

MINUTES OF THE
EAST COVENTRY TOWNSHIP PLANNING COMMISSION
MEETING HELD ON JANUARY 16, 2008
(Approved February 20, 2008)

The Planning Commission held their monthly meeting on Wednesday, January 16, 2008. Present for the meeting were Roy Kolb, Walter Woessner, N. Lance Parson, and Kathryn Alexis. Harold Kulp was not present.

Mr. Woessner called the meeting to order at 7:00 p.m. and the pledge was recited.

Organization will take place at a later date.

CITIZENS COMMENTS

There was no public comment.

1. MINUTES

Mr. Parson moved to approve the second draft minutes of the December 19, 2007 monthly meeting as presented. Mr. Woessner seconded the motion. The motion carried with a 4-0-0 vote.

2. JOSEPH MCCANN, INC.

Glen Kelczewski of Conver and Smith Engineering was present.

There was a review and discussion of requested waivers for the Joseph McCann, Inc. land development plan.

Mrs. Alexis moved to recommend waiver from Section 301.3.B of the Subdivision and Land Development Ordinance, *this section establishes the Major Subdivision Plan classification*, to allow the application to be classified and proceed through the planning process as a Minor Subdivision. Mr. Parson seconded the motion. The motion carried with a 4-0-0 vote.

Mrs. Alexis moved to recommend waiver from Section 304 of the Subdivision and Land Development Ordinance, *this section establishes requirements for Preliminary Plans*, and Section 305, *this section establishes requirements for Final Plans*, to allow the application to proceed concurrently through the planning process as a Preliminary/Final Plan. Mr. Woessner seconded the motion. The motion carried with a 4-0-0 vote.

Waiver request from Section 306.1 of the Subdivision and Land Development Ordinance, *this section provides the requirements for a Conservation Plan*, was withdrawn by the applicant noting the proper information will be provided on the common plan sheet.

Waiver request from Section 306.2 of the Subdivision and Land Development Ordinance, *this section provides the requirements for a Construction Improvement Plan*, was withdrawn by the applicant noting the proper information will be provided on the common plan sheet.

Waiver request from Section 307 of the Subdivision and Land Development Ordinance, *this section provides the requirements for Recording of a Final Plan*, was withdrawn by the applicant noting the plans will be properly recorded.

Mr. Woessner moved to recommend waiver from Section 309 of the Subdivision and Land Development Ordinance, *this section provides the requirements for a Subdivision and Land Development Improvements Agreement*, to allow the a Subdivision and Land Development Improvements Agreement to not be prepared. Mr. Kolb seconded the motion. The motion carried with a 4-0-0 vote.

Mr. Woessner moved to recommend waiver from Section 310 of the Subdivision and Land Development Ordinance, *this section provides the requirements for a Performance Guarantee (i.e., financial security for construction of improvements)*, to allow a Performance Guarantee to not be prepared. Mr. Parson seconded the motion. The motion carried with a 4-0-0 vote.

Waiver request from Section 311 of the Subdivision and Land Development Ordinance, *this section provides the requirements for when construction may commence*, was withdrawn by the applicant noting construction will not commence until the plan is approved and recorded.

Mrs. Alexis moved to recommend waiver from Section 406.7 of the Subdivision and Land Development Ordinance, *this section requires that existing streets abutting the subject project that have improper cartway, shoulder, or right-of-way be widened to current standards as specified in Section 406.1*, to allow the required minimum cartway and shoulder widths along the Route 724 frontage to not be provided. Mr. Parson seconded the motion. The motion carried with a 4-0-0 vote.

Mr. Parson moved to recommend waiver from Section 416.4 of the Subdivision and Land Development Ordinance, *this section requires curbs to be placed around all new parking areas located with a land development*, to allow curbs to not be installed around the parking lot (as opposed to the Route 724 frontage). Mrs. Alexis seconded the motion. The motion carried with a 4-0-0 vote.

Mr. Woessner moved to recommend waiver from Section 418.2 of the Subdivision and Land Development Ordinance, *this section requires that sidewalks be installed on all collector streets within a subdivision, on all streets within 1,000' of and leading to a school, on all commercial streets, and at other such locations deemed necessary by the Board of Supervisors*, to allow sidewalk to not be installed along the Route 724 frontage. Mrs. Alexis seconded the motion. The motion carried with a 4-0-0 vote.

