

## **Borough of Malvern**

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

**February 20, 2014**

#### **Approved Minutes**

A regular session of the Planning Commission was held on Thursday, February 20, 2014 at the Malvern Municipal Building. Members present included: Amy Finkbiner, Dave Knies, Chris Mongeau, Cecelia Oswald and Carroll Siquett.

Also present: Dave Burton, Mayor; Todd Lexer, Borough Council; Neil Lovekin, Assistant Borough Manager; Dana Carosella; Geoff Rubino; and Aaron Abel.

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

Minutes: January 16, 2014, approved as corrected  
January 23, 2014, approved as corrected  
February 6, 2014, approved as distributed

#### **2014 Reorganization**

The following Planning Commission members were unanimously elected to serve as officers for 2014.

Chairperson:	Dave Knies
Vice Chairperson:	Amy Finkbiner
Treasurer:	Cecelia Oswald
Secretary:	Carroll Siquett

Mr. Knies thanked Chris Mongeau for his past service as chairperson and welcomed Chris and Amy Finkbiner back to the Commission.

#### **Old Business**

##### **361 Old Lincoln Highway – Sketch Plan Review**

A. Joseph Rubino, owner of 347 Old Lincoln Highway

Sketch plan dated January 2, 2013

Letter from Daniel Daley, Borough Engineer, to Sandra Kelley, Borough Manager dated February 13, 2014

Mr. Rubino reviewed the sketch plan. Lot 1 is 11,130 square feet. Lot 2 is 11,205 square feet. Lot 3 is 18,198 square feet. All three driveways exit on Raffaella Drive. Lots 1 and 2 face Raffaella and lot 3 faces Old Lincoln Highway. Driveway width for lot 3 and turnabouts for all three lots were discussed. Cecelia Oswald asked Mr. Rubino to discuss the address for lot 3 with Sandy Kelley the Borough Manager.

### **347 Old Lincoln Highway**

Sketch Plan "A" 347 & 361 Old Lincoln Highway dated October 8, 2013

Letter from Daniel Daley, Borough Engineer, to Sandra Kelley, Borough Manager dated December 23, 2013

Mr. Rubino reviewed the sketch plan. Lot 2 is 10,012 square feet. Lot 1 is 10,763 square feet. Lot 3 is 10,132 square feet. Lots 1 and 2 face the private road. Lot 3 faces Old Lincoln Highway. The driveways for lots 1 and 2 exit onto the private road. The houses will be built perpendicular to the property line not to Old Lincoln Highway. A set of mail boxes is currently located in the right of way.

A variance will be needed for the front yard setback for lot 1. An opinion as to the status of the private road is needed from the Borough Solicitor.

Cecelia Oswald asked if a plan can be done with no waivers or variances. She stated that she preferred that only two houses be built. She stated that she still has reservations about the plan.

Mr. Rubino stated that a waiver for sidewalks on the private road will be requested. There is nothing for a sidewalk on the private road to connect to. Carroll Siquett reminded him that the neighbors had requested a sidewalk so that they could get to the mailboxes. Amy Finkbiner noted that the Commission is limited in what it can ask for on the private road per court order.

Chris Mongeau stated that he does not have a problem with the three lots. Future development, status of the private road, curbs and straightening the road driveway were discussed. Curbs and sidewalks already exist on Old Lincoln.

Three waivers are needed for the proposed plan: sidewalks on private road, 4 step design process and non perpendicular orientation of houses on lots. A variance for front yard setback is also needed.

Public Comment:

Syd Baglini asked how many houses were planned. Mr. Rubino answered six total on the two properties. She asked if the private road is wide enough for a fire truck. Mr. Rubino stated that it is not.

Lynne Hockenberry stated that she would not prefer curbs or sidewalks along the private driveway. Currently, the ability to drive onto the grass shoulder enables fire trucks and two-way traffic.

Cecelia Oswald recommended that the Planning Commission do a site visit.

Dave Knies noted that the Borough needs to look at long-term plans for the private road.

Cecelia Oswald told Mr. Rubino to make an appointment with the Zoning Hearing Board before returning to the Commission.

### **Act 167, the Storm Water Management Ordinance**

Discussion included definition of a 100 year storm and maintenance and testing after installation of pervious surfaces. This ordinance deals with infiltration.

The Planning Commission and the Borough Engineer do not calculate impervious surfaces the same way. This needs to be addressed.

Gretchen \_\_\_\_\_ stated that the definition of impervious surface is the same for commercial and residential properties but the amount allowed varies.

Syd Baglini recommended the Commission visit North Warren Avenue on Friday when flooding is expected. She noted that a mature tree retains 1200 gallons of water.

Chris Mongeau moved and Amy Finkbiner seconded a motion that the Malvern Borough Planning Commission recommend that Borough Council approve the Chester County Act 167 Watershed Plan draft Storm Water Management Ordinance. This recommendation includes all comments from the Borough Engineer.

The motion passed unanimously.

Cecelia Oswald noted that the Planning Commission did not do a scientific study of the proposed ordinance, and only reviewed the overviews provided by the borough engineer. Therefore, her vote does not reflect her professional opinion as an aquatic environmental scientist.

### **Candidates for Planning Commission Memberships**

The Commission will make recommendations at their next meeting. There are eight candidates:

Aaron Abel

Thomas Burns

Dana Carosella

Jamie Grossman

John Kohler

Jeff Lorine

Gail Newman

Geoff Rubino

Dana Carosella introduced herself. She is a new resident to Malvern who grew up in Princeton, NJ. She plans to purchase a home in Malvern when one becomes available. Dana has volunteered on Rotary and church boards of directors. Ms. Carosella is an attorney for a state agency. She is available on Thursday evenings and will be able to complete the Planning Certification process. Geoff Rubino and Aaron Abel re introduced themselves and repeated the information that they gave at previous meetings of the Commission.

Additional candidates will be invited to interview at the next meeting of the Commission. All candidates are welcome to attend that meeting.

### **Public Comment**

Danny Fruchter thanked Cecelia Oswald and Neil Lovekin. He recommended that Bill Wilfong attend the Commission meetings. Dave Knies noted that the borough engineer and borough manager were present in other jurisdictions.

Mr. Fruchter asked that hard copies of all proposed plans be made available to the public. He suggested that they be stamped as copy righted. Neil Lovekin suggested that the plans could be added to the Borough Website.

Cecelia Oswald started a discussion about the “by right” resolution favored by the Planning Commission. Carroll Siquett noted that the Solicitor will be drafting an ordinance requiring “yield plans.”

The language used in a recent sidewalk grant written by the Borough was discussed.

The meeting concluded at 10:07 pm.

Recorded by Marty Laney