

1. CALL TO ORDER

PLANNING COMMISSION PRESENT:

Carroll Sinquett, Chair  
Zoe Warner, Ph.D., Vice-Chair  
David Knies, Ph.D., Commissioner  
Mark Niemiec, Commissioner  
Geoff Rubino, Commissioner  
Chris Mongeau, Commissioner  
Kenneth Kynett, Esq., MPC Solicitor

ABSENT:

None

Staff & Professionals Present:

Christopher Bashore, Borough Manager  
Tiffany M. Loomis, Assistant Borough Manager & Zoning Officer

Chair Carroll Sinquett announced the following rules for conducting this meeting:

1. The agenda will be starting from the public comment section and working backward from there to conduct member interviews last.
2. Questions will be given by the members of the Planning Commission.

The members of the Planning Commission agreed with the rules as specified. Chair Carroll Sinquett asked if anyone was recording the meeting besides Ms. Tiffany Loomis for the purpose of preparing minutes. No additional recordings were taken.

2. PUBLIC COMMENT

Chairman Carroll Sinquett asked for public comments at this time. No public comments were given.

3. MINUTES

A motion was made by Mr. Mark Niemiec, seconded by Dr. Dave Knies, Ph.D., and carried by a vote 6-0, to approve the minutes from the June 18, 2020 meeting of the Planning Commission as presented.

4. NEW BUSINESS

- Designation of Planning Commission Representative(s) for Comprehensive Plan Task Force

Chairman Carroll Sinquett asked if there were any interested members from the Planning Commission that would take part.

Dr. Zoe Warner, Ph.D., Dr. Dave Knies, Ph.D., and Mr. Chris Mongeau volunteered to be placed on the task force.

Mr. Danny Fruchter asked what the comprehensive plan review entails.

## PLANNING COMMISSION MEETING

September 17, 2020

Page 2 |

Chairman Carroll Siquett confirmed that this is a committee that reviews and makes recommendations on the Comprehensive Plan.

Mr. Chris Mongeau asked if Dr. Zoe Warner, Ph.D., Dr. Dave Knies, Ph.D., and he would be designated by Borough Council in a way where each designee is represent one (1) Committee such given Dr. Zoe Warner, Ph.D. is currently on the EAC Committee.

Chairman Carroll Siquett explained that this decision will be to the discretion of Borough Council. All three names will be recommended as discussed.

### 5. UNFINISHED BUSINESS

Mr. Mark Niemiec updated the Planning Commission & public on the Randolph Woods plan. The Master Plan was presented to Borough Council on September 8, 2020 and was accepted unanimously. This will allow the Borough to approach various agencies for grant funding.

Mr. Danny Fruchter commented that the Master Plan had a total of sixteen (16) comments incorporated in the body of the presentation.

Mr. Mark Niemiec further explained that the comments highlighted in the presentation were a summary of all comments taken. Mr. Christopher Bashore confirmed such.

Mr. Mark Niemiec explained the pump track concept regarding Paoli Battlefield and how having forty (40+) plus acres is a monumental asset to the Borough given the size of the Borough. He further explained that Mr. Christopher Bashore will be working with the task force closely to obtain grant monies.

### 6. NEW BUSINESS

- Interviews Conducted for Potential Planning Commission Members to Fill Two (2) Vacancies

Chairman Carroll Siquett called on the Applicant Scott Oswald and introduced him to the Planning Commission and Public.

Mr. Oswald introduced himself and gave an explanation as to why he should be selected to be part of the Malvern Borough Planning Commission.

Mr. Oswald received an Engineering Degree from Penn State University & the University of Illinois receiving a Master's Degree in Engineering. He has worked for Lockheed Martin and been an Engineer there since 1997.

Mr. Oswald and his wife have lived in the Borough since 2001 with their three (3) children. He was a former Borough Council member and is heavily involved in Malvern community activities.

Mr. Oswald expressed he will be an asset to the MPC and will enjoy the volunteer position due to his experienced analysis skills and continued commitment to serving his community.

