

**BIRMINGHAM TOWNSHIP, CHESTER COUNTY  
PLANNING COMMISSION (PC)**

**April 11, 2017**

Chairman McCarthy called the meeting to order at 7:30 p.m. in the Township Building. The following were in attendance:

Mary Pat McCarthy	Chairman, PC
Dan Hill	Vice-Chairman, PC
Scott Garrison	Member, PC
Nick DiMarino	Member, PC
Eric Hawkins	Member, PC
Frone Crawford	Solicitor, PC
Judy Jensen	Office Assistant

**APPROVAL OF THE JANUARY 10, 2017 MINUTES**

The minutes of the January 10, 2017 PC meeting were approved, as written; all in favor.

**Stoltzfus Conditional Use Application**

The Applicant is seeking conditional use approval for a new and used motor vehicle sales agency, including vehicle service and repair, on the property at 1345 Wilmington Pike. The Applicant intends to use the property for recreational vehicle (RV) repair and service in conjunction with the Applicant's RV sales and service facilities, which are on the adjoining property at 1335 Wilmington Pike. The Preliminary Land Development Plan, dated March 2, 2017, prepared by D. L. Howell & Associates, Inc., consists of eleven plan sheets. Attending tonight's meeting is Earl Stoltzfus, Applicant; Ross Unruh solicitor with the firm Unruh, Turner, Burke & Frees; and Denny Howell, engineer with D. L. Howell & Associates.

Mr. Unruh said that the facility proposed is mainly for service. Presently, he noted, there is not enough capability to handle service to the RVs on the existing facility.

Currently, there are two different access roads into the adjoining properties. Mr. Unruh said that Mr. Stoltzfus intends to eliminate one of the existing access roads. Mr. Hill asked if PennDOT approval would be needed to close one of the access roads into the two properties. Mr. Unruh said that PennDot should have no problem with the closure of one of the access roads. He also said he will provide the Township with copies of any correspondence they receive from PennDot in the future concerning this matter.

The plan shows new on-site septic facilities to be constructed in the front yard area. Mr. Unruh said that after consulting with Sandi Morgan of Aecom, they feel it would be difficult to tie into the Birmingham Township sewer plant and therefore, have proposed the on-site septic facility. In a letter dated March 27, 2017, Jim Hatfield of Vandemark & Lynch, noted that if an on-site septic facility is constructed, then the Applicant will need to obtain approval from the Chester County Health Department and that a planning module approval, if required, and a septic system permit should be submitted. Mr. Unruh said they will obtain the needed approvals as noted in Mr. Hatfield's letter.

The plan shows a proposed curb line located on the southern line of the property. Mr. Unruh said they cannot add landscaping at that particular area because the RVs need room to maneuver around the property. Therefore, instead of landscaping, curbing will be installed. In Mr. Hatfield's March 27<sup>th</sup> letter, he notes that the Applicant should obtain an easement from Birmingham Devco LLC to allow for the construction and future maintenance of the curbing. If the easement is obtained, it should be shown on the plan. Mr. Unruh said that the curbing will be on the property line between the Stoltzfus property and Birmingham Devco LLC. Should the curbing ever need to be repaired, the workmen would have to go onto Birmingham Devco LLC property to make the repairs. Mr. Unruh does not think that would be a problem, but at this point in time, he does not know for sure. Mr. Hatfield also notes in his letter that in lieu of the easement, the width of the paving could be reduced at the subject location so the proposed curb could be constructed 3 feet or more from the property line.

Because the plans include two separate parcels, Mr. Hatfield feels the plans should include a cross-access easement agreement through the adjoining parcel. Currently, Mr. Stoltzfus has a lease/purchase agreement arrangement for the property at 1345 Wilmington Pike. Mr. Unruh said they can note the cross-easement on the plan. He also noted that although Mr. Stoltzfus has a lease/purchase agreement, at some point, he will take title to the property. However, at this point in time, the two properties will remain separately titled to different entities, but will be operated as one unit.

Stormwater management will be developed at the rear of the property. Mr. Hawkins asked about total impervious coverage. Mr. Unruh said that the existing green space is 5.28 percent. The proposed plan shows green space to be 22.9 percent.

The plan shows a 10-foot wide sidewalk in front of the building. Ms. McCarthy said that Mr. Hatfield's letter noted that the sidewalk is wider than necessary for pedestrian movements and suggested the Applicant consider adding a 4-foot wide planting bed between the sidewalk and the building. Mr. Unruh said they are considering eliminating the 10-foot wide sidewalk.

Concerning lighting for the site, Mr. Unruh said they would like to defer this item to the land development phase. The current lighting is 12-foot high shoebox lighting, which Mr. Unruh said is fine for shopping centers, but could be a problem in an RV lot. For instance, the more poles located on a lot, the more chance that an RV could hit a pole as it is maneuvered around the lot. If taller poles are used, fewer lights would be needed. Also, Mr. Unruh said he does not feel that the light distribution will work well with 12-foot poles, which is another reason why the plan calls for 20-foot poles. Ms. McCarthy asked if the light from 20-foot poles will affect neighbors. Mr. Howell said that they would use lighting with shields to prevent light spill. In addition, Mr. Howell noted, most of the lighting will be mounted on the building.

One area still open for consideration is whether or not public water will be supplied to the property. The site currently uses a well for water. To tie into public water, which is on the west side of Rte. 202, Mr. Unruh said they would have to tunnel under the road.

Mr. Hawkins asked about the right-of-way as depicted on the plan. Mr. Unruh said that they will match the right-of-way that currently exists on the Brandywine Devco LLC property.

Mr. DiMarino made a motion to approve the conditional use application for Stoltzfus as presented and as per the conditions outlined in Township Engineer Jim Hatfield's March 27, 2017 letter. The motion was seconded, and approved; all in favor.

The next PC meeting is scheduled for May 9, 2017.

With no further public comment, the meeting adjourned at 8:00 p.m.

Respectfully submitted,

Judy Jensen  
Office Assistant