

**MINUTES OF THE KENNETT TOWNSHIP
PLANNING COMMISSION**

**801 Burrows Run Road
Chadds Ford, PA 19317
April 12, 2016**

Call to Order: Guthrie called the meeting to order at 7:06 p.m.

Members Present: Jim Guthrie, James Przywitowski, Rudy Karkosak, Lynell Laws, Marla Palmer, Wendy Cooper

Absent: John Haedrich

Also Present:

Supervisors: Whitney Hoffman

Township Manager: Lisa Moore

Minutes:

Przywitowski moved to approve the minutes of the March 8, 2016 meeting. Palmer seconded the motion. Motion carried unanimously.

ANNOUNCEMENTS

Work Session:

Guthrie announced that there will not be a Work Session on April 26th due to the election.

NEW BUSINESS

Brandywine Creek Greenway presentation:

Guthrie introduced Sheila Fleming of the Brandywine Conservancy who made a presentation regarding the Brandywine Creek Greenway. The William Penn Foundation agreed to fund the addition of Kennett Township to the Greenway.

Catherine Pearlstine asked how Delaware fit into the Greenway. Fleming responded that they are networking connections with similar groups in Delaware. Lisa Moore commented that the Township is also working with partners in Delaware.

CONDITIONAL USE APPLICATIONS

North Walnut Holding Company (Pia)

(Team – Marla Palmer, Rudy Karkosak and Lynell Laws)

Karkosak gave a brief overview of the proposal and introduced the applicant, Mike Pia Jr. Guthrie announced that the hearing date for this application is May 4, 2016.

Mike Pia Jr. presented an overview of the project and noted that it is located off North Walnut Road, adjacent to the Rt. 1 bypass adding that new plans were submitted the day before which removed the apartment buildings/age restricted units and now has a total of 115 dwellings which include both townhouses and single

family homes. The units are larger than originally planned and the price point will most likely increase. Pia noted that with the changes, he will not need to use as many TDR's as initially projected and that density will go towards a future project.

Pia presented examples of other development with updated designs and explained they could not work in Kennett Township with current Zoning Ordinances. Cooper asked what Tom Comitta's suggestions on design were, Pia responded that he did meet with Comitta and he got the impression that he agrees that there are many restrictions which prohibit innovative design. Cooper asked since this is happening under Conditional Use, why not just ask for the waivers during the Conditional Use process. Pia noted that there are too many regulations already in place that would need to be appealed.

Pia commented that he was under the impression that the Commission had an issue with density. Cooper replied that she apologized if he got that impression but she feels that previous applications will show that the Commission certainly looks for design. Guthrie commented that he believes the reason the Commission did not commit to a specific density is because density should not be the driving factor, design should be.

Cooper suggested Pia reach out to John Snook of the Brandywine Conservancy to discuss alternate design options and ideas. Pia replied that he would prefer to work with Tom Comitta as he has experience in the design setting he is looking to obtain.

Przywitowski commented that there is so many changes to the plans that he has not had time to look at the plans that were given to him today.

It was decided to defer action and set up a work session when Tom Comitta could attend to work on the plan. A date of 4/20/16 at 1pm was set for the Township Meeting room.

Guthrie suggested Pia get in touch with Bob Wise to gather information to see if the "Historical home" on the property is significant noting it may not be necessary to require it be part of the plans.

Pia noted that the historical report indicated that there was a barn on the property that is no longer there and asked that this be recorded in the minutes.

Action is deferred.

Boss Builders (Smith)

(Team – Jim Przywitowski, John Haedrich and Lynell Laws)

Przywitowski noted there has been no action on the application as the plan is being revised. The conditional use hearing that was scheduled for April 20th has been postponed.

Action is deferred.

SUBDIVISION & LAND DEVELOPMENT PLANS

DuPont Property:

Final-Land Development

Zoning District: R1 Acres: 69.1111 Tax Parcel No. 62 -7-61, 61.4, 61.5 and 61.7
Plans Dated: Team: 2
Location: Burnt Mill No. of Lots: 4 down to 3
90 Day Clock Starts: 3/1/16 Time Clock Expires: 6/1/16

Jim Fritsch of Regester Associates presented an overview of the DuPont proposal noting it is a lot line change. Fritsch noted there was a site walk on April 1st and a color rendering was requested to show the current lot configuration verses the proposed lot configuration, Fritsch reviewed the requested renderings.

Fritsch noted that during the site walk, there had also been a request to show a rendering of the eased area verses the un-eased area, Fritsch presented the requested renderings.

