



**Chadds Ford Township
10 Ring Road, Chadds Ford, Delaware County, PA
Planning Commission Regular Meeting
September 13, 2023**

MINUTES

A meeting of the Chadds Ford Township Planning Commission was called to order at 7:00 PM, by Chair Huffman. In attendance for the Planning Commission were Chair Craig Huffman; Vice Chair Valerie Hoxter; Commissioners Timotha Trigg, Kathleen Goodier, and Tom Bradley; Tom Comitta, Land Planner; Erin Gross, Assistant Land Planner (Zoom); Michael Maddren, Planning Solicitor; Mike Schneider, Planning Engineer; Samantha Reiner, Planning Liaison Supervisor (Zoom); and Emily Pisano, Interim Township Manager. There were twelve (12) members of the public in attendance and four (4) attendees on Zoom. The Pledge of Allegiance was recited.

ANNOUNCEMENTS

PUBLIC COMMENT (Non-Agenda Items)

Chair Huffman thanked all those in law enforcement for the capture of Danelo Cavalcante. Vice Chair Hoxter thanked Rich Schwartzman for his coverage over the two weeks Danelo was on the run.

APPROVAL OF MINUTES

The minutes for the August 9, 2023 Planning Commission meeting were reviewed for approval.

Chair Huffman made a motion to approve the minutes from the August 9, 2023 Planning Commission meeting. Commissioner Trigg seconded the motion and it passed 5-0.

The minutes for the August 30, 2023 Board of Supervisors and Planning Commission joint meeting were reviewed for approval.

Chair Huffman made a motion to approve the minutes from the August 30, 2023 Board of Supervisors and Planning Commission joint meeting. Commissioner Goodier seconded the motion and it passed 5-0.

Mr. Comitta asked that under the section of the meeting where the Zoning Ordinance update was discussed, DVH be changed to DBH.

NEW BUSINESS

OLD BUSINESS

A. 1540 Wilmington Pike – Preliminary/Final Land Development and Lot Consolidation

Skip Brion provided an overview of what was discussed during the April 2023 Planning Commission meeting. Mr. Schneider commented on the Pennoni review letter dated September 6, 2023. Mr. Schneider stated the stormwater management comments are resolvable and have been discussed with the applicant's engineer. Mr. Brion commented on Mr. Comitta's proposed entryway and said they are working with the car dealership on selecting materials.

Commissioner Trigg commented on item eleven (11) on the Pennoni review letter. Adam Brower stated an environmental company went on site and conducted new testing next to existing systems. Tests verified that flow from proposed uses will not exceed what can be handled. Commissioner Trigg asked about car wash water. Mr. Brower responded that the water is recycled and will not go into the system.

Commissioner Bradley expressed disappointment that the entryway was not made wider for tractor trailers. Mr. Brion replied that the throat is widened. Commissioner Bradley expressed concern that there are no graphics to guide truck drivers as they pull in. Mr. Brion replied that signage and markings can be added. Signage on Route 202 will be added to alert truck drivers of the upcoming turn.

Commissioner Goodier asked if there is needed concern for items four (4) through nine (9) on Pennoni's review letter as they are all "will comply." Mr. Schneider replied there is no need for concern. Commissioner Goodier asked about the TCA review letter dated September 6, 2023, specifically a request for architectural elevations. Mr. Comitta said he received the drawings. Mr. Comitta asked Ms. Pisano to circulate them to the Planning Commission. Mr. Comitta asked Mr. Brower about color temperature of light in the parking lot and tree protection fencing. Mr. Brion replied that the applicant will comply.

Chair Huffman made a motion that the Planning Commission makes a recommendation of approval of the applicant, VMDT Partnerships, consolidating premises A folio 354-00 and premises B 353-99 into one lot for car sales service and to construct two additional buildings totaling 1,628 feet plus or minus, access on the site to be provided by existing right of way off of Wilmington Pike (State Road 202). The applicant previously appeared before the Planning Commission and received a recommendation for approval for conditional use as well as a recommendation for a map change. The Planning Commission is asking and confirming that the applicant has supplied the Township with an affidavit of mailing notice required and that as part of the SLDO application the applicant will comply with the requirements contained in the Planning Commission minutes of April 20, 2023 concerning recommendations associated with approval, namely the construction of the traffic study for the Township for approximately \$84,000, as well as the construction of a trail easement from the 5 Points intersection down to the 1704 House across the 1704 House with the permission and use of the easement by the

previous owners of the 1704 House and any associated requested paving associated with the 1704 property subject to this SLDO application being approved, as well as complying with all recommendations of Township professionals including TCA and Pennoni Engineering. A waiver is recommended from section 110-10 to allow a preliminary and final land development submission and that they comply with all TCA and Pennoni reviews. Additionally, that sufficient signage and painted directions are placed on the premises to make improvements evident and obvious to any delivery vehicles including but not limited to car carriers delivering to the property. Also conditioned upon the applicant receiving a Highway Occupancy permit from PennDOT, conditioned on the applicant submitting and receiving an application for a planning module, conditioned on the applicant satisfactorily adhering to the Delaware County Planning Commission comments of June 16, 2023, as well as the applicant satisfactorily recording the final plans within ninety days of approval and providing paper copies of same and submitting the final revised plan of the document as required. No electronic format is acceptable to the Township. The plan referred to at present is sixteen sheets prepared by EB Walsh & Associates, Inc. and Stuart & Associates, LLC. Dated March 15, 2023, last revised July 31, 2023 and addressing the Pennoni comment letter of June 5, 2023 as well as all associated comments and updated comments. Vice Chair Hoxter seconded the motion and it passed 5-0.

