

Borough of Malvern
Planning Commission Regular Meeting Minutes

July 19, 2012

Approved Minutes

A regular meeting of the Planning Commission was held on Thursday, June 21, 2012 at the Malvern Municipal Building. Members present included: Amy Finkbiner, Chris Mongeau, Cecelia Oswald, and Carroll Sinquett.

Also in attendance: Cassandra Doughty, 145 Woodland Ave; Lauren Duffy; John Curry, 133 Church Street; Sally Donohue, 209 Church Street; Charles A. Diffen; Jayne Aras

Chairman Mongeau called the meeting to order at 7:30 pm.

Approval of Minutes

Minutes for June 21, 2012 were approved as corrected.

Old Business

144 Church Street – TAG Builders Final Plan Review

A letter to Sandra L. Kelley, Borough Manager from Daniel H. Daley P.E. and dated July 13, 2012 was reviewed.

Under section 709 of storm water ordinance the applicant will pay the Borough \$1,350.00 for inspection of all four units. The applicant will execute a Subdivision and Land Development Financial Security Agreement.

The aesthetics of a partially paved alley and the need for improving the alley were discussed.

The Planning Commission recommends that the applicant pave the 100 x 12 foot section of the alley along the frontage of this property, which should include the existing twin to which the builder agreed to do.

A motion to approve the final plan will be made at the next meeting of the Planning Commission.

Public Comment

A question was asked about the parking and the ability of the current infrastructure to support the additional usage of the planned development. As stated previously by the Planning Commission, the proposed plan meets the Malvern Zoning Codes requirements. The applicant was asked how he was going to prevent water in the basements of the new houses. Tam Galablaly, of TAG Builders explained the new construction technologies that will be used which should prevent water from infiltrating the foundation and the storm water plan submitted will accommodate a 100 year storm event.

The Builder was also asked about the existing trees. Two mature trees will be removed and six new trees will be planted according to the SALDO requirements. The Shade Tree Commission has also approved the plan.

The Commission was asked how a developer determines sale prices and why final approvals are done during the summer. Mr. Mongeau stated that the pricing of properties are determined by the market place and plans submitted to Borough for review/ approval have a certain time line associated with them that is prescribed by the Pennsylvania Municipal Planning Code which governs all municipalities zoning codes within the state. Because of this time clock, plans are approved through out the year.

Aras Rug Company – Zoning Hearing Board Application 190 Pennsylvania Avenue

Jayne Aras, owner
Ronald M. Agulnick LLC, Attorney at Law

Mr. Agulnick explained that he is going to request a modification of an order from the zoning board that requires Aras Rug Company to obtain a new certificate of occupancy every time their property at 190 Pennsylvania Ave is leased to a new tenant. He is seeking the support of the Planning Commission for this modification.

The property was previously leased to Mulch & More. There was a problem with noise and before the problem was corrected Mulch & More moved to a new location across the street. A new tenant has been obtained and has signed a two year lease. Noise readings for the new tenant at their current location have been obtained and the property owner believes that the noise will not create a problem at the new location. The new tenant will use the new location as a staging area for loading logs.

Chris Mongeau asked if the existing property is appropriately buffered for the L1 standard. Bill Wilfong, Code Officer, will need to determine if high intensity buffering will be required.

Carroll Siquett noted that there is no screening on the drawings and that the existing bins encroach on the Amtrak property. Mr. Agulnick stated that this has been approved by Amtrak. Industrial buffering exists – Aras, railroad, residential property.

Chris Mongeau stated that the buffering should be on the Aras property and that this could be accomplished by pulling the bins onto the Aras property. Mr. Mongeau will discuss this issue with the Borough Solicitor.

Cecelia Oswald asked about the terms of the lease for the property. The owner responded that the lease will likely be long term. Cecelia stated that if the longer leases are longer term, the Borough has more oversight of the property if the Zoning Hearing Board completes a review vs. an administrative review. Mr. Mongeau agreed to consult the Borough Solicitor regarding which approach is better for the Borough.

Mr. Agulnick will make the sound report available to the Planning Commission.

The meeting was adjourned at 8:40 pm.

Recorded by Marty Laney