

## **Borough of Malvern**

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

**May 15, 2014**

#### **Approved Minutes**

A regular session of the Planning Commission was held on Thursday, May 15, 2014' at the Malvern Municipal Building. Members present included: Tom Burns, Dana Carosella, Amy Finkbiner, Chris Mongeau, Cecelia Oswald and Carroll Siquett. Also present: Neil Lovekin, Assistant Borough Manager

Vice Chairperson Finkbiner called the meeting to order at 7:30 pm.

Minutes: May 1, 2014 approved as corrected.

#### **Public Comment:**

None

#### **Yield Plan**

Language from Massachusetts distributed prior to meeting by Wendy McLean. Carroll Siquett felt that this language spoke to alternative zoning rather than the by-right language that the Commission is seeking. Cecelia Oswald stated that she wants to compel the developer to produce a plan without waivers. Chris Mongeau noted that this may not be necessary as the Commission can reject a plan. The Commission is not forced to accept any plan. A project can be stopped at the sketch plan stage. The Commission is not looking for a concept plan.

Carroll Siquett requested that the Commission ask Wendy McLean if the Commission can request a plan without variances. "What can the developer create without variances or waivers?"

Tom Burns noted that surrounding communities are looking at cluster development, same number of houses on required lot size but built closer together.

Carroll Siquett stated that the by-right plan should include dimension of property, sidewalks and meet SALO requirements. "Even if they have been to the zoning board and received relief, the Commission wants to request a by-right plan with '0' relief.

Amy Finkbiner will communicate the Commission's request to Wendy McLean.

### **R4 Zoning Change**

A letter from Norm and Sid Baglini, Kurt and Isabel Leininger, Pat Marcozzi, Barbara Beaver, Nancy Schill, Dani and Charlie Whealen, Alda Cortese and Danny Fruchter dated May 9, 2014, was reviewed.

Discussion included revising R4 zoning without looking at R3 zoning, acquiring data for existing setbacks and coverage, number of non conforming properties, the history of approval of non conforming properties, and how changing zoning would effect current owners. Current zoning plan was adopted in 2003.

Amy Finkbiner noted that it is easier to get a variance when there are many other non conforming properties.

Tom Burns will investigate the cost of conducting a study of the current setbacks and coverage.

### **Public Comment**

An 'Adverse Possession' dispute between Danny Fruchter and TAG Builders is currently with the lawyers for both sides.

The Comprehensive Plan is not due for update.

The meeting was adjourned at 8:26 pm.

Recorded by Marty Laney