Mr. Parson moved to recommend waiver from Section 419.2 of the Subdivision and Land Development Ordinance, *this section requires that all parking areas be paved and curbed*, to allow the existing parking lot to not be paved or curbed. Mrs. Alexis seconded the motion. The motion carried with a 4-0-0 vote.

Mr. Kolb moved to recommend waiver from Section 420 of the Subdivision and Land Development Ordinance, *this section provides the requirements for shade trees and screen planting*, to allow shade trees to not be provided, and to allow screen plantings only along the

southern and western property lines. Mrs. Alexis seconded the motion. The motion carried with a 4-0-0 vote.

Mrs. Alexis moved to recommend waiver from Section 426.3 of the Subdivision and Land Development Ordinance, *this section provides the requirements for recreation and open space*, to allow land to not be provided for recreation or open space. Mr. Kolb seconded the motion. The motion carried with a 4-0-0 vote.

Mr. Woessner moved to recommend waiver from Section 427 of the Subdivision and Land Development Ordinance, *this section provides the requirements for outdoor lighting*, to allow the provision of security lighting only on the proposed buildings, as opposed to the outdoor lighting required by Section 427. Mr. Parson seconded the motion. The motion carried with a 4-0-0 vote.

Mr. Parson moved to recommend waiver from Section 428 of the Subdivision and Land Development Ordinance, *this section provides the landscaping, screening, and buffering requirements*, to allow the required landscaping and buffering to not be provided, and screen plantings only along the southern and western property lines. Mrs. Alexis seconded the motion. The motion carried with a 4-0-0 vote.

Mrs. Alexis moved to recommend waiver from Section 105.6 of the Driveway Ordinance, *this section requires that driveways be paved for a distance of 25 feet from the edge of cartway*, to allow the first 25' of the driveway from the edge of the cartway to not be paved, contingent that the driveway entrance be paved to the extent that may be necessitated by the PennDot Highway Occupancy Permit. Mr. Parson seconded the motion. The motion carried with a 4-0-0 vote.

3. SCHOLLENBERGER SUBDIVISION

Joy Schollenberger and Jeff Schollenberger were present to discuss waiver requests.

In reference to the request for waivers from Sections 304 and 802.1 of the Zoning Ordinance, it was noted that those items must be addressed with the Zoning Hearing Board.

Waiver from Section 304.3.A(13) of the Subdivision and Land Development Ordinance, *this section requires that the gross and net area of the tract be identified on the plan*, was not recommended and the items will be placed on the plan.

Waiver from Section 304.3.A(10) of the Subdivision and Land Development Ordinance, *this section requires that approved waivers be listed on the first sheet of the plan set*, was not recommended and the items will be placed on the plan.

Mrs. Alexis moved to recommend waiver from Section 304.3.A(17) of the Subdivision and Land Development Ordinance, *this section requires that the items and existing features listed within the section be shown on the plan*, to allow the items and existing features identified in the section to not be shown on the plan. Mr. Kolb seconded the motion. The motion carried with a 4-0-0 vote.

Mr. Woessner moved to recommend waiver from Section 304.3.A(18) of the Subdivision and Land Development Ordinance, *this section requires that a wetlands delineation be performed*, to allow a wetlands delineation to not be performed. Mr. Parson seconded the motion. The motion carried with a 4-0-0 vote.

Mr. Parson moved to recommend waiver from Section 304.3.A(24) of the Subdivision and Land Development Ordinance, *this section requires that topographic contours be shown on the plan*, to allow topographic contours to not be shown on the plan. Mrs. Alexis seconded the motion. The motion carried with a 4-0-0 vote.

Mr. Parson moved to recommend waiver from Section 304.3.A(25) of the Subdivision and Land Development Ordinance, *this section requires that the location and elevation of the datum to which topographic contours refer be identified on the plan*, to allow the location and elevation of the datum to which topographic contours refer to not be shown on the plan. Mrs. Alexis seconded the motion. The motion carried with a 4-0-0 vote.

Waiver request from Section 304.3.A(26) of the Subdivision and Land Development Ordinance, *this section requires that certification as to the accuracy of the plan be provided in accordance with the Professional Engineers Registration Law*, was withdrawn by the applicant.

