

**Birmingham Township Planning Commission (BTPC)  
Minutes of the meeting August 30, 2022**

The regular meeting of the BTPC was called to order by Ms. McCarthy at 7:00pm.

PRESENT: Scott Garrison, Eric Hawkins, MaryPat McCarthy, Brendan Murphy, David Shields

ABSENT:

Also present: Adam Brower, PE (EB Walsh), Dave Schlott, Jr, PE (ARRO), Richard Orlow, Kim Venzie (township solicitor), Ed Foley (township solicitor)

Ms. McCarthy announced that the August 9, 2022 meeting of the PC was cancelled and rescheduled for tonight, August 30, 2022 as advertised in the Daily Local News on July 18, 2022.

Mr. Murphy made a motion to approve the July 12, 2022 minutes. Motion was seconded by Mr. Garrison and it passed unanimously.

**VMDT Partnership 1350/1360 Wilmington Pike Land Development Plan**

Mr. Brower is here to present this project for the third time. He noted that at the July meeting he mentioned that the project has been changed to only address the service write-up update for the one dealership at this time. He believes the majority of the issues have been resolved from the previous township engineer's letter. Thus, he will address the newest letter dated August 16, 2022. At this point there are a few minor outstanding items that need fine tuning – basically just paperwork items. Ms. McCarthy asked Mr. Schlott what the outstanding items are: he stated that the financial security documents need to be finalized and actually signing the plans.

Ms. McCarthy asked Mr. Foley if he had any questions. He stated that Kristin Camp had sent him the forms for the financial security agreement, the subdivision and land development, and the Storm Water O&M agreement. He noted that in the conversation with Ms. Camp she stated that the applicant normally completes those documents. Mr. Orlow agreed that he will complete those this week in a track changes document.

Mr. Shields made a motion to recommend that the BOS approve the preliminary/final land development plan as presented contingent on addressing all of the outstanding items in the Arro letter dated August 16, 2022 which includes completion of the financial security agreement, the subdivision and land development agreement and the Stormwater operation and maintenance agreement. Mr. Murphy seconded the motion and it passed unanimously.

**Stillman Volvo 1290 Wilmington Pike Land Development Plan**

Mr. Brower is here again for the third time for this project. Since the last meeting, they have figured out the right-of-way and updated the plans accordingly. Ms. McCarthy

asked what the specs are for the building and what the use will be. Mr. Brower stated this new building will be a two-car bay for parking new cars before delivery to the owner. In essence it is a garage to keep the new cars out of the elements. There will be no power or utilities to this building. Mr. Hawkins stated they will probably be back shortly to request to install electric charging stations in the building.

Ms. Venzie asked if the issue of this building changing the flow of the water into the stormwater basin has been resolved? Mr. Brower showed on the plan where the riprap has been extended another five feet to cover the potential water flow. Ms. Venzie asked if there is a Stormwater O&E agreement for this property already? Mr. Brower and Mr. Schlott both spoke to the fact that they have not seen one. Mr. Schlott advises that this is an appropriate time to put one in place so that it isn't an issue in the future.

Mr. Brower discusses the outstanding items listed in the August 16, 2022 review letter per a discussion that he had with Mr. Schlott earlier today.

Under Zoning, he noted that they believe the mature landscaping that is already located at the back of the property is adequate to meet the landscape requirement for land development and therefore they are requesting that the landscape analysis be considered not applicable. Discussion ensued about the height of the building and the landscaping requirements. The township requires a continuous buffer and Mr. Brower stated that when he went to the property, he determined that the existing trees do provide a continuous buffer.

Mr. Hawkins asked if they looked into the public water vs. onsite well issue that he brought up previously? Mr. Brower stated that there is no water being provided to this building.

Ms. Venzie asked about number 2 under Subdivision and Land Development requiring financial security? Mr. Schlott stated this is a standard note they put on all review letters for projects. Mr. Brower noted that it will be a small amount to cover the riprap, etc.

Mr. Brower noted that number 7 under Subdivision and Land Development addresses the right-of-way, noting that they show the existing right-of-way on the plan. Since the project is only a 600 square foot garage, the applicant has asked for a waiver for additional right-of-way. Mr. Hawkins asked if the ultimate right-of-way could be identified and added to the plan. Discussion ensued about the potential for confusion if adding the ultimate right-of-way on the plan with no dedication included. Mr. Schlott suggested that the wording could be tweaked as a potential future right-of-way with a note on the plan indicating it is not being offered for dedication at this time.

Mr. Brower noted that under General, number 2, they had an employee who did extensive research to figure out why there were inconsistencies. There are indeed two right-of-way lines – one is per Penn Dot and that differs from the property line on the deed. Mr. Schlott suggested that this issue should be noted on the plan under General notes.

Mr. Murphy made a recommendation that the BOS approve the preliminary/final land development plan subject to receipt of a clean letter from the township engineer on the outstanding items. Mr. Garrison seconded the motion and it passed unanimously.

**New Business/Public Comment:**

Ms. McCarthy noted that for future projects, the majority of the Planning Commission members prefer to have the plans sent to them electronically. The only member who wants a paper copy is Mr. Hawkins.

Motion to adjourn the meeting was made at 7:41pm by Mr. Murphy and seconded by Mr. Garrison and approved unanimously. Next meeting is scheduled for September 27, 2022.

Respectfully submitted,  
Jennifer A. Boorse  
PC Secretary