

1. CALL TO ORDER:

PRESENT:

David Knies, Chair
Mark Niemiec, Vice-Chair
Lynne Frederick, Commissioner
Geoff Rubino, Commissioner
Carroll Sinquett, Commissioner
Zoe Warner, Commissioner

ABSENT:

Chris Mongeau, Commissioner

Staff & Professionals Present:

Gina Gerber, Conflict Counsel
Dan Daley, Borough Engineer
Neil Lovekin, Asst. Borough Manager/Secretary

2. APPROVAL OF MINUTES:

A motion was made by Carroll Sinquett, seconded by Mark Niemiec, and carried by a vote of 6-0, to approve the minutes of Thursday, October 4, 2018, as amended.

3. UNFINISHED BUSINESS:

a) 324/328 EAST KING STREET – PARKING EXPANSION – REVIEW #2

Applicant: Jim Renehan/Renehan Reality, Inc.	Application #: 17-05
Location: 324/328 East King Street	Tax Parcel: 2-4-293 & 294
Lot Size: 0.32 acres (Combined)	Zoned: C3

Applicant intends to construct additional parking in the rear of both properties.

Matt Bush, P.E., Project Engineer, was present on behalf of the applicant.

Dave Knies asked Dan Daley to go through his review letter dated, October 26, 2018 regarding the proposed plan. Items discussed, included: 1) Neighbors' concerns regarding stormwater runoff and proposed controls, 2) Driveway width; 3) Residential buffering with plantings, and 4) Vehicle flow within the parking lot.

Gina Gerber reviewed the conditions placed on the subject properties in respect to the Zoning Hearing Board decision, rendered in February 2018.

A motion was made by Carroll Sinquett, seconded by Geoff Rubino, and carried by a vote of 6-0, to recommend approval of the *Preliminary/Final Land Development Plan for 324 & 328 E. King Street, as prepared by JMR Engineering, LLC., dated August 2018, last revised October 8, 2018*, consisting on six (6) plan sheets, with partial waivers granted and conditions: 1) Compliance with the comments contained in the Borough Engineer's Engineering Review Letter,

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dated October 26, 2018, 2) Altering the designation of Parking Space “F” to ‘residential’, or removal of designation, and 3) Retention of the 15 inch maple tree at south west corner of the property.

4. NEW BUSINESS:

a) Zoning Ordinance Amendment – Building Coverage and Lot Coverage

Dan Daley summarized the proposed amendment, specifically the terminology changes and the process for calculating the different coverages. Additionally, he reviewed the Chester County Planning Commission’s review letter of the draft amendment, dated October 15, 2018.

A motion was made by Mark Niemiec, seconded by Lynne Frederick, and carried by a vote of 6-0, to recommend Borough Council amend the Zoning Ordinance and Subdivision and Land Development Ordinance of the Borough of Malvern to clarify and coordinate the calculation of building coverage and lot coverage.

5. OPEN ZONING HEARING APPLICATIONS:

Neil Lovekin stated that there are two (2) applications before the Zoning Hearing Board at their meeting on Monday, November 26, 2018. They are as follows:

- 1) **11 Griffith Avenue:** Variance request in order to allow for a lot smaller than the minimum lot area for a single-family detached dwelling unit.

Matt Bush, P.E., Project Engineer, was present on behalf of the applicant, Renehan Building Group, LLC. Mr. Bush recapped the relief the prior owner, Joseph Willis was granted by the Zoning Hearing Board back in February 2018. Mr. Bush stated the current application from the Renehan Building Group, LLC. is seeking approximately 200 s.f. of relief for minimum lot area of Lot #1 as labeled on the site plan, dated October 15, 2018.

Carroll Siquett confirmed the site survey used to draft the site plan, as prepared by Mr. Bush did not accurately locate a storm sewer drain along West King Street and the site plan should be updated prior to the November 26, 2018 hearing. Mr. Bush will comply with Mr. Siquett’s recommendation.

Matt Bush wants to coordinate an on-site meeting with adjacent neighbors, Borough staff, and Dan Daley to discuss stormwater runoff and possible control measures.

A motion was made by Mark Niemiec, seconded by Zoe Warner, and carried by a vote of 5-1, to recommend Borough Council authorize the Borough Engineer to attend the Zoning Hearing for fact-finding purposes. Carroll Siquett opposed the motion, as he did not see the benefit of the Borough Engineer’s attendance for a project that the Planning Commission has no planning concerns.

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- 2) **331 Old Lincoln Highway:** Appeal of a determination of the Zoning Officer for violations of the Borough's Zoning Ordinance regarding the keeping of motor vehicle parts outdoors.

As this application is an appeal to the Zoning Officer's determination, the Planning Commission does not need to review for any planning issues. The Borough Solicitor will be in attendance to support the Zoning Officer's determination of the Borough's Zoning Ordinance.

6. BOROUGH COUNCIL UPDATE:

Carroll Sinquett said at the Tuesday, October 16, 2018 meeting of Borough Council, the items of discussion included: 1) Public Hearings for amending the Borough's Zoning Ordinance and General Code for the keeping of livestock, 2) 5-Year Capital Improvement Planning, and 3) Continuance of the Public Hearing for the conditional use of a cultural center at the First Baptist Church of Malvern.

7. 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.

Lynne Frederick, in her capacity as a member of the Historical Commission, mentioned her concerns of Saint Patrick's Parish not coordinating with the Commission to take photos of the structures, located on Woodland Avenue, prior to their demolition. It was Dan Daley's understanding that the structures were unsafe to allow access to the interiors.

8. ADJOURNMENT:

All business having been discussed, a motion was made by Mark Niemiec, seconded by Lynne Frederick, and carried by a vote of 7-0 to adjourn the meeting at 9:25 p.m.

Respectfully submitted,

Neil G. Lovekin
Assistant Borough Manager/Secretary