## PLANNING COMMISSION MEETING

September 17, 2020

Page 3 |

Chairman Carroll Siquett opened the floor for the Planning Commission members to ask questions of the Applicant.

Mr. Chris Mongeau asked if Mr. Oswald will be able to make all the meetings. Mr. Oswald stated that he will be able to make all the meetings and any other activities will be moved around and scheduled accordingly to ensure his attendance.

Mr. Mark Niemiec thanked the applicant for his interest and involvement in the community. He asked if Mr. Oswald is interested in taking the County Courses regarding Planning to acclimate to the new position. There are a total of three (3) courses that are held in the evening. Mr. Oswald agreed that he would take part in these courses. He offered examples in the past where he had par-taken in this kind of activity.

Chairman Carroll Siquett stressed the importance of completing this course work and confirmed that all Planning Commission members have accomplished completing the course through Chester County.


Dr. Dave Knies, Ph.D. asked Mr. Oswald what his vision for Malvern Borough. Mr. Oswald does not have a vision for the Borough and his approach is to uphold the Comprehensive Plan.

Chairman Carroll Siquett clarified that the Planning Commission's main role is plan review in conjunction with the Subdivision and Land Development process. Forward planning for the Borough is the main role of Borough Council.

Chairman Carroll Siquett asked what Mr. Oswald's stance is on reviewing a plan that is before the Planning Commission that fits the requirements of the Borough's Ordinances, however is not his vision of the Borough. He asked Mr. Oswald if he would be able to vote in favor of the proposed plan.

Mr. Oswald responded that he would be able to vote for the plan.

Chairman Carroll Siquett further explained that this is a fair question that has been asked of all individuals interviewed to be part of the Planning Commission. He further explained that at times there are those individuals that will not vote for a proposed plan that meets the ordinance requirements of the Borough. It is the Planning Commission's role to recommend such if the proposed plan meets the Borough's ordinances.

Mr. Fruchter commented on subdivision and land development waivers being requested by Applicants in relation to subdivision and land development application submissions to the Borough. He commented there is not a requirement to recommend waiver requests to Borough Council. In response, Chairman Carroll Siquett said Mr. Fruchter was out of order because he was speaking out of turn while the Planning Commission was conducting the interview process.

Dr. Zoe Warner, Ph.D. asked what Mr. Oswald likes about living in the Borough. He responded that he likes to walk throughout the Borough due to the sidewalk system. Mr. Oswald further commented that Malvern is a safe place and people are able to walk around freely.

PLANNING COMMISSION MEETING

September 17, 2020

Page 4 |

Dr. Dave Knies, Ph.D. asked the applicant his opinion of Eastside Flats. Mr. Oswald responded that he is indifferent to its existence. He reviewed the Borough Council process that occurred during his tenure. Mr. Oswald is open minded to proposals as they are submitted and commented on the unique crosswalks located at Eastside Flats.

Mr. Geoff Rubino has no questions at this time. His questions have been covered.

Mr. Danny Fruchter asked to be able to ask further questions of the applicant(s). Mr. Kenneth Kynett, Esq. explained that the public comment portion of the meeting was taken at the beginning of the meeting and has concluded. He reminded Mr. Fruchter that the entire portion of the meeting could have taken part in Executive Session as it concerns personnel.

Mr. Danny Fruchter was not in agreement and expressed frustration over the process that had been chosen by Chairman Carroll Sinquett and the Planning Commission.

Mr. Kenneth Kynett, Esq. further explained the Sunshine Law and that the Planning Commission's conduct conformed with the law.

Mr. Danny Fruchter asked Mr. Christopher Bashore how the process has been done in the past for Borough Council. Mr. Bashore explained that Borough Council has initiated different processes in the past.

Mr. Mark Niemiec and Mr. Geoff Rubino explained Mr. Fruchter had the opportunity under the Public Comment portion of the agenda to bring his questions to the attention of the Planning Commission.

