

1. CALL TO ORDER

PRESENT:

David Knies, Chair  
Mark Niemiec, Vice-Chair  
Chris Mongeau, Commissioner  
Geoff Rubino, Commissioner  
Carroll Sinquett, Commissioner  
Zoe Warner, Commissioner

ABSENT:

Staff & Professionals Present:

John Snook, Planning Consultant  
Meredith Mayer, Associate Planner, Brandywine Conservancy  
Neil Lovekin, Assistant Borough Manager/Zoning Officer

2. APPROVAL OF MINUTES

A motion was made by Mark Niemiec, seconded by Chris Mongeau, Carroll Sinquett abstained due to not being in attendance, and carried by a vote of 5-0, to approve the minutes from the September 19, 2019 meeting of the Planning Commission as submitted.

3. UNFINISHED BUSINESS

a) ZONING ORDINANCE ANALYSIS – BRANDYWINE CONSERVANCY

Meredith Mayer stated the key purpose of the zoning amendments is to identify remedies to the impacts of new residential construction that often seems out of character or scale with the existing neighborhoods. None of the recommended zoning amendments should have significant impact on existing residences.

Meredith Mayer and John Snook reviewed a PowerPoint presentation they compiled, consisting of an analysis of homes built in the past five (5) years, as well as a few homes that reflected the intended purpose of the zoning ordinance amendments. The following is a breakdown of the proposed amendment:

Primary Option

- Reduced coverage by right (5% reduction) or overage with Conditional USE (CU)
- Minimum side yard at full height (35' average) 10-12.5 feet
- Minimum side yard at reduced height (18' average) 5 feet

Variable #1 – Coverage Reductions

- Reduce coverage by right greater than 5%-10%, with or without increase via Conditional Use approval

Variable #2 – Side Yards

- Increase minimum side yards with no reduced height zone
- Add regulation for minimum side yard that sets a minimum setback from any existing neighboring residence

Variable #3 – Height

- Reduce average height for single-family and twin residences (25 or 30 feet), or measure height for residential structures at the top of the roof peak

John Snook stated the any addition or alteration that would increase building coverage above the permitted by-right coverage, up to the maximum indicated, would be subject to Conditional Use approval, with the exception of additions of less than 150 square feet to residences existing at the time of the any amendment(s).

John Snook reviewed the recommended standards for the conditional use process to increase building coverage would include: 1) Site Plan; 2) Architectural plans/renderings showing general design of new construction, focused on mass, scale, proportions, roof height and form, as well as window placement and size facing side yards. Applicants would have to demonstrate to the satisfaction of the Borough Council that building mass, scale, proportions, and form of new construction including rooflines reflect that generally characteristic of Malvern. Applicants would have to demonstrate to the satisfaction of the Borough Council that building height would not impose uncharacteristically upon, or out of scale with buildings, on adjacent properties. Applicants would have to demonstrate to the satisfaction of the Borough Council that windows located on walls less than 10 feet from any side yard line and facing the side yard would be at their lowest point, 5.5 feet above floor elevation, or otherwise would provide adequate privacy between neighboring properties.

John Snook suggested that any variance request for side yard setback, building coverage or building height require the same submission standards and be considered by the Zoning Hearing Board accordingly, and upon review of the Planning Commission.

Dave Knies suggested amending the Zoning Ordinance to require garages to be either in front or adjacent to the primary residences. John Snook stated there are too many existing narrow lots that would be nonconforming to require garages be built only in the side yards.

Sid Baglini, 203 Channing Avenue, suggested requiring garages be setback from the primary residence to vary the street frontage of the entire building coverage.

Mark Niemiec asked if the Borough could regulate architectural designs of proposed new homes. John Snook said if the proposed amendments are adopted, the architectural renderings could be reviewed during the Conditional Use process.

Zoe Warner said she would be able to gain a better understanding, ‘A visual of the Borough’ if she was able to review monthly building reports. Carroll Sinquett said the

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Borough Council Meeting Packets include monthly building reports and does think it provides the level of detail that Zoe is seeking.

Zoe Warner questioned if setting a maximum building height for two-story homes would aid in lessening the sense of homes being too large for their lots. John Snook stated that would lead to homes having flat roofs in order to maximize total square footage of living space.

Chris Mongeau does not see a single solution to address the concerns that have been brought up by my residents over the years. He is concerned that adopting multiple amendments may lead to unrealized and unwanted consequences to current homeowners' property values and desires to use their home and property as they originally intended. There are too many variables with respect to setbacks, coverages, and aesthetics to institute multiple amendments at a time. He would prefer to make one amendment change at a time and allow a set amount of time to transpire to see the affects before adopting additional amendments.

Zoe Warner stated she hoped amendments to the Zoning Ordinance would encourage a range of housing options, including more moderately priced new single-family construction that would be affordable housing for a larger percentage of the population wanting to live in Malvern. The housing being built now is attainable for a small percentage of the population, which limits who can join our community.

Chris Mongeau said he does not want to amend the Zoning Ordinance to be too restrictive as to deter homebuyers looking at existing homes that may want to enlarge the home as their family grows. The borough should encourage home buyers to stay and discourage them from turning their homes into rental, where the tenants are not vested in the borough's wellbeing.

Zoe Warner believes amendments are taxing on the borough resources, including personnel and available funds, therefore it makes sense to implement more than one amendment at a time.

Amy Finkbiner, Borough Councilor, 121 Woodland Avenue, handed out a summary of her involvement on the Committee that initiated the Zoning Ordinance review.

Sid Baglini, 203 Channing Avenue, thanked the Planning Commission for their time and attention to reviewing the Zoning Ordinance as it is outdated and in need of new regulations that are appropriate for the borough in its present state.

#### 4. NEW BUSINESS

No 'New Business' was on the agenda for discussion.

#### 5. ZONING HEARING BOARD APPLICATIONS

Neil Lovekin stated that there are no new Zoning Hearing Board applications.

#### 6. BOROUGH COUNCIL UPDATE

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Carroll Sinquett stated at the October 15, 2019 meeting of the Borough Council, items discussed included: 1) Review of Resolution No. 793 that established a policy for newly elected Borough Councilors to attend the “Newly Elected Officials Boot Camp” offered by the PA State Association of Boroughs; 2) First presentation of the 2020 Budget; and 3) Initial discussions of ‘Christmas on King’.

### 7. PUBLIC COMMENT

David Knies advised all present citizens/taxpayers that Public Comment is the time to offer comments on any item not on the agenda and to bring any issues/concerns before the Planning Commission.

Mark Niemiec, member of the Randolph Woods Ad Hoc Committee, stated the last scheduled meeting of the Committee was canceled due to not having a quorum. The main agenda item for the next meeting will be to recommend a consulting firm to draft the Master Plan for Randolph Woods.

### 8. ADJOURNMENT

All business having been discussed, a motion was made by Carroll Sinquett, seconded by Geoff Rubino, and carried by a vote of 6-0 to adjourn the meeting at 9:46 p.m.

Respectfully submitted by,

Neil Lovekin  
Planning Commission Secretary