



T H O R N B U R Y T O W N S H I P
D E L A W A R E C O U N T Y
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
Herman Welsh

MINUTES
Thornbury Township Planning Commission Meeting
Wednesday, May 25, 2011

The Thornbury Township Planning Commission held a public meeting Wednesday, May 25, 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
Robert Ferrara
Charles Howat
Herman Welsh

ABSENT: Robert Ricciuti

MEMBERS OF PUBLIC: 7

Mr. Bulkley reviewed the Agenda, as follows:

AGENDA

1. **SALUTE TO THE FLAG**
2. **PUBLIC COMMENT**
3. **APPROVAL OF MINUTES – May 11, 2011**
4. **OLD BUSINESS**
 - a. Paaby, Final subdivision, 32 & 34 Westtown Rd.
 - b. Accessory Structure Regulations Ord.
 - c. Historic District Sign Ord.
 - d. Comprehensive Plan
5. **ACTION DATES REVIEW**
6. **NEXT MEETING – Wed., June 8, 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. Ferrara all members present voted “aye” to approve the May 11, 2011 minutes, as amended by Mr. Kynett and Mr. Ciocco. Mr. Welsh abstained due to this being his first meeting.
4. **OLD BUSINESS**
 - a. Paaby, Final Subdivision, 32 & 34 Westtown Rd.

MINUTES – PLANNING COMMISSION MEETING

MAY 25, 2011

PAGE 2

Present: Mark Padula, P.E., Register Assoc. – the applicant's engineer
Colby Martin, Keller Williams, Real Estate, the applicant's realtor

Mr. Padula reviewed the proposed subdivision for the Planning Commission's new member, Mr. Welsh.

Mr. Ciocco highlighted his 5/23/11 review letter, as follows:

Waivers Required (Chapter XXII)

3. & 4. Sections 22-502.2.C.(9).(a) and 22-502.2.C.(15) – Mr. Ciocco stated these are about requirements for wetlands, streams, and contours and the Township received Mr. Seagraves' memo in which the Board of Supervisors agreed with not showing that information regarding a portion of lots 2 and 3.

Subdivision & Land Development (Chapter XXII)

10. Section 22-606.D. – Mr. Ciocco stated that at the last meeting Mr. Padula was asked to look at the sight distance to the left for the existing driveway. Mr. Padula stated that the house sits relatively close to the road with a stand of trees and shrubs that buffers the house from the road. The bank comes up on the road quickly and goes into the trees and shrubs. Mr. Padula spoke with Mr. Shaw who stated that he was not interested in removing or trimming back his trees or shrubs, as they are already kept trim and was not aware of any past problems. Mr. Ciocco noted that it is an existing condition. Also, removing the trees would impact Shaw's property. Mr. Padula noted that the same 2 homes will continue to use the driveway.

General Comments

11. Mr. Grafton asked about the issue with survey calculations for the lot line adjustment. Mr. Kynett stated that a note will be added to the plan. Parcels 1 and 4 cannot be conveyed other than to the properties they are shown to be conveyed to and they cannot alone be developed individually. They will have to be combined with the other parcel and be incorporated, with evidence provided to the Township that it has been done. Mr. Kynett further noted that nothing can be done on Lots 1 & 4 would not be able to be created under normal subdivision circumstances because they do not comply with Township ordinance requirements. Once they are added to and incorporated into other existing lots they would be treated as part of those lots and future activity would be subject to any private restrictions as well as Township ordinances. He noted that he had been working with the applicant's council to develop plan note language that prohibits the sale or improvement of Parcels 1 & 4 unless and until they are incorporated into the existing lots as shown

on the plan. Once Parcels 1 & 4 are incorporated, the resulting lots would be subject to private restrictions and Township ordinances.

Mr. Kynett suggested that the shared driveway agreement include an allowance for utilities, as it now only permits vehicular and pedestrian ingress and egress. Mr. Padula updated the members on the 3rd party approvals.

MOTION: On a motion by Mr. Howat and seconded by Mr. Quinn, all members present voted “aye”, with 1 member absent, to recommend to the Board of Supervisors approval of the Paaby Preliminary/Final 4 lot Subdivision Plan for 32 and 34 Westtown Road, prepared by Regester Associates, Inc., consisting of 2 sheets, dated February 14, 2011, last revised May 19, 2011, conditioned upon satisfaction of the Catania Engineering review letter dated May 23, 2011, and that a note be added to the plan, satisfactory to the Township’s Solicitor, restricting the use, conveyance, and development of proposed parcels 1 and 4 until they are incorporated into the existing lots as shown on the plan.

As part of the motion, all members present voted “aye”, with 1 member absent, to recommend the following waivers:

- 1. Section 22-502.1.B. – To allow a plan size of 34” x 42” in lieu of the typical 24” x 34”.***
- 2. Section 22-502.3.B.(3) – To allow the applicant to proceed without showing the required location of all trees over 4” in caliper on the plan.***
- 3. Section 22-502.2.C.(9).(a) – To allow the applicant to proceed without showing the required wetlands and streams.***
- 4. Section 22-502.2.C.(15) – To allow the applicant to proceed without showing the required 2 foot contours across the entire property. While a portion of Lot 2 and 3 are shown with 2 foot contours by survey, the remainder of the property is shown with USGS 10 foot contours.***
- 5. Section 22-602.8 – To allow the applicant to proceed without the required widening to 12 feet off the centerline of Dilworthtown Road along the property frontage. Westtown road is at least 25 feet wide and meets the 24 foot width requirement.***

6. **Section 22-602.15 – To allow the applicant to proceed without installing curb and sidewalk as required along the entire property frontage along Westtown and Dilworthtown Roads.**
7. **Section 27-2811 – To allow the applicant to proceed without the required Historic Resource Impact Study.**

Please note that Waiver 7 was previously granted by the Board of Supervisors on 5/18/11. Waivers 3 & 4 were noted as acceptable to the Supervisors (but not yet granted) as noted in Mr. Seagraves' memo of May 20, 2011. Furthermore, the Historic Commission recommended granting Waiver 7 conditioned upon satisfying their letter dated May 15, 2011.

b. **Accessory Structure Regs. Ord.:** Tabled, waiting for Board input.

a. **Historic District Sign Ord.:** Tabled, waiting for Board input.

d. **Comprehensive Plan:** Tabled.

5. **ACTION DATES – REVIEW:** Mr. Bulkley reviewed the action dates. **MOTION:** ***On a motion by Mr. Bulkley and seconded by Mr. McCann, all members present voted “aye”, with 1 member absent, to recommend to the Board of Supervisors that the Gricco Subdivision Amendment be denied as incomplete for the reasons stated in Mr. Ciocco's 8/5/10 review letter, provided the Township fails to receive an extension on or before June 8. However, if the Planning Commission receives the extension on or before June 8, the Planning Commission will at that time withdraw its recommendation and move forward on the Gricco Subdivision Amendment discussion issues.***

6. **NEXT MEETING:** Wednesday, June 8, 2011 at 7 p.m.

7. **ADJOURNMENT:** On a motion by Mr. McCann and seconded by Mr. Ferrara, the meeting adjourned at 7:35 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