

## **Borough of Malvern**

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

**August 6, 2015**

#### **Approved Minutes**

A regular session of the Planning Commission was held on Thursday, August 6, 2015 at the Malvern Municipal Building. Members present included: Amy Finkbiner, Lynne Hockenbury, Dave Knies, Mark Niemiec, Geoff Rubino and Carroll Sinquett.

Also present: Neil Lovekin, Assistant Borough Manager

Chairperson Knies called the meeting to order at 7:33 pm.

Minutes of June 18, 2015 were approved.

#### **217 Warren Avenue – Review of Revised Plan and Recommendation**

Louis J. Colagreco Jr., Special Council for Malvern Borough  
Glen Diehl, representing Danny Fruchter

Relevant documents:

- Email from Louis Colagreco to Tom Galbally, Roman Dychdala, Jim McErlane, [grd@chesco.com](mailto:grd@chesco.com), with copies to Sandra Kelley, Dan Daley, Alyson Zarro and Kathleen dated August 5, 2015 at 3:57pm. Subject FW: Malvern/TAG
- Letter to Sandra Kelley, Borough Manager, from Daniel Daley, Borough Engineer, dated July 30, 2015.

The original plan was approved in November 2013, by Borough Council. The amended plan contains no new waivers. The lot line for number 5 has been adjusted and a “pole” design created to accommodate Aqua’s plan to provide water to that property from South Warren Avenue. The “pole” is part of the existing 50 foot right of way along Second Avenue. There is no plan to develop lot 5 at present; escrow will be deferred until there is a plan. Danny Fruchter is the potential purchaser of lot 5. The trees required on the original plan to shield his property are not longer required.

The Second Avenue right of way is 50 feet. The common easement is part of lot 1. All other lot owners have easement rights. Owners will agree to a plan to maintain the shared driveway.

Discussion included trees, escrow, ground water treatment, lot lines, sewer line, and location of utilities for lot 5.

Amy Finkbiner moved and Carroll Sinquett seconded a motion to recommend to Borough Council approval of the plan for 217 S. Warren Avenue as amended by a plan dated August 6, 2015, provided the recommendations set forth in the Engineer’s letter dated July 30, 2015, are met to Borough Council’s satisfaction.

The motion carried unanimously.

**Historical Ordinance**

Borough Council requested that the Planning Commission review the proposed ordinance. The Council will review the proposed ordinance at their next meeting. It has also been sent to the county for review. A list of properties will be submitted with the proposed ordinance. The list can be amended in the future. Under the revised proposed ordinance Borough Council will make decisions and the Historic Commission will advise Council. Lynne Hockenbury explained the tier system and incentive program. There were 250 properties on the list associated with the previous draft of the ordinance. Owners must consent to designation.

Dave Knies moved and Lynne Hockenbury seconded a motion to recommend to Borough Council that they approve the most recent version of the Historical Ordinance dated July 28, 2015, and take the next steps in having the Borough adopt it as an ordinance.

The motion carried unanimously.

**Official Map**

Dave Knies stated that a Task Force will be appointed. He and Geoff Rubino volunteered to represent the Planning Commission on the Task Force. The Task Force will also include two representatives from Borough Council, the Borough Manager, and one or more business owners. Mr. Knies has recommended that a developer be added.

**Herzak Property**

Borough Council has requested that the Planning Commission recommend uses for the property including the present basketball court. Mark Niemiec suggested that the Commission look at both recreational and non-recreational uses.

**Public Comment**

John Buckley asked about the condition of the soil at the Herzak property. Neil Lovekin stated that it tested clean.

The meeting was adjourned at 9:15 pm.

Recorded by  
Marty Laney