Mr. Danny Fruchter said this was not explained clearly when this agenda item was presented and meetings in the Borough of Malvern have never initiated this process.

Discussion and questions ensued between the Planning Commission and Mr. Fruchter regarding the overall process of how the Agenda is implanted during meetings.

Mr. Chris Mongeau offered to have Mr. Danny Fruchter provide him the questions to ask.

\*\*\*\*\*  
Chairman Carroll Sinquett called for a brief recess, so Mr. Fruchter could provide this information to the Planning Commission.  
\*\*\*\*\*

Mr. Chris Mongeau asked Mr. Oswald if he had any experience reading site and building plans. Mr. Oswald responded that he does not.

\*\*\*\*\*  
Chairman Carroll Sinquett called on the Applicant Andrew Adams and introduced him to the Planning Commission and Public.

## PLANNING COMMISSION MEETING

September 17, 2020

Page 5 |

Mr. Adams gave a brief introduction of himself. He moved to the Borough with his family in November 2016. He grew up in Delaware County and attended Penn State University. Mr. Adams and his wife chose to live in Malvern because it is a family oriented community.

Mr. Adams is a professional Lacrosse Athlete traveling across the county and has contributed to the community through coaching athletes of all ages. . He further commented on how wonderful the Malvern community is. He works for Comcast in Philadelphia, PA. He is interested in taking the Chester County planning classes and giving back to his community.

Mr. Mongeau asked if he will be able to attend all the meetings. Mr. Adams responded that he will be able to prioritize and attend all the meetings.

Mr. Mongeau asked if he had any experience reading site and building plans. Mr. Adams responded the he does not.

Mr. Mongeau asked if he has any experience with municipal ordinances. Mr. Adams responded that he does not, but he is familiar with what is allowed on his own residential property per the Borough Ordinances.

Mr. Mongeau asked is there are any structures in Malvern that he dislikes or likes. Mr. Adams responded this his favorite building is the **Tire** building.

Mr. Mongeau asked if has traveled and if any place impressed him and would be a beneficial and useful way to live to a small community. Mr. Adams responded that he is well traveled and referenced Penn State as a small town community that he was always drawn to. He also said he lived in New York City and did not care for its transient nature. He and his wife focused on finding a small community that they can be part of and grow their family.

Mr. Mongeau asked if he has a philosophy for land development for Malvern Borough. Mr. Adams responded a small town should evolve with the times; however, the community should not lose its charm and character. He said he wants to become more involved to help guide the town to find a middle ground between these two outcomes. He said Eastside Flats provides a positive experience, but he realizes a building of this size has an impact on Malvern Borough.

Mr. Mongeau asked if the Applicant is aware that waivers are an exception to the ordinance and no one simply has a right to them by applying. Mr. Adams responded that he was not aware of this.

Chairman Carroll Sinquett asked if he can vote for a project if it meets the ordinances including the waivers requested. Mr. Adams responded that he feels he does not know all the rules and regulations to answer the questions accurately.

Chairman Carroll Sinquett explained that the MPC is a recommending body with recommendations forwarded to Borough Council as the decision making body. The MPC reviews the Subdivision and Land Development Ordinance and if the proposal is in the best interest of the Borough the MPC recommends accordingly.

PLANNING COMMISSION MEETING

September 17, 2020

Page 6 |

Mr. Adams responded that as long as what is being reviewed falls under the authority of the MPC he would be able to recommend accordingly and there needs to be discretion as to whether or not what is proposed will fit the Borough of Malvern.

Mr. Mark Niemiec asked the applicant if his corporate experience relates to the recommending nature of the MPC to the Borough Council. Mr. Adams responded that his corporate experience is to facilitate and make recommendations in his current capacity at Comcast. He can understand many different perspectives and alleviate tensions and create balance with the Board to facilitate a team environment.