Guthrie commented that the home lot with 4 acres will be merged into one lot, noting that when it was originally subdivided, it was done so the land could be conveyed and eased separately from the house and it could be difficult to do this again. Fritsch replied that he has done what was requested by the client and will convey the concern to his client.

Fritsch presented an aerial view of the property and Merrybell Lane noting that he counted 16 houses currently taking access off Merrybell lane and 20 lots that could take access off the lane.

Fritsch noted that he submitted revised plans right before the meeting which have all of the corrections requested from the engineers review letter.

Dan Maisano asked what the purpose of the minor subdivision is. Fritsch replied that the applicant is purchasing parcels and easing specific parcels but the total property will not be eased. Fritsch noted he is unaware of any planned development for the property. Maisano asked if additional houses could be put on the Lane and it was discussed. Fritsch commented he believes four more houses could be added but before any houses would be allowed to be constructed, they would need to come before the township for approval.

Palmer made a motion to recommended the Final Minor Subdivision application for approval contingent on the existing conditions plan dated 2/2/16, the conditions noted in the Township Engineers letter date 3/18/16 and recommends approval of the requested waivers. Cooper seconded the motion. Motion carried unanimously.

Hnos Lara:

Preliminary-Land Development
Zoning District: C Acres: .559 Tax Parcel No. 62-4-13
Plans Dated: REV 12/18/15 Team: 2
Location: Millers Hill No. of Lots: 1
90 Day Clock Starts: 1/20/16 Time Clock Expires: 6/1/16

Jim Fritsch of Regester provided an update on the progress on the plan noting that the plans are currently being revised to reflect the review letters.

Cooper asked about the suggestion of parking in the rear of the building. Fritsch commented that they are not planning on moving the parking to the rear. Guthrie commented that this was discussed on site and the adjoining properties have front parking.

Guthrie commented that a suggestion was made about creating an opening to the trail from Exelon, Fritsch noted that there is not direct access to the Exelon trails.

All action deferred.

Yasgur Property:

Preliminary-Land Development

Zoning District: V-1 Acres: 4.2 Tax Parcel No. 62-1-45

Plans Dated: 9/23/15 Team: 1

Location: 12 Maple lane No. of Lots: 3

90 Day Clock Starts: --- Time Clock Expires: 5/30/16

Przywitowski presented an update on the Yasgur application. The Subcommittee had found that the Applicant had begun tree removal and clear cutting of the property prematurely. The Township Office was notified and Township Landscape Architect, along with Subcommittee, investigated. The Applicant and the crew doing the removal work were very cooperative and immediately responded to the concerns. The PINDI report noted that harvesting could only occur between November and March 30th and thought it had to be completed by March 30th. It was noted that the applicant did call the township offices and spoke with the Township Zoning Officer who indicated a timber removal permit would be required but there was some confusion. The company doing the tree removal did an inventory on every tree that was removed. Since there was land development already happening, work had to stop and soil erosion controls had to be put in and is now required to re-submit new plans with the current conditions. The plan has not yet been resubmitted.

All Action Deferred.

Cannery Row/Pia Property:

Preliminary – LD

Zoning District: Acres: 5.6 Tax Parcel No. 62-3-80

Plans Dated: REV 11/9/15 Team: 3

Location: Mill Rd. No. of Lots: N/A

90 Day Clock Starts: x xx Time Clock Expires: 6/14/16

Mike Pia Jr., applicant presented an update on the Cannery Row Property noting that he expects to resubmit a plan to the Borough Engineer for review in the near future.

Action is deferred.

ZONING ORDINANCES

Large Developments-Two Access Points

Lisa Moore presented an overview of the proposed ordinance noting it is not clear in the ordinance that two entrances are required. It was discussed that it is mentioned in the current ordinances but it is not clear. Cooper suggested possibly amending the current ordinance instead of creating a new one.

Przywitowski noted that the terminology used in the definition is not the same as the comprehensive plan and it may be best to include the specific names of roads so it will be more transparent. He noted that as the Ordinance was written, large developments would essentially not be permitted on Rosedale, Hillendale, Old Kennett, Bayard, South St, Union St., Kaolin Rd., Rt 52. Lisa Moore agreed that it needs to be changed.

It was agreed to work on the ordinance will be done during the next work session and Lisa Moore will reach out to Jeanine Spears of the Chester County Planning Commission to see if she could help with drafting new language.

Action is deferred.

ADJOURNMENT

**Cooper made motion to adjourn. Palmer seconded the motion.
Motion carried unanimously.**

The meeting adjourned at 9:16 p.m.

Respectfully submitted,

Michael O'Brien
Recording Secretary