CALL TO ORDER: PLEDGE OF ALLEGIANCE
A regular meeting of the Chadds Ford Township Planning Commission was called to order at 7:00 PM by Chairman Huffman. In attendance were Craig Huffman, Chairman; Valerie Hoxter, Vice-Chair; Dennis Quinn and Timotha Trigg, Commissioners; Robert C. Jefferson, IV, Acting Solicitor; Mike Schneider, Engineer; Tom Comitta, Land Planner; and Maryann Furlong, Planning Commission Secretary. Commissioner Jay Patel was absent. There were approximately twenty-seven people in the audience. A moment of silence was observed in remembrance of the attacks on our country that took place on this date in 2001. The Pledge of Allegiance was recited.

APPROVAL OF MINUTES
Upon motion of Vice Chair Hoxter, second by Commissioner Quinn and unanimous vote, minutes of the August 14, 2019 meeting were approved.

GENERAL PUBLIC COMMENT
There was no general public comment offered on agenda items.

NEW BUSINESS
Sketch presentation - Mercedes-Benz of West Chester, 1430 Wilmington Pike
Lou Colagreco, Esquire, Chris McGarrity, Mercedes-Benz of West Chester, and Craig Johnson, North Star Construction were in attendance representing Mercedes-Benz. The applicant is proposing construction of either one or two buildings and parking areas on the 9.2 acre site at 1430 Wilmington Pike. The possibility of acquiring the Lentz property was mentioned, as well as the need for zoning relief, either by text or map amendment. Current zoning of the parcel is bifurcated with PBC in the front and R1 in rear. Mr. Colagreco had met with Township consultants and staff on September 3, 2019 to discuss the matter.

Topics discussed included why the dealership is moving (tenant at current location, not owner); sewage (the applicant is planning an on-site sewage system); zoning of the surrounding properties (information will be supplied at next presentation), and proposed restrictions on architecture of building (set by Mercedes-Benz USA corporate office, but open to feedback from the Township). General feedback to the preliminary presentation was positive. There were no questions or comments from the public.

OLD BUSINESS
Brandywine Summit Hotel SALDO and Conditional Use Applications
1792-1794-1796-1798 Wilmington Pike
Lou Colagreco, Esquire, and Eric Janetka, PE, were present to represent the applicant LAPA I, LLC. Mr. Colagreco summarized updates provided since the last presentation in July. The wetland delineation has been modified after receiving a preliminary jurisdictional determination from the Army Corp of Engineers. Wetland C was increased by approximately 1,200 square feet, with Wetlands A and B remaining the same. Mitigation area shifted slightly, but did not affect anything further on the plan.

Chairman Huffman noted that in reviewing the file, he saw a letter from Michael Sheridan, Sewer Authority Solicitor, June 28, 2019, voicing concern about the proposed connection to the public sewer system through the rear of the property because there was no clear title. The applicant was asked for an update. Mr. Colagreco stated that there is no doubt that the deed of dedication was accepted by Sewer Authority, however, the chain of title may have involved some
parties who had reserved an easement to use the sewer line. The applicant was still in the process of tracking down a couple of women who had reservation of a small portion of the area. A title search will be contacted to finalize the search, Mr. Colagreco was fairly confident that the applicant could utilize the line.

Chairman Huffman stated that Planning Commissioners were working under time restrictions set by the Municipal Planning Code and as such, the application was scheduled to be considered by the Board of Supervisors at the October 2, 2019 meeting. He further stated that at the current time, the applicant has not established to the satisfaction of the Sewer Authority that they can connect. Mr. Colagreco responded that it was not a question of capacity and that the applicant would accept a recommendation of approval with conditions for public sewage and water.

Chairman Huffman asked for comments from fellow Commissioners and the public.

Anne Pounds, Longview Drive, addressed the Commissioners regarding how the proposed development would improve or maintain the residents’ quality of life and also the status of sidewalks.

There was no further comment offered.

Chairman Huffman stated that two applications were before the Commission, the request for a recommendation of approval for a Subdivision/Land Development plan and also a Conditional Use plan. Traditionally, both applications are handled contemporaneously by the Township. The Chairman stated that the applicant had not established to the satisfaction of the Township’s Sewer Authority the ability to connect and as such, he wasn’t sure how he could recommend approval in light of MPC time restrictions and the need to act tonight.

**Motion to Recommend Denial of Brandywine Summit Hotel SALDO Application 1792-1794-1796-1798 Wilmington Pike**

Upon motion by Chairman Huffman, second by Vice Chair Hoxter and unanimous vote, Planning Commission recommended denial of the SALDO application of the Brandywine Summit Hotel, 1792-1794-1796-1798 Wilmington Pike, based upon the fact that the application was not in conformance with requirements of the Township because it had not established, as indicated by Mr. Sheridan’s letter of June 28, 2019, that the applicant can connect to public sewage.

