

## **Borough of Malvern**

### **Planning Commission Regular Meeting Minutes**

**June 6, 2013**

#### **Approved Minutes**

A regular meeting of the Planning Commission was held on Thursday, June 6, 2013 at the Malvern Municipal Building. Members present included: Amy Finkbiner, Dave Knies, Chris Mongeau and Cecelia Oswald.

Chairman Mongeau called the meeting to order at 7:35 pm.

#### **Approval of Minutes**

Tabled

#### **Public Comment**

##### **Danny Fruchter**

Mr. Fruchter addressed Borough Council's response to Tag's plan to develop the Gable property at S. Warren and 2<sup>nd</sup> Avenues. According to Mr. Fruchter Borough Council told Tom Galbally "to make some drawings." Mr. Fruchter told the Planning Commission that they have the "capacity to break the log jam." He asked the Planning Commission to direct Borough Council to limit the duration of the process by a unanimous resolution stating that the Planning Commission wants the plan for the Gable property to include 4 lots, no driveways on Warren Avenue and a waiver to SALDO 513 that will increase the number of driveways that can enter into a common driveway.

Cecelia Oswald said that a four building plan was what the Planning Commission wanted the developer to adopt and that such a resolution would be something positive to communicate to Borough Council.

Amy Finkbiner stated that Borough Council already seemed to grasp the situation.

Chris Mongeau noted that this item is not on tonight's agenda. He stated that he felt that the Planning Commission had already given direction to Borough Council.

Dave Knies noted that Carroll Sinquett was not present, and that we had agreed not make recommendations on the Gables project unless all five planners were able to participate.

## **Old Business**

### **Major Subdivision - North Warren Ave, Birchall Tract**

Sarah Peck, Progressive Housing Ventured, LLC, Owner

Craig Birchall, owner of site

Rachel Pellegrino, Villanova University intern

Memo to Sarah Peck from Debra A. Shulski, Esq. dated June 6, 2013, re spot zoning and steep slopes.

Memo to Planning Commission from Sarah Peck dated June 4, 2013.

Ms. Peck reviewed the contents of her memo with the Planning Commission. She included drawings of the site and descriptions of two alternative commercial uses for the site. A steep slope variance will need to be granted for development to proceed. Ms. Peck met with the Borough Engineer, Sandy Kelly and Bill Wilfong yesterday.

The commercial options include construction of office space which is not viable or construction of manufacturing/light industrial space. Duplexes could be built on the east side of the property which is already zoned R3B.

Five guest parking spaces have been added to the plan. Additional guest parking along N. Warren Avenue was discussed. Ms. Peck is attempting to purchase an additional “sliver” of land to increase guest parking.

- | Amy Finkbiner asked about sprinklers. Half of the units would require them, and Ms. Peck plans to install them in all of the units.

Craig Birchall introduced himself. He has lived in Malvern for 30 years and purchased the land from PECO.

The walk-ability of the site and the TOD were discussed. This proposed project is not in the TOD study area.

Ms. Peck requested a sense of the Planning Commission’s preference for the development of this site. Cecelia Oswald stated that she liked the residential plan that preserved the east side of the property as green space. She is concerned about the exceptional value stream and the steep slopes. Storm water on

the site was discussed. Ms. Peck noted that it currently flows off Quaker Road. She believes that head wall redesign is needed to slow water down.

Dave Knies stated that he also prefers residential development and has concerns about the steep slope, traffic on North Warren and walking along North Warren.

Amy Finkbiner does not want development of the east side of the property.

Dave Knies moved and Cecelia Oswald seconded that the PC provides the following feedback on the sketch plan dated 6/4/13:

“We find a residential use rather than an industrial use attractive, provided that

- (1) The east parcel is given a conservation easement
- (2) Significant improvements to the stream bed are made to prevent further erosion
- (3) A sidewalk connection to the train station is included in the design.

We appreciate the improvements that have been made to the sketch plan through multiple iterations of redesign.

This feedback is limited to the design characteristics and the rezoning issue, and does not address the validity of a hardship waiver for steep slopes. Additionally, we would like the borough solicitor to review the question of spot zoning addressed in the applicant’s attorney’s memorandum dated 6/6/13.

The motion carried unanimously.

■ All business before the Commission being completed, the meeting was adjourned at 9:30 pm.

Recorded by Marty Laney