B. Brandywine Conservancy Master Plan Presentation and CC-Cultural Campus Zoning Discussion

Ginny Logan, Executive Director of the Brandywine Conservancy and Museum of Art (BCMA) presented the BCMA master plan. The plan discussed the history of BCMA and the need for additional space. The expansion is planned in two phases. BCMA was severely impacted by Ida, causing \$33 million in damages. Ms. Logan thanked Chadds Ford Township elected officials, staff and Delaware County Emergency Services for their support following the storm. BCMA is looking at Murphy Road as the site for a new building. The new building will be 50,000 square feet and aesthetics will be in harmony with nature. An additional 20,000 square feet of new gallery/event space is also proposed in the master plan. Parking will be encouraged on the main campus with shuttles available to other locations on the campus.

Commissioner Trigg requested a map of the discussed properties for better understanding. Ms. Logan replied a map would be sent to all Planning Commission members. Commissioner Goodier asked to see the location of neighbors. Ms. Logan replied they are planning to meet with their neighbors over the next several weeks.

Grant DeCosta, Director of Community Services at the Brandywine Conservancy, discussed edits made to the draft Cultural Campus district. John Snook, Brandywine Consultant, went further into detail on the changes which included storage buildings, parking, and blue light station definition.

The Planning Commission discussed the meaning of practicability and adding language identifying specific properties as nationally historic landmarks. Chair Huffman asked that a new draft be circulated ten (10) days in advance of the next Planning Commission meeting BCMA plans to attend.

C. 1281 Baltimore Pike – Conditional Use Application for a Single-Family Dwelling

Joel Comanda, InLand Design, reported that variances were granted by the Zoning Hearing Board and the applicant is now back before the Planning Commission looking for a recommendation to the Board of Supervisors for conditional use to construct a single-family dwelling.

Chair Huffman questioned stormwater comments in Pennoni's review letter dated September 7, 2023. Mr. Schneider replied he spoke with Mr. Comanda and is comfortable with the applicant's response to the review letter. Mr. Comanda specifically stated that the stormwater basin is downslope of improvements and received positive testing in that location. Commissioner Bradley believes 1/3 of the lot does not benefit from the location of the basin. Chair Huffman asked if it has been considered to add pipes to help the water flow towards the stormwater basin. Mr. Comanda said the current design is a swale system. The swales are a foot-and-a-half deep. Mr. Schneider replied that his concerns have more to do with maintenance. The applicant was asked to address the stormwater comments and submit changes prior to the conditional use hearing. Mr. Schneider said he is confident he can work with the applicant.

Paul Koch, Chadds Ford resident, commented that there were two other conditions made by the Zoning Hearing Board (which Mr. Koch is a member of). The conditions were that the logs and a pile of split wood be removed. The garage is not to be a place of habitation or business. Mr. Koch also stated that the applicant has done a good job cleaning up the property since purchasing it.

Chair Huffman made a motion to recommend approval of the conditional use application associated with 1281 Baltimore Pike associated with the conditional use plans prepared by InLand Design dated February 23, 2023 and last revised August 23, 2023 consisting of eight sheets for a residential dwelling, detached garage, utilities and roadways, driveways, storm water facilities, on-lot disposal system in areas of steep slopes as proposed by plans titled site plan, grading plan permit plan prepared by InLand Design dated February 23, 2023 and last revised August 23, 2023 consisting of eight sheets, recommending approval of Zoning Ordinance sections 135-144.6.A(2)(c) Utilities, 135-144.6.A(2)(e) Roads and Driveways, 135-144.6.B(3)(b) Single-family Dwelling, 135-144.6.B(3)(c) Stormwater Management Facilities, 135-144.6.B(3)(d) On-lot Sewage Disposal System, 135-144.6.B(3)(g) Retaining wall and Detached Garage. All to be constructed in areas of protected steep slopes and as follows: Conditioned on the applicant satisfactorily addressing the Pennoni review letter dated September 7, 2023, Conditioned on the applicant satisfactorily addressing the TCA review letter dated September 7, 2023 with a note

that there will be further discussion between the applicant and Mr. Comitta on terms of the genes of trees and placing appropriate trees in the riparian buffer, Conditioned on the applicant submitting all required building permit applications and securing all other required necessary permits, including but not limited to PennDOT HOP, PADEP NPDES Permit, DelCo Health Department on-lot septic permit and well permit prior to installation of improvements as well as compliance with all conditions associated with zoning relief that were provided in this case as well as conditioned upon removal of any unsuitable decomposable fill material, removal of logs and split wood, removing an uninhabitable area above a garage and that the property be used solely as a residence and not as a place of business. With regard to the TCA review letter, it is not being asked that an updated or additional EIA be performed and with the condition that all updated stormwater engineering calculations on stormwater be conducted and provided to the Township engineer at least five days in advance of the conditional use hearing before the Board of Supervisors and with the recommendation to the Board of Supervisors that if for some reason at the discretion of the Township engineer, that substantially changes his opinion with regard to the functionality of the stormwater management system the matter should be sent back to the Planning Commission. Vice Chair Hoxter seconded the motion and it passed 5-0.

D. Chadds Ford SLDO

Chair Huffman made a motion that as amended the Planning Commission recommends approval of the revised SLDO ordinance to the Board of Supervisors. Commissioner Trigg seconded the motion and it passed 5-0.

E. Chadds Ford Zoning Ordinance

Chair Huffman made a motion to recommend the Chadds Ford Township Zoning Ordinance to the Board of Supervisors dated September 8, 2023. Commissioner Trigg seconded the motion and it passed 5-0.

PUBLIC COMMENT

None.

ADJOURNMENT

There being no further business or public comment the meeting was adjourned by Chair Huffman at 9:38PM.

Respectfully submitted,

Emily Pisano
Interim Township Manager

