

Borough of Malvern

Planning Commission Regular Meeting Minutes

September 19, 2013

Approved Minutes

A regular meeting of the Planning Commission was held on Thursday, September 19, 2013, 2013 at the Malvern Municipal Building. Members present included: Amy Finkbiner, Dave Knies, Chris Mongeau, Cecelia Oswald and Carroll Siquett.

Chairman Mongeau called the meeting to order at 7:33 pm.

Approval of Minutes

The minutes for July 18, 2013 and August 1, 2013 were approved as corrected. The minutes for September 5, 2013 were tabled.

Old Business

Progressive Housing Ventures LLC

Draft Ordinance-North Warren Avenue – Birchall Property

Sarah Peck

Sean O'Neill, Borough Solicitor

Dan Daley, Borough Engineer

A memo to Sandra Kelley, Borough Manager, from Sean O'Neill dated September 18, 2013 was reviewed.

Section 3100: The overlay should only apply to LI-1 districts.

Section 3102: The Planning Commission must decide if any of 2416 for multi-family dwellings is applicable.

Section 3102D: Distinguishes the site by adding the exceptional value stream.

Section 3102E: Speaks to side yard setback.

Section 3102K: Adds another qualifier, 50% open space.

Section 3103B: Amy Finkbiner observed that pedestrian access to the train station has to be safe.

Installation of hand rails, curbs, acceptable alternatives to sidewalks and cost to current owners were discussed. The Planning Commission plans to walk the site.

Section 3104: Five off street parking spaces have been added. Access to the community and designation of a common driveway versus a private street were discussed.

Section 3104E: This section is of concern because it speaks to engineering and planning standards which are meant to be uniformly applied. It may not be legal.

Section 3104.F.2.e: Mr. O'Neill asked how this will be measured.

Ms. Peck believes that adoption of the proposed ordinance eliminates preferential treatment given by use of waivers. She does not want to get to the end of the process and then not be granted waivers. Waivers that would be needed include: Cart way width, 24 foot space between buildings, a slope of more than 8%, center line, straight course of street, leveling area and trails. Ms. Peck asked if the trees in the open space can count toward those needed by ordinance.

Dan Daley noted that the proposed ordinance should speak to the waivers needed. He stated that the developer should stabilize the stream along her property. The existing culvert is a separate issue.

Mr. Mongeau asked what had been done with the King Street project. How was it treated?

Amy Finkbiner asked about the 15% space required for recreation in 2416 and monitoring of stream water quality.

Public Comment

John Finkbiner spoke to measuring ground water impact on stream.

Syd Baglini asked if the plan was site specific. She asked that the Planning Commission be "very, very responsible in accepting a developer designed ordinance. Cecelia Oswald stated that she shared Ms. Baglini's skepticism. Ms. Baglini asked if the experts that she had recommended to Ms. Peck had been consulted.

Peter Hutchinson, East Whiteland resident

Mr. Hutchinson lives below the proposed project. He described the erosion that has occurred over the past 10 years and stated that storm water management does not work.

Ray O'Brien, East Whiteland Resident

Mr. O'Brien owns property fronting on Spring Road. He described the storm water runoff on Spring Street and Warren Avenue. He is opposed to the project because he does not wish to see it from his property.

Chris Mongeau asked Sarah Peck if she had talked to the neighbors.

Shade Tree Commission

A letter that Cecelia Oswald drafted to the Shade Tree Commission was discussed. The role of the Commission has changed under the Home Rule Charter. Ms. Oswald will review the charter. Ms. Oswald recommended that future developers be required to pay for an arborist or landscape architect to visit their site and recommend a plan that complies with borough ordinances. Money would be put in escrow to replace any plantings that do not survive and the site would be visited for compliance. She also recommended a survey of all street trees in 2014 to include age of the trees.

Mr. Mongeau will invite the Shade Tree Commission to a future meeting of the Planning Commission to discuss areas of mutual concern.

All business before the Commission being completed, the meeting was adjourned at 10:20 pm.

Recorded by Marty Laney