

Borough of Malvern

Planning Commission Regular Meeting Minutes

July 31, 2014

Approved Minutes

A regular session of the Planning Commission was held on Thursday, July 31, 2014 at the Malvern Municipal Building. Members present included: Tom Burns, Dana Carosella, Amy Finkbiner, Dave Knies, and Carroll Siquett.

Chairperson Knies called the meeting to order at 7:34 pm.

Minutes: July 17, 2014 approved as corrected.

347 Old Lincoln Highway – preliminary plan review

L. Patrick Spellman, P.E., Project Manager
Yerkes Associates, INC

A letter dated July 31, 2014, from Daniel H. Daley, P.E. to Sandra Kelley, Borough Manager was reviewed.

Zoning relief has been obtained for the front yard requirements. Seven waivers are being requested:

1. The requirement to submit a Preliminary Plan separate from the Final Plan
2. The Four-Step Design Process
3. Not to improve Old Lincoln Highway to a full 32-foot width
4. Proposal to widen the private road to 16 feet
5. Side lot lines
6. Curbs on the private road
7. Sidewalks on the private road

The Commission will schedule a site visit.

Amy Finkbiner recommended that the Commission obtain legal advice from Wendy McLean about what can be required of the applicant with respect to the private road. The ownership, use,

and maintenance of the private road are detailed in a Court of Common Pleas Opinion dated May 2, 2009.

Discussion also included driveway slope on lot 3, access to water, and the planned retaining walls. The Storm Water Management review is pending. A Sewage Disposal plan has been submitted to the Borough. The Shade Tree Commission has approved the plan.

Public Comment

Behzad Rahnama, 327 Old Lincoln Highway

Mr. Rahnama delivered a letter to the Commission from his attorney, John H. Kiefel dated July 31, 2014. He is objecting to the Preliminary Plan “solely to the extent that the Development Project’s driveway purports to encroach upon UPI# 02-04-0040.00.”

Laurie Sweigart, 341 Old Lincoln Highway

Ms. Sweigart spoke for the homeowners along the private road stating that they pay borough taxes but receive no services because the road is undedicated. The Commission recommended that the owners form a committee and take their concerns to Borough Council to be addressed.

The location of the driveways on the private road was questioned. Borough ordinance requires that they be located on the lower classification road.

MPC Vacancy

Amy Finkbiner moved and Tom Burns seconded a motion to appoint Geoffrey Rubino to the Planning Commission vacancy created by Cecelia Oswald’s resignation. The vote was unanimous to approve.

Historical Commission

Lynne Hockenbury presented the Historic Resource Protection Ordinance being proposed by the Historical Commission. She described the process that led to the development of the ordinance; the ten criteria used to determine which properties would be affected by the ordinance; which activities are regulated by the ordinance; the timeline for review of applications; and demolition by neglect. Wendy McLean has reviewed the ordinance. The Historical Commission is requesting Planning Commission review of the proposed ordinance. It will then go to Borough Council for approval. Public hearings will be scheduled.

Herzak Property

Tom Burns reported that the Borough rents the basketball court for \$2400 a year. The two parcels bring in tax revenues of \$299 and \$308 annually. Two options were discussed: have the Borough purchase both parcels and sell the one on the north side of Old Lincoln Highway, or buy both properties and find a use for the one on the north side. Tom will collect input from Commission members, and distribute the input to the Commission members for review. The Commission may also invite the Council to a Planning Commission meeting to discuss its recommendations.

The meeting was adjourned at 9:30 pm.

Recorded by
Marty Laney