Chairman Huffman next discussed the Conditional Use application and its consideration by the Board of Supervisors at their October 2, 2019 meeting. The Chairman stated that if the Supervisors should approve the SALDO application at that meeting, Planning Commission would suggest the following conditions for consideration with the Conditional Use application:

I, (Supervisor, if granting approval) move to approve the Subdivision/Land Development and Conditional Use applications for 1792-94-96-98 Wilmington Pike, for construction of a four (4) story, approximately 49,932 square foot hotel, revised Final Land Development Plan prepared by Kelly & Close Engineers, dated November 21, 2018, last revised July 24, 2019, consisting of forty-one (41) sheets, with sheets 1, 5, 7, 9 and 11 having been revised on August 22, 2019, with the following conditions as listed herein:

1. Compliance with the Township professionals’ review letters listed below and any forthcoming review letters from the same Township professionals, including but not limited to:
   a. Township Engineer’s review letter dated 8/9/19;
   b. Township Land Planner’s review letter last updated 8/2/19;
   c. Township Zoning Officer’s review letter dated 8/9/19, and
   d. Township Fire Marshal’s review letter dated 8/6/19.
2. Consideration of the following Township Committee and neighboring resident letter(s) received by the Township listed below:
   a. Township’s Open Space review comments dated 6/17/19;
   b. Anne Pounds, 15 Longview, letter dated 8/5/19;
   c. Susan Mattes, 21 Longview Road, letter dated 9/5/19.

3. Provide improvements to the site access to Wilmington Pike (a/k/a US Route 202) such that all movements operate at Level of Service “C” or better, after revised studies as recommended in the Township Engineer’s review letter, including GAP studies, etc.

4. Maintenance in perpetuity of the berm separating Wilmington Pike and Longview Road and Summit Drive. Notes shall be included on the record plan indicating the obligation to maintain in perpetuity that berm.

5. Maintenance of the wetlands located at 1792-94-96-98 Wilmington Pike in their natural condition, free of debris and garbage in perpetuity and also to be noted on the plan.

6. Provide proper documentation and to insure proper maintenance of a sidewalk along Wilmington Pike (US Route 202) along the entire length of the property of 1792-94-96-98 Wilmington Pike.

7. Final location and the type of the 8-foot high privacy fence along the northern and western property boundaries shall be determined by the Township after review. The Township may consult with adjacent residents prior to final approval of the placement of said fence.

8. No deliveries or trash collection after 10PM or before 7AM, seven days a week, unless in the case of a medical or other emergency.

9. No outdoor gathering or activity areas including patios.

10. The owner shall post and enforce “No Smoking” signs on the property.

11. All exterior mechanical equipment shall not be located to the side or rear of the building adjacent to residential properties.

12. No portion of the proposed hotel, including associated equipment, shall exceed a height of forty (40) feet.

13. Plans must be revised to reflect updated expanded wetlands delineation areas prior to final plan recording.

14. All third and fourth story windows facing residential properties shall be made of a frosted glass to provide the maximum amount of privacy possible to those properties.

15. All lighting associated with the property shall be adjusted at the direction of the Township representative to minimize impact on adjoining residential properties.

16. Applicant shall be responsible for the cost of installation and subsequent share of annual fees for all fire hydrants on site.
17. No cooking or kitchen facilities may be constructed or utilized and food service is permitted on-site only at breakfast time, consisting of coffee and/or tea service and cold dishes or pastries that are brought into the building from an outside bakery or similar facility.

18. Applicant will ensure that construction activities will not adversely affect the Thomas Speakman House and shall protect it during construction. Further, the Applicant must insure that the status of the Speakman House’s on the Delaware County Resource of Historic Places or eligibility for future listing on any other historic register will not be jeopardized.

19. Applicant is to comply with the comments made in Delaware County Planning Department’s review letter dated January 17, 2019.

20. Satisfaction of all requirements as set forth by the Chadds Ford Township Sewer Authority.

**Motion to Recommend Conditions to the Board of Supervisors if Approval of the Conditional Use Application of the Brandywine Summit Hotel, 1792-1794-1796-1798 Wilmington Pike is Granted**

A motion was made by Chairman Huffman, second by Vice Chair Hoxter, to recommend the conditions noted above to the Board of Supervisors, should they decide to grant approval of the Conditional Use application of the Brandywine Summit Hotel.

After discussion, the motion was called to question and passed unanimously.

**HARB Ordinance Update/Bylaws and Rules of Procedure**

Planning Commission Secretary Furlong distributed copies of the revised HARB ordinance, per comments from the Pennsylvania Historical and Museum Commission and the Township’s HARB Committee. Commissioners were asked to review the draft prior to the October meeting and to be available to make comment.

There being no further business or public comment, upon motion of Vice Chair Hoxter, second by Commissioner Trigg and unanimous vote, the meeting was adjourned at 8:03 PM.

Respectfully submitted,

MARYANN FURLONG
Acting Planning Commission Secretary