

APPROVED MARCH 9, 2011



**THORNBURY TOWNSHIP
DELAWARE COUNTY
Planning Commission
6 Township Drive
Cheyney, PA 19319-1020**

James Bulkley, Chairman
James Quinn, Jr., Vice-Chairman

Robert Ricciuti
Allen McCann
Robert Ferrara
Charles Howat

**MINUTES
Thornbury Township Planning Commission Meeting
Wednesday, February 23, 2011**

The Thornbury Township Planning Commission held a public meeting Wednesday, February 23, 2011 at the Township Administration Building, 6 Township Drive, Cheyney, Pennsylvania. Chairman Bulkley called the meeting to order at 7:00 p.m.

PRESENT: James Bulkley, Chairman Mike Ciocco (Twp. Engineer)
James Quinn, Jr., Vice-Chairman Ken Kynett (Solicitor),
Allen McCann Wayne Grafton, Land Planner
Charles Howat

ABSENT: Robert Ferrara and Robert Ricciuti

MEMBERS OF PUBLIC: 6

Mr. Bulkley reviewed the Agenda, as follows:

AGENDA

1. **SALUTE TO THE FLAG**
2. **PUBLIC COMMENT**
3. **APPROVAL OF MINUTES – Feb. 9, 2011**
4. **OLD BUSINESS**
 - a. **Wills Prelim./Final 3-lot Subdivision, 35 Locksley Rd.**
 - b. **Zoning Ord. – Accessory Structure Regulations**
 - c. **2010 Annual Report and Addendum**
 - d. **Comprehensive Plan**
5. **ACTION DATES REVIEW**
6. **NEXT MEETING – Wed., March 9, 2011**
7. **ADJOURNMENT**

1. **SALUTE TO THE FLAG**: Mr. Bulkley led the salute to the flag.
2. **PUBLIC COMMENT**: There were no comments from the public.
3. **APPROVAL OF MINUTES**: On a motion by Mr. McCann and seconded by Mr. Howat, all members present voted “aye” to approve the Feb. 9, 2011 minutes, as presented.
4. **OLD BUSINESS**
 - a. **Wills Prelim./Final 3-Lot Subdivision, 35 Locksley Rd.**

Present: Carol Wills, the applicant

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Mr. Bulkley stated that since the plan was just received this evening, no one has had a chance to look at it yet.

Mr. Bulkley asked if Lot 2 has to have legal frontage on the street or will the cart-path easement qualify. Mr. Kynett stated that a 20 ft. access strip is required. Mr. Ciocco stated that even if the access strip is not used something is needed to go to Locksley Rd.

Mr. Ciocco noticed that it appeared the slope for the new driveway was higher than the 10% maximum allowable by ordinance, and it should be reduced to be compliant with such.

Mr. Kynett felt that the applicant should wait for Mr. Ciocco's review before taking tonight's suggestions to her engineer, as there will be other comments in the review, so that all comments can be addressed at once.

Regarding the existing proposed driveway to Skyline Drive, Mr. Kynett noted that he saw references to the cart-path to Skyline Drive in the deeds provided by Mrs. Wills, but the size and location need to be plotted on the plans; and that Mrs. Wills also needed to provide proof of her cart-path rights to improve it with stormwater facilities. Only fully formulated plans, not drafts, should be presented for review against the ordinances. If the cart-path is to be used by Mrs. Wills, then Mrs. Wills, not the Township, must prove the right to place stormwater facilities under the cart-way. Mr. Grafton noted that the cart-path was not on the "Existing Conditions Plan" and the word "DRAFT" should be deleted from the plans. Mrs. Wills stated that this plan was a draft to see if it conformed to the Township's requirements, and if so, her engineer would then submit a full set of plans. Mr. Kynett stated that the Township is not able to recognize "draft" plans, and that the plans must be reviewed as a formal submission. In addition, Mr. Kynett pointed out to the applicant that she must have plans prepared which comply with Township ordinances and then submit them to the Township for review.

Joanne O'Donnell, 56 Skyline Dr., whose property abuts the Wills property on the south side and contains a portion of the cart-path, was not aware of this plan submission, and asked for an update and the procedure to oppose the proposed cart-path use. Mr. Bulkley briefed Mrs. O'Donnell. Mrs. O'Donnell felt that she owned half of the cart-path and would contact her attorney to submit proof of her rights. Mr. Kynett stated that the Township could not arbitrate questions between Ms. O'Donnell and Ms. Wills as to the cart-path, and that it could only consider Mrs. Wills' proof of her right to include the cart-path as part of

the plan. Mrs. Zitarelli offered to call Mrs. O'Donnell when this development is on the agenda.

- b. Zoning Ord. – Accessory Structure Regs.:** Mr. McCann stated that the U.C.C. would cover accessory structures attached to the home, which would be the majority of the applications, and favored the conditional use process for applications not attached to the home. Mr. Miller (audience member) felt that conditional use was appropriate for flag lots. Mr. Bulkley felt that alternative energy source structures should be removed from cluster developments, as it may negatively affect the neighbors. There was a consensus to table further discussion until Mr. Ricciuti and Mr. Ferrara were present for their input. Mr. Bulkley noted that the next meeting would consider Mr. Miller's suggestions and Edgmont's ordinance.

OTHER MISCELLANEOUS ITEMS: Mr. Bulkley reported that Mr. Moore formally resigned due to health issues and asked the Board of Supervisors to fill this vacancy as soon as possible.

There was a consensus to hold off placing Wills on the next agenda, which would give time for Mrs. O'Donnell and Mrs. Wills to contact their respective attorneys to obtain and submit any further documentation and time for Mr. Ciocco to examine the plan and provide a written review.

- c. 2010 Annual Report and Addendum:** Tabled to next meeting.
- d. Comprehensive Plan:** Tabled until the census figures are available.

- 5. ACTION DATES – REVIEW:** Mr. Bulkley reviewed the action dates.
- 6. NEXT MEETING:** Wednesday, March 9, 2011 at 7 p.m.
- 7. ADJOURNMENT:** On a motion by Mr. McCann and seconded by Mr. Howat, the meeting adjourned at 8:00 p.m.

Respectfully submitted,

Deborah Zitarelli
Planning Commission Secretary

cc: Planning Commission Members
Board of Supervisors
Kenneth D. Kynett, Esq.
Robert P. Anderman, Esq.
Jeffrey Seagraves, Township Manager

Ted McCandless, Code Administrator
Michael Ciocco, Township Engineer
Wayne Grafton, Land Planner
Geoff Carbutt, Subdivision Coordinator
Suzanne Howat