

## **Birmingham Township Planning Commission (BTPC)**

### **Minutes of the meeting September 12, 2023**

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

**PRESENT:** Scott Garrison, MaryPat McCarthy, Brendan Murphy, Eric Hawkins

**ABSENT:** David Shields

#### **Also present:**

Dave Schlott, Jr, PE (ARRO), Kim Venzie (township solicitor), Jack Robinson (JMR Engineering), Chris Varela (developer), Bill Messick (developer)

Mr. Murphy motioned to approve the June 13, 2023 minutes. Motion was seconded by Mr. Garrison and it passed unanimously.

#### **541 Webb Road/Land Development Plan**

Mr. Jack Robinson of JMR Engineering was present tonight in place of Scott Deisher to discuss the 541 Webb Road land development plan, which is dated August 1, 2023, consists of twelve sheets and was drawn by JMR Engineering.

Mr. Robinson gave an overview of the subdivision project, stating it will be a traditional R1 layout, consisting of five lots, one of which already has an existing home that will be preserved, and four additional single family detached dwellings. Each site will have its own water, septic, stormwater systems and share a private driveway.

Mr. Robinson briefly described the dense thicket that comprises the twenty-one acres, stating it is their goal to disturb as little of the environmental aspects of the sites as possible. He noted that the trees were very thoroughly surveyed via samples from the development area and there will only be one home, lot 4, built on a moderate (15-25%) slope; the rest on lesser grades.

Mr. Schlott had several comments regarding the Waiver Request letter prepared by JMR. He did not object to the applicant requesting a waiver to submit plans as preliminary/final but asked that they would show and monument the ultimate 30 ft. right of way since Webb Road is a state road, on the plans. He also did not see a problem with providing relief to surveying two samples of trees rather than the entire property considering it's a consistent set of woodlands. Mr. Schlott noted that the lots with fronting require a 100 ft. setback. Mr. Robinson stated it will need to be pushed back on the plans around twenty feet, but it's no problem and won't change the layout.

Mr. Schlott said at this current point, there need to be revisions on the plans in accordance to Arro's letter as it's six pages long, and he would not suggest giving any type of recommendation of approval at this meeting.

Mr. Hawkins asked if corner lot 3 showed two front yards, which it does. Mr. Schlott said it only becomes an issue when you front on a main road, and since it's facing the driveway, it's a

nonissue. Mr. Hawkins also asked if the septic system in the front yard setback is permitted. Mr. Schlott said he'd look into it, but ultimately it's subject to approval by the county health department. Mr. Robinson stated that the health department has been out there at least twice and has already performed perc tests.

Mr. Hawkins asked what is considered a steep slope. Mr. Robinson stated that a moderate slope is considered 15-25% and steep is 25+. Mr. Schlott stated he'd look into what the Township ordinance says on this as well. Mr. Hawkins also pointed out that on 2 of 12, comment #11, the road named is "County Line Road" rather than Webb; he's wondering if it's a mistake which it seems to be and Mr. Robinson said he'd look into it as it shows differently on his plans.

Mr. Robinson pointed out number 13 as he'd wanted to ask the PC if this is the type of land appropriate for dedicating. Ms. Venzie stated she can't imagine the Township would want land from the property. Mr. Robinson said that the applicant would be fine with a fee in lieu of the dedication. Mr. Schlott noted that this would need to be addressed in writing.

Ms. Venzie asked what kind of stormwater management system will be at the end of the driveway. Mr. Robinson stated it's an above ground basin with an underground infiltration unit that lot 2 will be responsible for maintaining as it acquires all of the runoff. This will be included in the driveway agreement.

Mr. Robinson asked for a waiver for #20 and lot 3 as it'd work in their favor to cut more than ten feet into the grade. If it were granted, a lot more trees would be preserved. He agreed to put this into writing as well along with written justification.

Ms. McCarthy asked if this plan has gone to county planning yet and Mr. Robinson said yes, he's waiting on their response.

Ms. Venzie would like to know how front yard setbacks will be defined for the houses who do not front on Webb Road. Mr. Robinson replied that requirements differ based on municipality and the 100ft setback only applies to lots 2 and 3; the rest need to be 80ft. He believes it'd be possible to turn the homes to face Webb Road and doesn't feel it'd change the plans to do so. Mr. Hawkins added that he'd like to see the actual house numbers posted on the plans; Ms. McCarthy concurs.

Mr. Robinson was informed of the letter received from Chadds Ford township regarding the request to have all contractors and equipment staged on-site rather than the road.

Mr. Hawkins is concerned that there will not be enough time for revisions in order for the plan to get to the Board of Supervisors meeting on time. Mr. Robinson stated he traditionally asks for extensions if necessary and is not currently worried about the 90 day deadline.

Mr. Michael Matkov of 788 Brintons Bridge Road was present and addressed his concern with the new development hindering stormwater runoff resulting in a very muddy hillside. He noted

recently there have been many more torrential rains impacting the area than ever before. Mr. Robinson addressed the concerns and stated the stormwater will be very well controlled and reiterated their plan to preserve over 50% of the woods. The property also has Type A soil which has very efficient drainage properties.

Mr. Jarl Mork of 756 Brintons Bridge Road spoke and agreed with Mr. Matkov in that there have been many new flooding events on Brintons Bridge from Brinton Run. Ms. Venzie assured everyone that the township engineer will be heavily relied on for the stormwater management process and the project will need to strictly comply with the recently updated, more stringent ordinance. Mr. Hawkins suggested that residents send in photos showing the recent flooding. Mr. Mork would also like to know what is the steepest slope that the township will allow you to build on. Mr. Robinson believes moderate, which is 15-25%; the steepest to be built on in the plan is 18%.

Another neighbor, Victor Leonhard of 700 Brintons Bridge Road, would like to know the size of the homes to be built. Mr. Chris Varella, one of the developers, believes between 3,200 and 4,000 sq. ft. Mr. Leonhard also asked the PC if there are restrictions of maintaining light on the properties once they are built. Mr. Robinson believes the dense trees will hide most of the light, but Mr. Leonhard responded that there's currently a spotlight that reaches his home from about 700 ft. away.

The applicant plans to return to the October PC meeting with the outstanding items from the Arro Engineering letter updated, along with revised plans with identified changes.

**New Business/Public Comment:**

There was no new business or public comment.

Mr. Murphy motioned to adjourn the meeting. Mr. Garrison seconded and it was approved unanimously. The meeting was adjourned at 8:16 PM.

Respectfully submitted,  
Melissa Urbany  
Substitute PC Secretary