

**Borough of Malvern**  
**Planning Commission Regular Meeting Minutes**  
**June 19, 2014**  
**Approved Minutes**

A regular session of the Planning Commission was held on Thursday, June 19, 2014 at the Malvern Municipal Building. Members present included: Tom Burns, Dana Carosella, Amy Finkbiner, Dave Knies, and Chris Mongeau.

Also present: Neil Lovekin, Assistant Borough Manager and Lynne Hockenberry, Chairperson of the Historical Commission

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

Dave Knies announced Cecelia Oswald's resignation and stated that the Sandra Kelley, Borough Manager will advertize for her replacement. Dr. Knies complimented Ms. Oswald on her service to the Borough.

Minutes: June 5, 2014 approved as distributed.

**Zoning Hearing Board Applications**

Bill Wilfong, Code Official requested that the Planning Commission review and comment on the applications.

**Alba Restaurant – ZHB-14-01**

Letter of Transmittal dated 6-11-2014 from William T. Wilfong to David Knies, Amy Finkbiner, Carroll Siquett, Cecelia Oswald, Chris Mongeau, Thomas Burns and Dana Carosella:

#6. The property consists of 0.13 acres, located at 7 West King Street, UPI No. 2-2-104. It is currently improved with a commercial building, which is utilized as a restaurant with a bar area and deck.

#13. In accordance with a conditional use approval, the applicant has constructed a 360 sq. feet +/- (15' x 24') deck on the north side of the existing restaurant. The applicant is seeking to install a permanent awning over the deck, less than 400 sq. feet in size, which would require a variance from Section 1202.B.6 to permit an increase in the maximum building coverage to accommodate the awning installation.

Discussion included impervious area, awning material, retractable or permanent awning and the retaining wall and apparent drainage system. Tom Burns felt that the owners should have to remove the frame for the permanent awning that has already been installed before their request is considered. Chris Mongeau stated that the small increase in lot coverage might fall under the “diminimus” provision enacted several years ago after a similar request that was approved for the Malvern Preparatory School.

Amy Finkbiner moved and Dave Knies seconded a motion stating that the Planning Commission recommends that the Borough Engineer review storm water management for the proposed Alba awning. If the storm water review reveals no issues, the Planning Commission has no further concerns about the application. The motion carried unanimously.

### **347 Old Lincoln Highway – ZHB-14-02**

Letter of Transmittal dated 6-16-2014 from William T. Wilfong to David Knies, Amy Finkbiner, Carroll Sinquett, Cecelia Oswald, Chris Mongeau, Thomas Burns and Dana Carosella:

Variance Request #1: Section 602.B.2: Minimum Front Yard. Shall be no less than the building(s) on the two (2) adjacent lots to either side on the same side of the street, and no greater than the average of the building(s) on the two (2) adjacent lots on either side on the same side of the street, in order to provide a variety of setbacks to preserve the character and visual interest of the streetscape.

Response #1: As discussed during sketch plan review, front yard setback along the private common driveway will be set as shown on the plans. For Lot 3 front yard along the private driveway ROW, the required setback is 35 feet. During the sketch plan review stage, 28 feet was determined to be compatible with the private driveway. The requested encroachment for Lot 3 is 7 feet. The other front yard setbacks meet the 35 foot requirement or the setback formula presented above.

Lynne Hockenberry, Chairperson of the Historical Commission, stated that the Commission would like to photograph the existing structure (with the owner present) before it is torn down. The house may be the second oldest in the Borough having been built between 1765 and 1797. The Historical Commission wants to confirm this impression with the photographs. The Planning Commission agreed that this would be desirable. Ms. Hockenberry will send a written request to the Planning Commission so that the Planning Commission can inform the developer of this need during the SALDO application review.

Minimum front yard setbacks were discussed and the plans reviewed. Amy Finkbiner noted that the applicant’s claim that the “required setback is 35 feet” does not appear to have a basis in the zoning ordinances.

Lynne Hockenberry requested that the line of trees along the north side of the property be retained or replaced, to preserve the separation from other existing structures. The trees may be on the property to be developed or on the property owned by Jackie Baxter.

Dave Knies noted that, at the request of the Planning Commission, Mr. Rubino had revised his application to request subdivision into only three lots instead of four.

Chris Mongeau moved and Dave Knies seconded a motion stating that the Planning Commission has no objection to the Rubino application ZHB-14-02. The motion carried unanimously.

### **Public Comment**

John Buckley asked about the liability that might be incurred by having the Historical Commission take the pictures of the 347 Old Lincoln Highway property. Both the Borough and the developer carry liability insurance. The Historic Commission budget will cover the cost of the pictures.

Danny Fruchter asked about revisions to the bulk coverage section of the SALDO. Discussion included the 20 vs. 25 foot requirement for alleys and the use of the word “generally.” Neil Lovekin stated that the alley language has been corrected. “Generally” has not been addressed.

Mr. Fruchter noted that SALDO requires that lots “generally” be rectangular in shape and the length be no more than 2½ times the width. He suggested that as an alternative, no shapes should be prohibited, but that any “irregular” portion of a lot should not count towards its net lot area for bulk requirements. The Commission discussed this proposal.

Dave Knies stated that the ordinances were due for review/revision in 2013. The process is initiated by Borough Council.

Mr. Fruchter presented information about Malvern residents parking in the SEPTA lot. Alternative parking options were discussed: Little League field and Baptist Church lot.

### **“What We Want to Be” Initiative**

Dave Knies sees this as a “visioning exercise” regularly undertaken by corporations. He will develop a proposal for obtaining outside assistance with this effort.

### **MPC Initiatives Table**

The MPC Initiatives Table was reviewed and revised.

### **Meeting Dates**

Since the Historical Commission tours of Malvern will occur on August 7<sup>th</sup>, the Planning Commission agreed to reschedule their August 7<sup>th</sup> meeting to July 31<sup>st</sup>.

The meeting was adjourned at 9:45 pm.

Recorded by  
Marty Laney