

East Whiteland Township
Planning Commission
Wednesday – June 24, 2020
Minutes

Members Present: Deb Abel, Chair; Jeff Broadbelt, Vice-Chair; Peter Fixler; Todd Asousa; and John Laumer

Members Absent: Tim Kelly; Dante Bradley

Also Present:

Zachary Barner, Director Planning & Development; Brittany Carosello, Planning Coordinator; Joe McGrory, Township Solicitor; Darrell Becker, Township Engineer, and Charles Faulkner, Township Sanitary Engineer.

Call to Order:

Ms. Abel called the meeting to order at 7:06 p.m. and led the Pledge of Allegiance.

Minutes:

Approval of the February 26,2020 meeting minutes.

Action: Mr. Fixler made a motion, seconded by Mr. Broadbelt, to approve the February minutes. The motion carried unanimously **(5-0)**

Ms. Abel announced the meeting would begin with item number 4 on the agenda, sewer facilities planning.

Sewage Facilities Planning:

[Special Study for Decommissioning of Malvern Hunt Wastewater Treatment Plan](#) – Minor Update to the Township’s Act 537 Plan to redirect existing sewer flows associated with the Malvern Hunt neighborhood from the existing “lagoons” into a nearby interceptor.

Chuck Faulkner, township wastewater engineer of Pennoni explained that the township would like to decommission the existing Malvern hunt wastewater treatment plant. It would require permitting from DEP and a special study as a modified planning module submission. The process requires several reviews, as well as a review from the Planning Commission. The Planning Commission must review and sign off on Component 4A.

The Malvern hunt neighborhood has a pump station that pumps into two lagoons located across the street and on Swedesford road. Essentially after being cleaned the wastewater flows from the lagoon and to the spray fields on the north side of Malvern hunt. The decommissioning would take all the flows that go into the Malvern hunt treatment facility and divert to the existing public sewer adjacent to the property. The lagoons would be de-watered, and all the grit and slug would be removed.

Mr. McGrory asked if the decommissioning permission from DEP also includes the approval of a gravity line into the existing system? Mr. Faulkner explained that it would be a force main connection into the existing system.

Mr. Becker asked if the permitting would also decommission the pump station? Mr. Faulkner replied that the pump station onsite is for the collection of the sewage and it will not be decommissioned, without the pump station the facility would not have sewer.

Mr. Laumer asked about the ownership of the spray fields, what will become of them and the size of the force main. Mr. Falkner explained that the force main is a 12-inch line and the spray fields will remain township owned property. The spray fields are 3 separate areas totaling around 18-20 acres. Mr. Mcgrory followed up that although the township will be keeping the property the spray fields are on, the ponds/lagoons will be sold after being decommissioned.

Mr. Laumer was curious as to what could be built on these sites potentially, given the current use of them. Mr. Mcgrory mentioned the lagoons have environmental issues and will need to be cleaned up, the property will go up for bid once decommissioned.

Action: Mr. Broadbelt made a motion, seconded by Mr. Fixler, to support the townships Act 537 Plan. The motion carried unanimously **(5-0)**

Development Applications:

[2018-10-SD for "HP Flanagan" / "Bacton Way"](#) (HP Flanagan, Inc.) – Final Subdivision & Land Development application for the construction of six (6) new single-family detached homes utilizing cluster development and open space design provisions. Each home will be served by individual driveways from the existing public streets, on-lot stormwater management, and public sewer. The properties, located at the intersection of N. Bacton Hill, Spring Valley, and Conestoga Roads, are within the R-1 (Residential) District.

Mike Cowen, with Commonwealth Engineers and Harry Pettyjohn, with HP Flanagan presented for the applicant. Mr. Cowen explained that they are looking for final approval. They have gone through and responded to all review letters.

Mr. Barner explained that the township engineer and landscape architect both reviewed the plans and provided clean reviews. The traffic impact fee would need to be figured out, the applicant is requesting a wavier from the widening along the frontage of their property and in lieu of that they would offer some extra right-of-away at the intersection of Bacton Hill Road and Conestoga. This would allow for a future intersection improvement.

Mr. Cowen explained each of the waivers being asked for. The first wavier is for relief from providing an environmental impact study, the second is relief from providing a traffic impact study, the third is for relief from widening the road, the fourth is for the removal of more than 20% of existing trees on the lot and the fifth is for relief to allow the emergency spillway to be designed less than 1 foot. Mr. Cowen confirmed with Mr. Becker that he was okay with the less than 1 foot spillway.