Mr. Mark Niemiec commented that the MPC gets a lot of support from the Borough Engineer, Borough Management, and the legal side as well. He further explained that an Applicant may submit a sketch plan which enables the MPC to have an open dialogue between the Applicant and MPC. This has created strong results for the Borough. Mr. Adams was in agreement that he has experience in these kind of situations.

Mr. Geoff Rubino asked the applicant is there is anything he would like to change in the Borough. Mr. Adams responded that there is nothing at this time he would change and is (?) happy to date.

\*\*\*\*\*

Chairman Carroll Sinquett called on Applicant Dan Kunze and introduced him to the Planning Commission and Public.

Mr. Kunze explained his vision as to why has moved back to the Malvern area three (3) months ago with his wife and children wanting to be part of a community where there is open space/ parks, a walkable community, a strong school district, as well as being close to family. He wants to be part of the vision planning for his community over the twenty to thirty years.

He grew up in North Wales and married his high school sweetheart. He went to law school and then joined the army half way through his education, completing law school later on. He has experience with legislative services in the state of Pennsylvania in the Conshohocken area which led to his current occupation as a Senior Account Executive for the Army. He has traveled the U.S. and lived in many types of communities, large and small.

He is interested in this position because he had a very similar position in Nashville, TN when he lived there. He played a key role in connecting the newer generation and established generation to pursue goals and ideals in a positive manner.

Mr. Mongeau asked if he will be able to attend all the meetings. Mr. Kunze responded that he will be in attendance at all the meetings and on time.

Mr. Mongeau asked if he had any experience reading site and building plans. Mr. Kunze responded that he as experience with reading site plans and has done so for the Army. He further explained that he would not offer an approval for a waiver unless he understands why it has to be granted.

PLANNING COMMISSION MEETING

September 17, 2020

Page 7 |

Mr. Mongeau asked if he has any experience with municipal ordinances. Mr. Kunze responded that he went to law school and is familiar with municipal ordinances.

Mr. Mongeau asked if there is anything the applicant does not like about Malvern. Mr. Kunze responded that he has concerns that sidewalks do not connect the whole Borough. He has personal experience with this since he lives on Highland Avenue.

Mr. Mongeau asked if has traveled and if any place impressed him and would be a beneficial and useful way to live to a small community. Mr. Kunze responded that he has been interested in good government for years and that is why he has wanted to be involved in making his community a place where the public's need are a met. He has lived in places where this is not the case. In a small community this can be accomplished. He further explained that he helped resolve a parking issue in a community where he previously lived.

Mr. Mongeau asked if he has a philosophy for land development for Malvern Borough. Mr. Kunze responded that land planning needs to make sense for the neighborhood. He and his family chose Malvern because of the incredible community.

Mr. Mongeau asked if the Applicant is aware that waivers are an exception to the ordinance and no one simply has a right to them by applying. Mr. Kunze responded that he is aware of such and that it has to make sense and fit with the community's vision.

Chairman Carroll Sinquett asked how long the applicant served on the Planning Commission in Nashville. Mr. Kunze responded that he served five years.

Mr. Geoff Rubino asked if the applicant sees himself living in the community in five (5) or ten (10) years. Mr. Kunze expects to be in Malvern thirty-five (35) years or longer. He further explained that the Philadelphia area is the most undervalued area in the country due to his extensive travels through the United States including Washington D.C. and New York City.

Chairman Carroll Sinquett announced that a decision will not be made this evening and there is one (1) more interview to be conducted. The next meeting is scheduled for Thursday, October 1, 2020 via Zoom.

Mr. Danny Fruchter asked how many MPC member's terms will end this year.

Mr. Christopher Bashore confirmed that there are three (3) terms ending.

7. ADJOURNMENT

All business having been discussed, a motion was made by Dr. Dave Knies, Ph.D., seconded by Mr. Chris Mongeau, and carried by a vote of 6-0 to adjourn the meeting at 8:43P.M.

Respectfully submitted by,

Tiffany M. Loomis  
Assistant Borough Manager & Zoning Officer