

**Honey Brook Township
Planning Commission Agenda
Regular Meeting Approved Minutes
October 26, 2017
7:00 p.m.**

The Honey Brook Township Planning Commission held its regular monthly meeting on Thursday, October 26, 2017, at the Honey Brook Township Building. The meeting was called to order at 7:00 p.m. by Susan Lacy, Chair. Commissioners present were Bob Witters, Troy Stacey, Terry Schmidt, Gary McEwen, Melissa Needles and Leslie Siebert. Township Engineer, Jennifer McConnell, of Technicon Enterprises, Inc. (TEI), was also present.

Absent: None

Guests: None

Minutes:

With no further discussion, additions or corrections, the Chair called for a motion to approve the September 28, 2017, Planning Commission meeting minutes. The motion was made by Gary McEwen, seconded by Bob Witters. All in favor. None opposed. The motion carried.

Subdivision/Land Development Applications

1. 2017-10, Shane and Kathryn Ware, Twin County Road, land development plan (Tax Parcel Number 22-3-34)

-Township Engineer letter dated October 25, 2017
- Plan dated October 6, 2017

Allan Zimmerman of Commonwealth Engineers, was present representing the applicants. The applicants were present. The proposed plan is for a new 56 x 80 foot storage building for a landscape business. The site is fairly well screened, with existing trees on the property. Three trees are being taken down. Rain garden is planned, with wet tolerant plants. There is preserved farm land adjacent to the site.

Jennifer McConnell explained that the applicants were granted a variance application on September 13, 2017 to allow the landscaping business within the A-Agricultural zoning district and to construct a 50' x 80' within the floodplain and only 30' from the rear lot line. The proposed building is 56' x 80' which is larger than what was discussed at the variance hearing. The Township will review the building size to determine its acceptability.

As a minor land development, the applicants are looking for landscape recommendations. There were no further landscaping recommendations for the landscaping business as the existing vegetation appears to be sufficient along with the rain garden planting. Two potential waivers from the SALDO include keeping/expanding the gravel access drives and parking areas in front of the building in lieu of paving and not paving the first 20' of the driveway. It was noted that the existing driveway must be reviewed by PennDOT due to the change in use of the driveway and the Planning Commission would look towards PennDOT's input on the driveway paving; There was no opposition noted to the continued use of gravel; It was noted by the applicant that there is little customer traffic, mostly employees early in the am and at the end of the day. A waiver from the Stormwater Ordinance, for the required 24" separation between the bottom of rain garden to limiting zone and to not provide the required infiltration volume due to existing soil conditions which are not suitable for infiltration. They are proposing amended soils within the basin bottom to aid in infiltration and showing a maximum ponding of 6" in the rain garden; a capped de-watering pipe is provided to allow drainage for maintenance purposes or if the water doesn't drain within for 72 hours. Jennifer McConnell has seen this allowed by the Chester County Conservation District (CCCD) and is not objecting to this waiver.

Mr Zimmerman was appreciative of the suggestions and will revise the plan according to the comments in the TEI letter and return at a later meeting.

2. 2017-11, Ricmar Real Estate, Horseshoe Pike, lot add-on plan (TPNs 22-6-8 & 22-3-63)
 - Township Engineer letter dated October 20, 2017
 - Plan dated October 11, 2017

Allan Zimmerman, Commonwealth Engineers, was present on behalf of the applicant, who was also present. The applicant is proposing to convey the rear portion of his lot to the adjoiner to the west. The property is the site of Honey Brook Hardware and Hoover Building Specialists and the adjoiner is owned by Upward Investments and contains warehouses. No construction is proposed as part of this plan.

Jennifer McConnell noted that the plan qualifies as a Minor Plan. Some existing features need to be added/updated on the plans to comply with plan requirements under the SALDO, and monumentation including two new pins must be set prior to recording the plan.

With no further discussion, the Chair called for a motion to recommend to the Board of Supervisors (BOS) to grant conditional final plan approval provided the applicant satisfies all comments in the TEI review letter dated October 20, 2017, and comply with any issues identified in the Chester County Planning Commission (CCPC) review. The motion was made by Gary McEwen, seconded by Troy Stacey. All in favor. None opposed. The motion carried.

3. Village Greene Land Development Phase 3 - Final Plan Revised Layout Submission

Jennifer McConnell explained that Phase 3 has conditional final plan approval. Agreements were made between the developers and the residents to pave the walking trail, replace the tennis courts with a horseshoe pit in lieu of a community garden. The applicant is proposing to reconfigure the layout of Phase 3 to shift the street, move units away from the basin and reduce the unit count by 1. The applicant completed as as-built of the Phase 1 and 2 portions of the community and has reanalyzed the stormwater management design for the site. They anticipate reducing the size of infiltration basin #4, eliminating the pumps for that infiltration bed and reconfiguring the stormwater detention basin. The applicant will need to go back to CCCD/PADEP for a modification of their NPDES permit. The Weiser Engineering Consultants, LLC, letter dated October 23, 2017, including "Phase 3 proposed changes" outlines the changes proposed under this plan.

