically side-yard setbacks.

Chris Mongeau stated creating larger side-yard setbacks may lead to new homes being long and narrow, which may not align with the Comprehensive Plan. An option may be to look at the cubic footage for building coverage as a means to manage new construction sizes.

Ari Christakis is not aware of a municipality that uses cubic footage, rather the Borough may want to consider a maximum floor area ratio to constrain overall new construction footage.

After a brief discussion, the Planning Commission determined to recommend the Borough Council hire a consultant to conduct a thorough review of the zoning districts, citing making changes to one section of the Zoning Ordinance will likely (unintentionally) affect another section.

- c) ZONING HEARING BOARD – DETERMINATIONS

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No determinations rendered by the Zoning Hearing Board since the January 18th Meeting of the Planning Commission.

4. NEW BUSINESS:

a) 545-551 SOUTH WARREN AVENUE – SKETCH PLAN – REVIEW #1

Owners/Applicants: Joseph & Carolyn Hyduke

Application #: N/A

Lot Size: 1.38 acres

Zoned: R1

Tax Parcel: 2-7-42

Applicants intend to construct a new veterinary hospital and are present before the Planning Commission to review their plans to determine if the Commission would be receptive to the land development project. On October 24, 2011, the Malvern Zoning Hearing Board granted a Special Exception for enlargement of the non-conforming use (i.e. Veterinary hospital), and Variances for: 1) Side-yard encroachment, and 2) Expansion of building coverage, with conditions of the premises being operated in the same historical manner (e.g. Operating hours and building uses), and eliminating the outdoor run. Since the Hydukes did not submit a land development application or a permit application within six (6) months of the decision made by the Zoning Hearing Board, the approval has expired, and the Hydukes must appear before the Board for approval. The new veterinary hospital proposes a second floor for office space and a staff lounge, and a dedicated euthanasia area. The property is a nonconforming lot.

Joseph & Carolyn Hyduke, Owners/Applicants, were present on behalf of the project.

Mark Niemiec asked where access to the veterinary hospital is located. Joseph Hyduke stated access for both his home and veterinary hospital are accessed off of South Warren Avenue.

Mark Niemiec asked how many animals are hospitalized on average at any given time. Mr. Hyduke estimated that 5-6 animals are hospitalized, most are dogs and cats.

Mark Niemiec inquired about the construction sequence for the new hospital. Mr. Hyduke indicated the new hospital will be built while keeping the old hospital open. One garage will be removed and one garage will be kept. New parking will go in front of the old hospital once it is demolished. The time when both the old and new hospital coexist, Mr. Hyduke estimates that he will be down 3-4 parking spaces.

Lynne Frederick questioned how many parking spaces are proposed by the end of the project. Mr. Hyduke estimated fourteen (14) parking spaces.

Carroll Siquett inquired how much room will be between the old and new hospital while they coexist. Mr. Hyduke estimates ten (10) feet. Carroll Siquett recommended Mr. Hyduke verify with his engineer what the distance between buildings will be, since the current Sketch Plan shows 3-4 ft.

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inconsistencies per Dan Daley, Borough Engineer, review letter dated January 31, 2018, are addressed by the Applicant.

ii. Applicant: Joseph Willis/JMW Enterprise, LLC Application #: ZHB-18-01
Location: 11 Griffith Avenue Tax Parcel: 2-3-25 Zoned: R3a
Relief Sought: Variance from Section 220-602.A.1. requiring a minimum lot area of 12,000 sq. ft. Granting this variance will eliminate the need to reduce the right-of-way on West King from 30 feet to 29 feet.

At the December 7, 2017 Meeting of the Planning Commission, Mr. Willis requested the Commission review a Sketch Plan for a subdivision and land development project. The Commission recommended the applicant apply to the Zoning Hearing Board for relief from any and all zoning instead of requesting waivers from the Borough's Subdivision and Land Development Ordinance.

The Planning Commission was in agreement that there appears to be no planning issues regarding the application, subject to it complying with applicable zoning and land development requirements for which no relief is requested and/or granted.

A motion was made by Mark Niemiec, seconded by Lynne Frederick, and carried by a vote of 4-0-1, Carroll Siquett abstained stating he had recently completed work for Mr. Willis, to recommend to Borough Council to not send the Borough Engineer and/or Borough Solicitor on behalf of the Borough.

d) BOROUGH COUNCIL UPDATE

Carroll Siquett stated that Borough Council has not met since the last Planning Commission Meeting held on Thursday, January 18, 2018.

5. 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. John Buckley, 165 Church Street, requested the Planning Commission Agenda be posted at the Malvern Post Office in the wall case. Dave Knies stated Mr. Buckley should bring his request to the Chris Bashore, Borough Manager.

b. Danny Fruchter, 234 Channing Avenue, stated the current borough ordinances do not accurately reflect the goals and objectives of the Borough's Comprehensive Plan.

6. ADJOURNMENT:

All business having been discussed, a motion was made by Lynne Frederick, seconded by Carroll Siquett, and carried by a vote of 5-0, to adjourn the meeting at 8:53 p.m.

Respectfully submitted,

Neil Lovekin
Assistant Borough Manager/Secretary