

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

Also Present: Dan Daley, Borough Engineer
Ari Christakis, Esq., Borough Solicitor
Christopher Bashore, Borough Manager

2. APPROVAL OF MINUTES:

Amy Finkbiner requested copies of the orders pertaining to the private road off of Old Lincoln Highway in advance of the next meeting where the proposed project at 323 Old Lincoln Highway will be reviewed. Ari Christakis, Esq., stated that he will provide them.

A motion was made by Carroll Sinquett, seconded by Lynne Hockenbury and carried by a vote of 7-0, to approve the minutes of Thursday, March 16, 2017 with amendments made by David Knies.

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.

Kurt Leininger, 211 Channing Ave., noted his concerns with the approved dog art project at the rear of Borough Hall. Mr. Leininger suggested continuing discussion on parks and thinks that the dog statues will be a distraction to the library. He recommended installing them at the corner of Burke Park.

Sidne Baglini, 203 Channing Ave., noted her concerns with the art project at the rear of Borough Hall. Ms. Baglini highlighted the discussion at Borough Council and noted that the neighbors were not consulted. She noted her concerns, including that it will become a dog park and that children will think that they are playground equipment. She believes that it is a dangerous installation that will lead to injury and it would be more appropriate to have this kind of installation in Burke Park. Ms. Baglini stated her support for the additional seating and the outdoor reading space for the library.

John Buckley, 165 Church St., stated that a dog park should be placed in Randolph Woods if one is to be installed.

4. NEW BUSINESS:

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a) ZONING HEARING BOARD – OPEN APPLICATION

5 RAFFAELA DRIVE – APPLICATION NO: ZHB – 17 – 02

Owner/Applicant: Jerome & Patty Heppelmann Zoned: R3b – Residential
5 Raffaela Drive Tax Parcel: 2 – 4 – 43.2
Malvern, Pa 19355

Christopher Bashore stated that the Zoning Hearing Board has one (1) application before it that will be heard on Monday, May 22, 2017 at Malvern Borough Hall. The applicant is seeking a variance from Chapter 220, Section 602.B.6 to allow for an additional 266 sq. ft. (2.4%) of maximum lot coverage for the expansion of a rear-yard deck. Ari Christakis, Esq., stated that he believes that the variance request is de minimis. Lynne Hockenbury questioned if the Borough is not allowing for large enough lots. Ari Christakis, Esq., noted that it is difficult to justify opposition to these types of applications.

Sidne Baglini, 203 Channing Ave., asked if conditions could be imposed to require additional plantings with absorbing qualities due to the increase in impervious coverage. Ari Chistakis, Esq., stated that the Zoning Hearing Board could impose additional conditions if it so chooses.

The members of the Commission determined that it was not necessary to send the Borough Solicitor to the meeting in regards to this application. A recommendation letter stating such shall be prepared and sent to Borough Council.

b) Borough Council Updates

Ari Christakis, Esq. noted the recently approved community art project approved by Borough Council at their April 18, 2017 meeting. The project involves the installation of painted dog sculptures and additional seating. Ari Christakis, Esq. stated that the project will not result in a change of use in Borough property and input from the Planning Commission was not requested.

5. OLD BUSINESS:

a) 346 EAST KING STREET – PRELIMINARY/FINAL PLAN

Owner/Applicant: Robert & Patricia Chambers Application #: 16 – 02
Lot Size: 0.25 acres Zoned: C3 Tax Parcel: 2 – 4 – 297

The applicant has submitted a revised land development plan for proposed improvements at 346 E. King Street located at the corner of East King Street and Ruthland Avenue. The previous submitted plan has been revised to include the demolition of the existing structure located in the rear of the property, the construction of a 66-ft. x 36.25-ft building addition, and a 15-space parking lot. The proposed building use is noted as follows: 1) First Floor – 2,800 sf of commercial retail space; and 2) Second Floor – seven (7) one bedroom apartments (one (1)

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existing / six (6) proposed). This plan was previously reviewed at the March 2, 2017 Planning Commission meeting.

Bob Chambers, Owner/Applicant and Richard Covatta, Architect were in attendance to review a Preliminary/Final Plan application, dated February 18, 2017, last revised March 21, 2017.

Richard Covatta noted that the building has been moved off of the property line and a waiver will be requested for the required roadway widening.

The Commission discussed the issue of a portion of the neighboring property's driveway being located on the property subject to this application. Richard Covatta noted that a survey was completed and 4 ft. of the neighboring property owner's driveway is on the Chambers' property. Bob Chambers stated that an agreement is being discussed and will allow both parties to utilize the driveway. Dan Daley stated that an easement agreement is required and will need to be reviewed by the Borough Solicitor. Ari Christakis, Esq., stated that it must be a recorded agreement.

