

BIRMINGHAM TOWNSHIP PLANNING COMMISSION
Minutes of the Meeting of November 9, 2010

The regular meeting of the Birmingham Township Planning Commission was called to order in the Township Building at 7:30 p.m. on November 9, 2010. In the absence of the Chairman, Vice-Chairman Eric Hawkins declared a quorum. Present were Pete Davenport, Debbie Hineman, Janet DeCaestecker, Mary Pat McCarthy, Scott Boorse, and Solicitor Fronefield Crawford. Scott Towler was absent.

The minutes of the October 12 meeting were approved without modification. (Hineman, Boorse, all in favor except Hawkins abstaining)

Otto's BMW: Michael Vadasz, "as an individual," presented an artist's rendering and an informal sketch plan (concept plan) for his proposed expansion of Otto's BMW into the adjoining property. Mr. Vadasz said he had an agreement of sale for the purchase of the Sunoco property at the NW corner of Route 202 and Penn Oaks Drive. The current use is subject to the conditions of a Special Exception. Mr. Vadasz was concerned he would require a Conditional Use to have vehicle repairs on the same lot and may be subject to both the current Special Exception requirements and possible Conditional Use requirements. The proposed plan is dependent on the approval of a reverse subdivision that would combine the Otto's and Sunoco properties (both currently zoned C2A) into a single parcel. Mr. Vadasz described the intended changes and asked if the Planning Commission members would have any objection to the concept plan. The changes included an additional 19,000 square feet of building (for a service area), all pervious pavement, closing the 202 Sunoco access and the Sunoco access on Penn Oaks Drive nearest 202, removal of the Sunoco tanks, extension of the back fence to shield the Thornbury neighbors, and parking and solar panels on the new roof (not visible from below). The new addition to the existing structure will meet the current setback requirements. The amount of impervious surface is a concern as is the fate of the current storm water control system. Mr. Crawford said a reverse subdivision does not require conditional use permission. The proposal appears to be consistent with the requirements of the Limited Highway – Commercial District (C-2A) [see 122-51.6 through 122-51.11]. Mr. Hawkins said the plan looks like a straight land development plan. Mr. Boorse asked if there would be any need for variances; Mr. Vadasz will ask his attorney. Mr. Crawford said the Township Engineer could review this sketch plan in order to give Mr. Vadasz's engineer feedback. Mr. Hawkins noted that an Alternative Energy Ordinance is currently pending approval of the Board of Supervisors; any solar panels would have to comply with the ordinance should it be approved. Mr. Vadasz thanked the group.

Arden Forge: The Arden Forge land development plan was on the agenda, but no one present seemed to know why. A November 9 letter from the Township Engineer appears to say that all issues have been addressed. In the September Planning Commission meeting the only apparently missing element was the planning module approval by URS, and the Planning Commission has not yet received that approval. The PC received a Heidi Hoegger (Chester County) approval of the module. Mr. Crawford said the issues in

the Hatfield letter were post-approval conditions that must be satisfied before the plan is recorded, not having to do with the PC. Mr. Boorse moved that the Planning Commission recommend to the Board of Supervisors moving forward/submitting the planning module to the appropriate bodies and to allow the Arden Forge development plan to move forward. The motion was seconded by Mary Pat McCarthy and passed with all in favor. Mr. Hawkins signed the planning module form Section C 17.

Public Comment: Lloyd Roach said he thought it was a disgrace that the application was delayed for so long by the Township.

Alternative Energy Ordinance: The PC reviewed a corrected version of a proposed ordinance regulating alternative energy systems. One ‘tweak’ was re-defining alternative energy systems; another was clarifying the setback for wind turbines measured from the foundation of the turbine; another was submitting the test results before going to the Zoning Hearing Board. The PC members agreed on the following additional corrections:

- page 5, #3. (ii) change “three-day” to “three consecutive-day”
- page 5, #3. (ii) change “submit proof of such standards” to “submit proof of compliance with such standards”

Mr. Boorse made a motion to recommend approval of the proposed ordinance with those corrections; Mrs. DeCaestecker seconded the motion and it passed with all in favor. Mr. Crawford will supply a clean copy with the final corrections; the secretary will send that to the Supervisors with a letter from the Planning Commission.

Temporary Sign Ordinance: Having received the returned ordinance only at the beginning of the meeting, the PC members voted to table discussion of it until the next meeting, requesting that the Supervisor liaison be present at the PC meeting (McCarthy, Boorse, all in favor).

The meeting was adjourned at 8:54 p.m. (Hineman, Boorse, all in favor).

Respectfully submitted,

Jacquie Roach

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