

APPROVED MAY 13, 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, April 22, 2009

The Thornbury Township Planning Commission held a public meeting Wednesday, April 22, 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
Lawrence Barrett
Allen McCann
Robert Ricciuti
Robert Ferrara
Ken Kynett, Esq., Solicitor
Mike Ciocco, Township Engineer
Wayne Grafton, Land Planner

ABSENT: Fran Day

MEMBERS OF PUBLIC: 8

AGENDA

Chairman Smitheman reviewed the Agenda, as follows:

1. Public Comment
2. Approval of Minutes – April 8, 2009
3. Old Business
 - a. Cluster Ordinance – Joint Meeting with Board of Supervisors
 - b. Comprehensive Plan
4. Miscellaneous
 - a. New Township E-mail System - Update
5. Announcements
6. Next Meeting - Wednesday, May 13, 2009
7. 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. Bulkley, all members present voted “aye” to approve the April 8, 2009 minutes, as amended by Messrs Kynett, Ciocco, Barrett, and Ricciuti. Mr. Smitheman abstained due to his absence.

3. OLD BUSINESS

a. Cluster Ordinance – Joint Meeting with Board of Supervisors

Present: James Raith, President

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Joseph Sgro, Vice-Chairman
James P. Kelly, Member

Mr. Smitheman stated that the Cluster Ordinance has been discussed for several years and the Planning Commission requested direction from the Board of Supervisors at this time.

Mr. Grafton stated discussions began in February of 2003 and reviewed the history, as follows: The ordinance is known as J1 and J2. The Commission felt J1 and J2 were unsatisfactory and controversial. The Commission previously discussed: (1) advantages of small-lot clusters, (2) optimizing cluster open space, (3) whether density incentives should be provided, and (4) Mr. Uradnisheck's Feb. 26 memo regarding cluster issues. A chart was prepared to understand the regulations and the following options were identified: (1) repeal the J2 ordinance, (2) amend the existing cluster to make them density neutral, (3) eliminate bonus provisions, and (4) pros and cons to replace J2, in which the bonus for public water and sewer would be reduced, reduce impervious cover, and remove bonuses for open space. In March of 2006, the need to reduce hi-density housing and preserving scenic vistas were discussed. Through graphs, the Commission came up with the following options: (1) do nothing, (2) create a new district, (3) amend J1 and J2, and (4) eliminate cluster provisions altogether. The Commission came to a consensus on the current draft ordinance. The draft is density neutral to existing zoning. However, the form of the development is optional and eliminates the density bonus provisions.

Mr. Raith felt the building envelope should not be such that it would allow only the construction of a home and result in subsequent homeowners coming to the Township for relief to build a deck, patio or other accessory structures. Mr. Grafton noted on page 9, the maximum density shall not exceed 1 unit for each 2 acres of net track area. By increasing the lot size minimum to 1 acre, it eliminates the issue.

Mr. Grafton briefly highlighted each major provision of the draft.

Mr. Grafton recommended the Board review Common Open Space Requirements starting on page 10, as it requires a minimum of 50% of the gross tract area for that purpose and, of which a minimum of 15% set aside and developed for active recreational purposes.

Mr. Raith was concerned with: (1) what is eligible after sketch plans are submitted, and (2) tot lots, which is an open space problem, and maintenance/liability burdens for the homeowners association.

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Mr. Grafton stated that the cluster has a limited application and a fee in lieu could replace the 15% open space requirement. Also, on page 12, #3, the Township does not have to accept dedication of any common open space unless desired. Mr. Grafton suggested a change to the draft so that the Township may elect a 15% active open space requirement. Mr. Raith felt that the draft could be revised to require a certain quality or improvements to the active open space and the Township takes ownership and maintains it properly. Mr. Barrett previously identified 4 parcels of 25 or more acres. Mr. Bulkley suggested 15% could be set aside to be developed with something appropriate.

Mr. Bulkley noted that the 25 acre minimum limits the number of properties it affects and that the draft ordinance should not contain too many options for interpretation. Mr. Bulkley felt there were opportunities to get more open space if there was not a 25 acre minimum. Mr. Raith felt an inventory should be done to see how many more tracts would be included if the minimum dropped to 15 acres.

Mr. Sgro asked if everyone on the Commission felt clustering was good. Mr. Grafton stated no one had a problem with clustering, but disliked bonuses, “building wall” aesthetics, reduced lot size impervious causing problems for homeowners, and giving people development credit for unusable open space. Mr. Grafton noted that the draft ordinance puts a 1 acre lot into conditional use, so that the Township can attach appropriate conditions and protect surrounding properties.

Mr. Grafton explained that there would be decreased road costs for the developer and as our population ages; people may prefer to mow a 1 acre rather than a 2 acre lot. Mr. Grafton felt the Township could achieve the environmental goals and possibly go beyond them and get rid of the negatives associated with the incentives.

Mr. Grafton stated the Commission felt that 1 acre lots were the best solution with less impact to neighbors. Mr. Bulkley stated another reason the Commission settled on 1 acre lot size was because you could not count on public water and sewer and secondary septic fields could go into the open space as in other townships.

Mr. Ricciuti noted that Mill Creek was a J2 and it did not work out well, therefore supported the need for this ordinance.

Mr. Sgro felt this draft ordinance did not solve the cluster issue and felt a developer would go to 2 acre lots rather than use this. Mr. Bulkley stated the developer could save on the infrastructure with this ordinance.

Mr. Ferrara asked if the Board wanted to give an incentive to cluster. Mr. Raith felt that the Township has to find out what acreage is available. Mr. Sgro asked that the major categories of the various cluster ordinances be put in columns for a comparison. Mr. Grafton will attend to this task.

The Board of Supervisors will discuss the draft cluster ordinance and get back to the Planning Commission with their comments and direction. There were no comments from public.

b. Comprehensive Plan

Mr. Bulkley stated that Chapter 13 contains ongoing objectives to be handled by various boards. Since there is a lull in subdivision activity, it is appropriate to review the objectives and make sure everyone is on track. Also, Thornbury should be developing a liaison with other township planning commissions to see what they are doing.

Mr. Grafton noted that a true update of a Comprehensive Plan should wait until after the census is done to see how the population affects the plan, but it is never too early to look at: (1) goals and see if they are still appropriate, and (2) the implementation of what it was you want to achieve and how to achieve it. Mr. Ricciuti asked if the Planning Commission should oversee what our Thornbury boards are doing to meet their action items. Mr. Grafton stated it is the Board of Supervisors' responsibility, but it is fair for our Commission to remind the Board of Supervisors what other boards have not done. If a board decides not to do an objective, then it should be removed or determined how to accomplish the objective, and decide who will be responsible for the objective.

Motion: On a motion by Mr. Ricciuti and seconded by Mr. Barrett, all members present voted "aye" to recommend that the Board of Supervisors request of the other Township boards and committees an update regarding the status of completion of their objectives and responsibilities under the Comprehensive Plan, and to relay this information to the Planning Commission as soon as possible.

4. MISCELLANEOUS

a. New Township E-mail System – Update: Mrs. Zitarelli stated to call Sue Howat if you have problems with the new Township e-mail system.

5. ANNOUNCEMENTS: Mr. Smitheman announced that the Township received an extension for the Collins Subdivision and the Board of Supervisors will vote on the extension May 6.

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6. **NEXT MEETING:** Mr. Smitheman stated that the next meeting will be Wed. May 13, 2009 at 7 p.m.

7. **ADJOURNMENT:** On a motion by Mr. McCann and seconded by Mr. Ricciuti all members voted “aye” to adjourn the meeting at 8:16 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