

APPROVED OCTOBER 28, 2009



**THORNBURY TOWNSHIP
DELAWARE COUNTY
Planning Commission
6 Township Drive
Cheyney, PA 19319-1020**

**Michael Smitheman, Chairman
James Bulkley, Vice-Chairman**

**Lawrence Barrett
Frances Day
Robert Ferrara
Allen McCann
Robert Ricciuti**

**MINUTES
Thornbury Township Planning Commission Meeting
Wednesday, October 14, 2009**

The Thornbury Township Planning Commission held a public meeting Wednesday, October 14, 2009 at the Township Administration Building, 6 Township Drive, Cheyney, Pennsylvania. Chairman Smitheman called the meeting to order at 7:00 p.m. with a salute to the flag.

PRESENT: Mike Smitheman, Chairman
James Bulkley, Vice-Chairman
Allen McCann
Lawrence Barrett
Robert Ferrara
Robert Ricciuti
Fran Day

Ken Kynett, Esq., Solicitor
Mike Ciocco, Township Engineer
Wayne Grafton, Land Planner

ABSENT: 0

MEMBERS OF PUBLIC: 6

AGENDA

Chairman Smitheman reviewed the Agenda, as follows:

1. PUBLIC COMMENT
2. APPROVAL OF MINUTES – September 23, 2009
3. OLD BUSINESS
 - a. Glen Mills School – Final Land Development Laundry Facilities Building
 - b. Edgmont's Spinelli Subdivision Plan
 - c. Floodplain Ord. – Board's Proposed Amendments
 - d. 2010 PC Budget – Further Discussion
 - e. Zoning Ord. – Accessory Structure Regulations
 - f. Comprehensive Plan
4. ANNOUNCEMENTS
 - a. Edgmont's Spinelli Subdivision Plan is on the table tonight for review. On 10/26/09 at 7 p.m. Edgmont's PC will discuss the plan.
 - b. On 10/27/09 there will be a joint meeting between the Board and the Sewer Committee.
 - c. On 11/18/09 the Board will conduct a hearing for the adoption of the proposed Floodplain Ord.
5. NEXT MEETING – Wed., October 28, 2009
6. ADJOURNMENT

1. PUBLIC COMMENT

There were no comments from the public.

2. APPROVAL OF MINUTES

On a motion from Mr. McCann and seconded by Mr. Barrett, all members voted "aye" to approve the September 23, 2009 minutes, as amended by Mr.

Kynett and Mr. Ciocco. Mr. Ricciuti and Mrs. Day recused themselves due to their absence.

3. OLD BUSINESS

**a. Glen Mills School – Final Land Development
Laundry Facilities Building**

Present: Mark Padula, P.E., the applicant's engineer
Don Kaeser, Glen Mills School, Facilities Manager

Mr. Smitheman recused himself from this discussion due to a conflict of interest (see attached letter). Vice Chairman Bulkley chaired the meeting for this discussion.

Mr. Ciocco's 10/9/09 review was discussed, as follows (see attached):

Zoning (Chapter XXVII)

1. Section 27-2105 – Mr. Padula agreed to provide the loading area by widening 1 of the 4 parking spaces, as only 3 parking spaces are required.

Subdivision & Land Development (Chapter XXII)

2. Section 22-903 - Mr. Ciocco noted that the fire marshal will review the proposed fire hydrant location.

Landscaping Comments

4. Section 22-905.4 - Mr. Padula stated: (1) only brush (no trees) will be graded back, and (2) the proposed building is in the middle of the campus and no landscaping is proposed for it.

General Comments

8. Mr. Padula stated that approval has been received from the Delaware County Conservation District and the DELCO Planning Dept. PA DEP determined that planning modules were not needed. Mr. Ciocco's 10/12/09 letter was sent to the Delaware County Conservation Dist. stating that the plan was generally in compliance with Act 167.

Stormwater Management

9. Mr. Padula stated that the maintenance of stormwater facilities included Mr. Ciocco's requested notes.

Mr. Bulkley stated that the action date has been extended to 12/17/09.

MINUTES – PLANNING COMMISSION MEETING

October 14, 2009

PAGE 3

MOTION: *On a motion by Mr. Ricciuti and seconded by Mr. McCann, 6 of 7 members voted “aye” to recommend to the Board of Supervisors approval of the Glen Mills School Final Land Development Plan for a Laundry Facilities Building, dated 7/23/09, last revised 10/5/09, prepared by Regester Associates, Inc., containing pages 1 thru 8, conditioned upon complete compliance with Mr. Ciocco’s (Catania Engineering Associates, Inc.) 10/9/09 letter.*

Mr. Smitheman abstained due to a conflict of interest (see attached).