Mr. Barner explained that the applicant attended the Historical Commission meeting the week prior, since the land development borders the AME church and cemetery. The applicant will repair the fence

around the perimeter of the cemetery, remove decaying trees and maintain the lawn area for the duration of the construction.

Action: Mr. Fixler made a motion, seconded by Mr. Broadbelt, to recommend final land development approval to the Board of Supervisors subject to compliance with all comments in the review letters. The motion carried **(4-1)** with Mr. Asousa opposed.

[SD-05-2020 for 17 Spring Road](#) (Ryan Reese) – Preliminary / Final Subdivision application to divide an existing 74,000 s.f. parcel into two lots. The existing single-family home and other improvements are intended to remain on Lot 1. A new single-family home, driveway, and stormwater management facilities will be constructed on Lot 2. The application proposes to connect both lots to public sewer. This project is associated with CU-06-2020. The property, located at 17 Spring Road, is within the R-3 (Residential) District.

Jack Robinson, engineer for the applicant explained that the current owner Ryan Reece, will be subdividing the property with the intention of building a single-family home and living on the new parcel and the existing home at 17 Spring Road will be sold or rented. The property is 1.7 acres and the new home will be built by Jim Renehan building.

The existing home has a septic system but after some research it was discovered that public sewer is close by and could be accessible. It is intended to have both lots connected to public sewer. Mr. Robinson explained that Lovers Lane, a roadway that borders the lot is owned by Mr. Covatta a neighboring property owner. Lovers Lane includes a 33 foot ROW that was never dedicated to the township. Mr. Robinson stated that the applicant was obtaining a letter and recorded easement from Mr. Covatta to permit the applicant to use the property to establish a sewer connection.

Mr. Broadbelt expressed confusion having two applications and asked for clarification concerning the applicant receiving conditional use approval and subdivision and development approval. Mr. McGrory explained that both applications are pending with the township and could be approved concurrently. The conditional use hearing will occur on July 8th and has been advertised. Mr. McGrory suggested that the applicant present at the July 8th Board meeting so that the Board of Supervisors could provide verbal vote in July and resolution in August.

Mr. Becker asked Mr. Robinson if he had discussed the infiltration bed with Dave Kavanaugh of Land concepts. Mr. Robinson confirmed that it will be shown on the revised plan.

Ms. Abel asked where the property was in relation to Warren Avenue. Mr. Broadbelt questioned Dave Kavanaugh's letter from June 16th and expressed concerns with the removal of trees on the property, Mr. Robinson stated that all the concerns would be addressed, and most of the trees being removed are not mature. Mr. Robinson explained that the disturbance will only need to be a few feet wide, the tube is about 4 inches.

Mr. Fixler mentioned the back of the property looks like back fill and doesn't want that area to wash away. Mr. Laumer asked who owns the area from Warren area up to the lot line, Mr. Robinson explained that the township could take dedication but now it is owned by Mr. Covatta. Mr. Laumer said that area is vulnerable in extreme weather.

Ms. Abel asked if there needed to be two separate discussions since the applicant has two applications in with the township. Mr. Mcgrory said since the Planning Commission just had the discussion just two separate motions would be required.

Action: Mr. Broadbelt made a motion, seconded by Mr. Laumer, to recommend Preliminary/Final land development approval to the Board of Supervisors subject to compliance with all comments in the review letters, waivers on sheet 1 of the plan, and Conditional use approval. The motion carried **(5,0)**

Conditional Use Applications:

The following application(s) are scheduled for hearing(s) before the Board of Supervisors on **July 8, 2020:**

[CU-06-2020 for 17 Spring Road](#) (Ryan Reese) – Conditional Use application, pursuant to §200-57.E.4 for disturbance of “very steep slopes” along the rear of the property in order to connect to the public sewer system. This application is associated with a two-lot Subdivision application (SD-05-2020) to create one new lot to the east of the existing single-family home. The property, located at 17 Spring Road, is within the R-3 (Residential) District.

Action: Mr. Broadbelt made a motion, seconded by Mr. Asousa, to recommend Conditional Use approval to the Board of Supervisors subject to compliance with all comments in the review letters and waivers on sheet 1 of the plans. The motion carried **(5,0)**

Adjournment:

Ms. Abel adjourned the meeting at 8:13 p.m.

~ Next Meeting ~
July 22, 2020