The question before the Planning Commission was whether they want to review a formal submission of this modified plan or if they feel it can be submitted directly to the Board of Supervisors. Either way Technicon will review the full submission and produce a review letter of any items that do not comply with the Township Ordinances and need to be revised. The BOS will have to take formal action on the resubmitted plan based upon the new review letter to be produced. Gary McEwen and Susan Lacy would like to see the plan back due to the substantial stormwater changes and to ensure all requirements are met. Bob Witters, Troy Stacey, Terry Schmidt and Leslie Siebert do not need to see the plan back. Melissa Needles does not need to see the plan again if TEI is satisfied with the calculations.

With no further discussion, the Chair called for a motion; a motion to recommend the Village Greene Land Development Phase 3 Final Plan Proposed Revised Layout to proceed to the BOS without returning to Planning Commission was made by Troy Stacey, seconded by Bob Witters. All in favor. None opposed. The motion carried.

Zoning Hearing Board/Conditional Use Applications

1. CU 2017-8, Troy & Teri Stacey, 300 Gooseberry Lane (22-11-35), to run a campground
 - Township Engineer letter dated October 12, 2017
 - Application dated September 15, 2017

Troy Stacey was present on his own behalf and recused himself as a member of the Planning Commission for this agenda item. Mr. Stacey is proposing to operate a campground for guests, including pipeline workers, to stay on the site. Mr. Stacey recently received an Enforcement Notice on September 19, 2017, from the township for having an illegal campground. He maintains that he is grandfathered under a previous variance to allow "storage of campers" on the property. He stated that the owners are pipeline workers who stay in hotels but keep their belongings/campers there.

He indicated that his options to address the Enforcement Notice are:

1. To go to court to clarify the variance
2. To go to the ZHB for a new interpretation of the variance (but there's all new members since the original decision)
3. To apply for a conditional use for a campground (his preference at this time)

Mr. Stacey explained that there are water and electric connections for the campers but that these were existing from when there used to be mobile homes on the property. He stated that they used to use the electric to plug in trucks. He indicated new ends have been installed. He noted that as part of the NOV the electric service needs to be inspected.

A question was asked about how long the guests are allowed to stay there. Mr. Stacey noted that he hasn't found anything in the Ordinance about a limit on temporarily using a camper as a dwelling. Mr. Stacey responded there is a history of migrant workers "staying" on the property for many years. Time limits for a campground are specified under the Conditional Use provisions of the Zoning Ordinance and would be set during the conditional use process. Before the campground could be "active" all requirements of the conditional use including water and sewer would need to be addressed and a Use & Occupancy permit issued.

There was discussion about the time it will take to get water and sewer approvals and what would happen to the campers in the meantime. It was noted that the Township would need to determine whether the campers could remain on-site and connected to electric during this time under a Conditional Use approval could be obtained and all conditions met.

There were additional questions about the use (purpose), and whether it is for storage of personal items for workers, or as a campground. Mr. Stacey responded that he is requesting the conditional use to bring the site into compliance for a campground. He indicated again that no one is living in the campers now, but pipeline workers keep their stuff there and don't want to have to winterize the campers and therefore they are hooked to electric. He said that the workers are sometimes sent to other towns and want their campers to be ready to go as needed.

Members expressed consensus about recommending recusal from the BOS vote by the applicant's brother, based on his relationship to the applicant.

After requesting additional clarification, and discussion based on the applicant's role on the Planning Commission, the Chair called for a motion on the Stacey conditional use application to operate a campground. A motion to take no position was made by Gary McEwen, seconded by Melissa Needles. All in favor. None opposed. Troy Stacey abstained. The motion carried.

Pending Ordinances

None

Other Business

1. Tabas Property (Poplar Realty) Trail Alignment

Steve Landes, Township Manager, requested to bring this item to the Planning Commission. Residents of a subdivision adjoining the Tabas Tract came to a BOS meeting and expressed concern about the

location of the proposed walking trail so close to their houses. The concern was taken to the Trail Study Committee for review in conjunction with the Brandywine Conservancy. A recommendation was made for realignment, to shift the trail 175 feet away from the property line as depicted on an exhibit from Brandywine Conservancy marked as a public trail exhibit. The Planning Commission wanted further clarification as to whether the trail is public (township-maintained) per the map or private (HOA-maintained) per the design plan which contain a continual offer of dedication to the Township. Members also indicated that the resident group that requested the changes should give some feedback on the changes, since it affects them. Jennifer McConnell said she will take the comments back to Steve Landes.

Correspondence of Interest:

None

Upcoming Meetings - All dates subject to change

November 2 - Board of Supervisors Workshop (7:00 pm)

November 6 - Dog Kennel Task Force (7:00 pm)

November 8 - Board of Supervisors Regular Meeting and Conditional Use Hearing 2017-8, Stacey Campground) (7:00 pm)

November 9 - Planning Commission Regular Meeting (7:00 pm)

November 21 - Land Preservation Committee

Trail Study and Park & Recreation Committees do not meet in November or December.

It was noted that November's Planning Commission Regular meeting will occur on November 9th, and December's meeting will occur on December 14th, due to the holidays.

Adjournment

With no further business, the Chair called for a motion to adjourn. The motion was made by Gary McEwen, seconded by Bob Witters. All in favor. None opposed. The meeting was adjourned at 8:42 pm.

The next Planning Commission meeting will be November 9, 2017.

Respectfully Submitted,

Leslie Siebert

Commissioner and Secretary, Planning Commission