Mr. Woessner moved to recommend waiver from Section 304.3.C of the Subdivision and Land Development Ordinance, *this section requires that a Site Context Map be provided*, to allow a Site Context Map to not be provided. Mrs. Alexis seconded the motion. The motion carried with a 4-0-0 vote.

Mr. Woessner moved to recommend waiver from Section 304.3.D of the Subdivision and Land Development Ordinance, *this section requires that a Preliminary Resource Impact and Conservation Plan be provided*, to allow a Preliminary Resource Impact and Conservation Plan to not be provided. Mrs. Alexis seconded the motion. The motion carried with a 4-0-0 vote.

Mrs. Alexis moved to recommend waiver from Section 304.3.E(6) of the Subdivision and Land Development Ordinance, *this section requires that the first floor elevations of all existing structures be provided*, to allow first floor elevations to not be provided for existing structures. Mr. Parson seconded the motion. The motion carried with a 4-0-0 vote.

Waiver request from Section 304.3.E(8) of the Subdivision and Land Development Ordinance, *this section requires that lots be numbered*, was withdrawn by the applicant.

Mrs. Alexis moved to recommend waiver from Section 305.3.B(1)(g) of the Subdivision and Land Development Ordinance, *this section requires that legal descriptions and plot plans, including meets and bounds, be submitted for all easements and rights-of-way with Final Plans to the Township for review and approval*, to allow plats and legal descriptions for easements and rights-of-way to not be submitted, except for the ultimate right-of-way along the frontage of Old Schuylkill Road that the applicant is offering for dedication. Mr. Parson seconded the motion. The motion carried with a 4-0-0 vote.

Mr. Woessner moved to recommend waiver from Section 403.1.D of the Subdivision and Land Development Ordinance, *this section requires that the depth of residential lots be not less than 1 or more than 3 times the lot width*, to allow the depths of the two new lots to be greater than 3 times their respective lot widths. Mrs. Alexis seconded the motion. The motion carried with a 4-0-0 vote.

Mrs. Alexis moved to recommend waiver from Section 418.1 of the Subdivision and Land Development Ordinance, *this section requires that sidewalks be installed along all connector streets*, to allow sidewalk to not be installed along the Old Schuylkill Road frontage. Mr. Parson seconded the motion. The motion carried with a 4-0-0 vote.

Mrs. Alexis moved to recommend waiver from Section 418.1 of the Subdivision and Land Development Ordinance, *this section requires that curbs be installed where sidewalks are installed*, to allow curbs to not be installed along the Old Schuylkill Road frontage. Mr. Parson seconded the motion. The motion carried with a 4-0-0 vote.

Waiver request from Section 106.3 of the Subdivision and Land Development Ordinance, *this section requires that clear sight triangles be provided for the driveways*, was withdrawn by the applicant.

Mr. Parson moved to recommend waiver from Section 106.5 of the Driveway Ordinance, *this section requires that driveways be paved for a distance of 25' from the edge of the cartway*, to allow the two existing driveways to not be paved. Mrs. Alexis seconded the motion. The motion carried with a 4-0-0 vote.

Mr. Parson moved to recommend waiver from Section 106.6 of the Driveway Ordinance, *this section requires that driveway grades comply with the Public Improvements Specs*, to allow the two existing driveways to not be required to meet the driveway grades identified in the Public Improvement Specs. Mrs. Alexis seconded the motion. The motion carried with a 4-0-0 vote.

Mr. Parson moved to recommend waiver from Section 106.7 of the Driveway Ordinance, *this section provides minimum dimensions for driveway widths and aprons*, to allow the two existing driveways to not be required to meet the driveway width and apron dimensional requirements. Mrs. Alexis seconded the motion. The motion carried with a 4-0-0 vote.

Waiver request from Sections 306.2.B and 421.1 of the Subdivision and Land Development Ordinance, *these sections require that all plans be accompanied by Sewage Facilities Planning Modules*, was withdrawn by the applicant due to the fact that the requirements of this section have been met.

Waiver recommendation from Section 309 of the Subdivision and Land Development Ordinance, *this section requires that a Subdivision and Land Development Improvements Agreement be executed*, was tabled.

Waiver recommendation from Section 310.2 of the Subdivision and Land Development Ordinance, *this section requires that a Financial Security Agreement be executed*, was tabled.