Dan Daley reviewed his letter dated April 28, 2017 with the Planning Commission regarding the above referenced plan.

Specific sections reviewed in detail were: 1) the easement agreement with the neighboring property regarding the driveway; 2) the trash/recycling enclosure and receptacles for the proposed Upper Floor Dwelling Units; 3) the proposed size and location of the loading/unloading space; 4) the buffer/screening to be incorporated into the project for commercial uses abutting a residential use (property at rear of tract along Ruthland); 5) right-of-way dedication of the Ruthland Ave.; and 6) stormwater management.

Richard Covatta noted that they have retained a landscape architect. Richard Covatta stated that the main issue is the loading dock and the applicant envisions a small retail use on the bottom floor, not a restaurant.

Mark Niemiec asked about liability in regards to the driveway. Ari Christakis, Esq., stated that he was not comfortable offering an opinion on that matter. Carroll Sinnett noted his concern about a 4ft. area post-construction and believes that more room may be needed. Ari Christakis, Esq., recommended not specifying a width on the easement for the driveway.

Dan Daley stated the area for the proposed trash bins must be enclosed and must provide sufficient trash collection. It was noted that a narrative is acceptable.

Ari Chistakis, Esq., stated that architectural elevations must be included. Richard Covatta noted that there is no change from the previously submitted version. Mark Niemiec asked about improvements to the existing building. Bob Chambers stated that depends on the budget for the project. Carroll Sinnett asked if there was a rear view of the architectural renderings. Richard Covatta stated that there was not. Ari Christakis, Esq., recommended a condition that the architectural renderings be included in the plan set.

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The Commissioners discussed the loading space for the new building. Richard Covatta stated that a note will be added to the plan stating the loading space is sufficient for certain commercial uses. Carroll Sinquett recommended moving the loading space and relocating the trash area to under the proposed overhang. Richard Covatta stated that they will move the proposed trash receptacles under cover. Mark Niemiec asked if commercial patrons would enter through the rear of the building. Richard Covatta stated that he was unsure at this time.

Richard Covatta stated that he will be requesting a waiver to submit as a preliminary/final plan. Dan Daley stated that he does not support the granting of this waiver until the review letter is cleaner. Ari Christakis, Esq., stated that it must be noted as a preliminary/final plan and the title block must be amended. The Commissioners noted that they are agreeable to the plan being submitted as a preliminary/final plan once the letter is cleaner. Dan Daley noted that the plan does not meet the Borough's definition of a minor plan.

Richard Covatta noted that an ERSAP is being completed. Dan Daley recommended reviewing the requirements of section 403 of the Borough's Subdivision & Land Development Ordinance.

Dan Daley noted that he does not believe that Ruthland Ave. needs to be widened, but additional right-of-way must be dedicated. The applicant agreed to dedicate additional right-of-way.

Dan Daley noted that the proposed seepage bed was adequate, but soil testing was still required for the site. David Knies asked if the soil testing had been completed. Richard Covatta stated that it had not been. Amy Finkbiner asked when it would be scheduled. Richard Covatta stated that he was not sure. Dan Daley stated that it was required for approval. David Knies noted concerns with the approval time clock. Ari Christakis, Esq., recommended confirming dates of the soil testing.

Christopher Bashore noted that sewer capacity approval has been received from Tredyffrin and East Whiteland Townships.

There was no action taken on the application.

b) Bylaws

The members of the Planning Commission reviewed the draft of the proposed bylaws. Ari Christakis, Esq. asked who the document would serve. David Knies stated that it would be both internal and public. Ari Christakis, Esq. recommended changes, included removing the communication requirements. Ari Christakis, Esq. recommended that most of the requirements for the Planning Commission exist in an ordinance and it should be more of a mission statement as opposed to a full document. Ari Christakis, Esq. will revise and recirculate.

Discussion was had on the officers, specifically, the secretary role. Christopher Bashore stated that the secretary may be a Borough employee and recommended the Assistant Borough

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Manager, Neil Lovekin. Geoff Rubino is the current secretary and agreed to relinquish his position to Neil Lovekin.

A motion was made by Geoff Rubino, seconded by Carroll Sinquett, and carried by a vote of 7-0 to appoint Neil Lovekin, Assistant Borough Manager, as the secretary of the Planning Commission.

c) Randolph Woods Ad Hoc Committee

Mark Niemiec provided an update on the Randolph Woods Ad Hoc Committee, noting the April 23, 2017 site walk and the next meeting on May 10, 2017 at 6:00 pm.

6. ADJOURNMENT:

At 9:45 pm, all business having been discussed, a motion was made by Amy Finkbiner, seconded by Carroll Sinquett, and carried by a vote of 7-0 to adjourn the meeting.

Respectfully submitted,
Christopher Bashore
Borough Manager/Temporary Secretary