

1. CALL TO ORDER: David Knies, Chair
Amy Finkbiner, Vice-Chair
Lynne Hockenbury, Commissioner
Chris Mongeau, Commissioner (Arrived 7:55 p.m.)
Mark Niemiec, Commissioner
Geoff Rubino, Commissioner (Absent)
Carroll Sinquett, Commissioner

Also Present: Neil Lovekin, Assistant Borough Manager/Secretary

2. APPROVAL OF MINUTES:

A motion was made by Mark Niemiec, seconded by Chris Mongeau and carried by a vote of 4-0, to approve the minutes of Thursday, August 17, 2017 as amended. Lynne Hockenbury and Carroll Sinquett abstained due to being absent from the August 17th Meeting.

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 member of the public had comments.

4. NEW BUSINESS:

- a) 324/328 EAST KING STREET – PARKING EXPANSION

Owner/Applicant: Jim Renehan/Renehan Reality, Inc. Application #: 17-05
Lot Size: 0.32 acres (Combined) Zoned: C3 Tax Parcels: 2-4-293 & 294

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

No representative was present on behalf of the project.

Dave Knies stated the purpose of having this land development application on the agenda is to ‘Accept’ it for review per the Pennsylvania Municipal Planning Code. Neil Lovekin stated the 90-day review period is set to expire on December 6, 2017.

- b) OPEN ZONING HEARING APPLICATIONS

Neil Lovekin stated the next scheduled hearing is for Monday, September 25, 2017 at 7:00 p.m. The hearing will consist of two (2) applications. The first application is for Renehan Building Group, LLC, located at 324/328 East King Street, who is seeking a variance from Section 220-2401 of the Malvern Borough Zoning Ordinance in order to allow the height of a five-bay garage to be increased to 17 feet, as opposed to the maximum height permitted of 15

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feet. The second application is for Father Christopher Redcay on behalf of St. Patrick's Roman Catholic Church. The Church owns three parcels of property containing 2.66 acres located at 130 Woodland Avenue and 131-133 Channing Avenue in the I-4 Zoning District. Applicant seeks a special exception pursuant to Section 220-1901.B of the Malvern Borough Zoning Ordinance in order to build a 14,733 square foot building for classrooms, convert the existing residence on Channing Avenue into a Parish office, demolish two existing residences on Woodland Avenue, create a new grass playground area for school use and renovate existing classrooms in the Church basement for use as Parish meeting rooms.

A motion was made by Carroll Sinquett, seconded by Lynne Hockenbury and carried by a vote of 6-0, to recommend that Borough Council not authorize the Borough Solicitor to attend the Zoning Hearing for Renehan Building Group, LLC, located at 324/328 East King Street as no planning issues were identified.

A motion was made by Chris Mongeau, seconded by Mark Niemiec and carried by a vote of 5-0, Amy Finkbiner abstained due to her property's close proximity to the application, to recommend that Borough Council not authorize the Borough Solicitor to attend the Zoning Hearing for St. Patrick's Roman Catholic Church, located at 130 Woodland Avenue and 131-133 Channing Avenue as no planning issues were identified.

c) ZONING ORDINANCE UPDATE

Dave Knies stated during his recent reports to Borough Council, he recommended conducting a thorough evaluation of the Borough's Zoning and Subdivision and Land Development Ordinances. These ordinances were last full reviewed in 2003 and 2006, respectively. The Borough's Comprehensive Plan was adopted in 2012. He would like the borough to look into how to better manage tear downs and rebuilds that have led to larger homes than what is common in the neighborhood.

Chris Mongeau is not in favor of changing the bulk requirements of the individual zoning districts. Malvern is in a transformative phase and changing these requirements could have adverse consequences such as diminished property values and discouraging homeowners from making improvement by adding additional requirements to name a few. Good quality home improvements benefit the entire borough.

Carroll Sinquett thinks the best area to focus on amending the Zoning Ordinance are to look at setbacks, and not area and bulk.

5. OLD BUSINESS:

a) 51 RUTHLAND AVENUE – PRELIMINARY/FINAL PLAN

Owner/Applicant: Richard & Walter Haly, III

Application #: 17 – 04

Lot Size: 0.85 acres

Zoned: R4

Tax Parcel: 2 – 4 – 38

Applicant intends to subdivide the property into five (5) lots and develop two (2) two family semi-detached dwellings (4 twins) and one (1) single-family detached dwelling.

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Richard & Walter Haly, III, applicants, were present on behalf of the project.

Richard & Walter Haly are not agreeable to installing a shared private drive that would move the front of the houses closer to Rutland Avenue to align with the existing neighborhood. The applicants believe a rear, shared drive would cause conflict among homeowners, prohibit rear decks, and create a safety hazard with children playing and vehicles using the shared driveway. In addition, a Homeowners Association would have to be created for the maintenance of the shared driveway and could cause grievances among homeowners.

Dave Knies stated from a current planning perspective, it is not ideal to have vehicles reverse onto a public road. He questions if the corner lot (Lot #5 labeled on the plans) has sufficient sight distance for a safe reversing onto Ruthland Avenue.

Chris Gastwirth, Fire Chief for the Malvern Fire Company, stated the fire company is against any access on the private driveway that is used by emergency response vehicles. The private drive is used by first responders and emergency apparatus in both directions. In August 2017, the fire company used the private drive twenty-two (22) times to respond to Willistown Township emergency calls.

Mark Niemiec mentioned the close proximity of the project to Randolph Woods should be considered by the applicants as any proposed improvements to Randolph Woods would likely increase traffic volume.

Planning Commissioners discussed installation of driveway turnarounds, widening of Ruthland Avenue vs available Right-of-Way, and installation of curbs.

Carroll Sinquett did not agree with the Chester County Planning Commission's recommendation to have a shared-drive installed on Ruthland Avenue, across from Raspberry Avenue for the new homes.

Amy Finkbiner does not want to see turnarounds installed in the individual driveways. From her observations, turnarounds are rarely used or are used for different reasons, such as basketball hoops or vehicle storage, instead of turning a vehicle around to face a street as intended.

Richard & Walter Haly were in agreement to direct their engineer to look into realigning the front of the homes, driveway dimensions, and bringing the fronts of the homes closer to the front yard setback, while moving the garages further to the rear of the property lines.

b) 2017 INITIATIVES

Commissioners were in agreement to table discussion.

c) BY-LAWS

Dave Knies reiterated that Ari Christakis is drafting a mission and vision statements for the Planning Commission to review instead of reviewing the By-Laws.

d) BOROUGH COUNCIL UPDATE

Carroll Sinquett stated at the September 5, 2017 meeting of Borough Council the following actions were taken: 1) Approval of three (3) Preliminary/Final Subdivision/Land Development applications; 2) Dedication of a portion of Right-of-Way in front of 1 Raffaella Drive; and 3) Potential sale of the Valley Creek Sewer Trunk.

Mark Niemiec mentioned that he discussed with Borough Manager Bashore of working jointly with the Malvern Fire Company in retrofitting its sign that faces East King Street into also a borough entrance/gateway sign.

e) ZONING HEARING BOARD – DETERMINATIONS

No new determinations have been made.

6. ADJOURNMENT:

All business having been discussed, a motion was made by Carroll Sinquett, seconded by Lynne Hockenbury, and carried by a vote of 6-0, to adjourn the meeting at 9:30 p.m.

Respectfully submitted,

Neil Lovekin
Assistant Borough Manager/Secretary