Waiver recommendation from Section 310.6 of the Subdivision and Land Development Ordinance, *this section requires that an improvements cost estimate be submitted*, was tabled.

A waiver from the road widening requirement is to be submitted by the applicant.

Mrs. Schollenberger provided a waiver request from Section 406.7 of the Subdivision and Land Development Ordinance as it relates to Section 406.1.

Mr. Woessner moved to recommend waiver from Section 406.7 of the Subdivision and Land Development Ordinance to allow road widening to not be provided along the Old Schuylkill Road frontage. Mr. Parson seconded the motion. The motion carried with a 4-0-0 vote.

The Township Engineer noted the next step would be for the applicant to go before the Zoning Hearing Board. The Township Engineer noted he will prepare an e-mail regarding the process of handling projects that is a non-conformity being turned into less of non-conformity.

4. HIDDEN ACRE ESTATES

Michelle Blynt of Hibbeln Engineering and Andrew Rau, counsel for the applicant, were present.

There was a discussion regarding final plan approval recommendation. Mr. Woessner asked for clarification of the easement agreements. Mrs. Alexis inquired about the declaration of covenants and easement and restrictions for Lot 5. Mrs. Alexis noted the concerns of lack of township access to the Green Preservation Area on Lot 5. Mr. Rau stated that according to the documentation, the township does not have access to the Green Preservation Area on Lot 5. Mrs. Alexis stated the Green Preservation Area should be accessible to other individuals in the development and Mr. Rau noted that is at the discretion of the Board. Mr. Woessner noted concerns of the potential for sewage facilities being placed on any lot or the Green Preservation Area. Mr. Rau suggested a condition of approval to be modification to the Declaration of Covenants for Lots 1-4&6, Paragraph 2 to clarify that no neighboring lot make use of another lots sewage bed by further suggestion by Mr. Woessner to delete the last four words of such paragraph with same condition applying to Lot 5.

Mr. Parson stated he could not vote yes for recommendation for approval of the plan because the item 'sanctuary' does not exist.

Mr. Woessner moved to recommend final plan approval for Hidden Acre Estates in accordance with draft resolution dated January 9, 2008 as modified. Mrs. Alexis seconded the motion. Mr. Parson voted no. The motion carried with a 3-1-0 vote. Modification being the addition of conditions:

10. Applicant shall modify the Covenants for Lots 1-4&6 and Lot 5 to stipulate that sewage facilities for a particular lot may not be placed on any other lot or in the Green Preservation Area.

11. Applicant shall revise the Lot 5 Declaration, Paragraph 2 entitled 'Access Easement' to clarify that the extent of access shall be to the entire sanctuary contingent upon review by the Township Solicitor.

Mr. Woessner stated he felt the Hidden Acres plan is a good plan however he is unhappy with the redefinition of 'open space' without any documentation and Mr. Parson concurred with Mr. Woessner's comments.

5. GREEN ACRES

There was a review of the Green Acre Estates Sewage Facilities Planning Module, Component 1. Mr. Woessner moved to check the box 'it is consistent' and authorize signature of module. Mrs. Alexis seconded the motion. The motion carried with a 4-0-0 vote.

6. BEALER SUBDIVISION

Mrs. Alexis moved to recommend final plan approval for the Bealer Subdivision in accordance with draft resolution dated January 10, 2008. Mr. Woessner seconded the motion. The motion carried with a 4-0-0 vote.

ADDITIONAL ITEMS BROUGHT BEFORE THE BOARD

Pottstown Metropolitan Comprehensive Plan text and map amendments

There was a discussion regarding the proposed text and map amendments to the Pottstown Metropolitan Comprehensive Plan.

Mr. Woessner noted the map amendments looks like spot zoning but does not affect East Coventry.

The Planning Commission was not agreeable to the proposed text amendment as worded as it refers to the density in residential uses. Mr. Parson is to request of the Metropolitan Regional Planning Commission for clarification of Specific Plan and Master Plan.

ADJOURNMENT

A workshop meeting will be held on February 7, 2008 to discuss the proposed Zoning Ordinance and the annual report.

Mr. Parson moved to adjourn the monthly meeting at 9:45 p.m. Mrs. Alexis seconded the motion. The motion carried with a 4-0-0 vote.

Respectfully submitted,

Bonnie L. Frisco
Secretary