Mr. Bulkley turned over chairing the meeting to Mr. Smitheman.

b. Edgmont’s Spinelli Subdivision Plan: Mr. Smitheman reported that this proposed plan borders Thornbury Township, and that Edgmont’s Planning Commission will discuss this plan on 10/26/09 at 7 p.m. Mr. Barrett and Mr. Bulkley expressed an interest in attending and relaying Thornbury’s concerns. Mr. Ciocco will review the plans and relay his suggestions to Mr. Barrett and Mr. Bulkley prior to Edgmont’s Planning Commission meeting.

c. Floodplain Ord. – Board’s Proposed Amendments: Mr. Kynett noted that recently the Planning Commission recommended approval of the 7/22/09 revisions to Article 15 to the Board of Supervisors and that they also be sent to DCED for review and approval in order for the Township to remain eligible for the for the National Flood Insurance Program (NFIP), so that Township residents may obtain flood insurance. DCED issued comments on the proposed Floodplain Ordinance revisions. After a discussion with DCED, Mr. Kynett, along with the Township Engineer and Township Land Planner, further amended the draft Floodplain Ordinance (Article 15) and resubmitted it to DCED for approval. The Township needs to adopt it by 11/18/09, so the Township does not get suspended from the NFIP. The Township solicitor is working on drafting a form of ordinance to adopt Article 15, as revised. It has been approved by the Township for advertising for a public hearing on 11/18/09.

MOTION: *On a motion by Mr. Bulkley and seconded by Mrs. Day, the members unanimously voted “aye” to recommend to the Board of Supervisors approval of the proposed Floodplain Ordinance, Article 15, as last revised October 5, 2009.*

d. 2010 PC Budget – Further Discussion: Mr. Smitheman noted that he was asked to meet with the Board on 10/21/09 for the 2010 budget.

MINUTES – PLANNING COMMISSION MEETING

October 14, 2009

PAGE 4

- e. **Zoning Ord. – Accessory Structure Regulations:** Mr. Grafton noted that he previously passed out regulations from other townships for the members to sample and stated that the members should consider what is fair, as a 1,500 sq. ft. garage on a 10 acre lot seemed fair, but maybe not on a ½ acre lot. Mr. Grafton stated the members should consider the following: (1) definition of “garage” in terms of the area, height, gross vehicle weights, etc. that may be a factor; and (2) use of the accessory building (animal/pet shelter, greenhouse, swimming pools, etc.)

Mr. Bulkley felt that: (1) the current ordinance requirements work; (2) there was duplication and no need for the Delco Planning Dept. to review an application as it is already reviewed by the Township’s engineer; and (3) 1,000 sq. ft and under does not present a problem.

Mr. Kynett stated that there is the question to ask before a project gets to the determination of land development, i.e., does the Planning Commission have a concern over how large an accessory structure should be relative to the principal structure? Following up on recent applications and the Planning Commission discussion concerning the possibility of limiting the size, creating setbacks for, and limiting the height, of accessory structures for future applications, Mr. Kynett felt the members should discuss what really is “accessory” and then, based on what the members come up with, should it go through land development or not. For example, if the members determine that in all cases 900 sq. ft. is appropriate and the maximum for an accessory structure, then anything over would need to go through land development. However, if the members determine that 25% of the primary structure is allowed, then perhaps that provision is kept and land development is determined on a case by case basis. Mr. Bulkley noted that it was an administrative mistake and they are now aware of the regulations. Mr. Bulkley also noted that there are height regulations and other regulations such as setbacks and slopes which will restrict it.

Mr. Grafton felt the issue goes beyond if it should go through land development. If someone puts up a by right accessory building and stays within the requirements, then adds a second structure equal to or larger than the primary structure, is it reasonable? If the members agree it is reasonable, then there is nothing to discuss. If not, if the scale is equal to or exceeds the size of the primary structure and becomes an intrusion to the residential character, it drives the need to focus on zoning.

Mr. Ferrara felt the Township was still rural, containing many barns on large open properties. Mr. Grafton stated there would be separate regulations for agriculture.

MINUTES – PLANNING COMMISSION MEETING

October 14, 2009

PAGE 5

Mr. Ricciuti felt that setbacks should be amended, as in his neighborhood many views were blocked by the addition of large accessory structures. Also, there is nothing that restricts a cinderblock structure. Mrs. Day concurred. Mr. Smitheman was concerned with how to enforce the approved use.

f. Comprehensive Plan: There was no update from the Board.

4. ANNOUNCEMENTS

- a.** Edgmont's Spinelli Subdivision Plan is on the table tonight for review. On 10/26/09 at 7 p.m. Edgmont's PC will discuss the plan.
- b.** On 10/27/09 there will be a joint meeting between the Board and the Sewer Committee.
- c.** On 11/18/09 the Board will conduct a hearing for the adoption of the proposed Floodplain Ord.
- d.** Mr. Bulkley noted that he attended the Board's Condition Use Hearing for Black Bell Farm and the Board will announce their decision in 45 days.

5. NEXT MEETING: Wed., October 28, 2009 at 7 p.m. and Mr. Smitheman will not be present

6. ADJOURNMENT: On a motion by Mr. Barrett and seconded by Mrs. Day all members voted "aye" to adjourn the meeting at 8:00 p.m.

Respectfully submitted,

Deborah Zitarelli,
Planning Commission Secretary

cc: Planning Commission Members
Board of Supervisors
Kenneth D. Kynett, Esq.
Robert P. Anderman, Esq.
Jeffrey Seagraves, Township Manager
Jacqui Guenther

Ted McCandless, Code Administrator
Michael Ciocco, Township Engineer
Wayne Grafton, Land Planner
Elizabeth Geoghegan, Subdivision Coordinator
Suzanne Howat