

Valley Township Planning Commission Meeting Minutes

March 12, 2024

Virtual Access – www.global.gotomeeting.com/join/204404965

571-317-3122

In Attendance: Denny Bement, Jim Druecker, Joe Arvay, Shawn Leonard, Yvette Smith
Mike Ellis, Township Engineer/Pennoni Associates, Inc.
Janis Rambo, Township Manager

Convened: 7:00 p.m.

Adjourned: 8:22 p.m.

Denny Bement opened the meeting with a reminder presentations are limited to 45 minutes unless the Chair chooses to extend that time.

Review and/or Approval of January 9, 2024, Meeting Minutes – minutes were shared electronically and corrections have been made. Shawn Leonard motioned, Joe Arway seconded, approved 5/0.

Remarks on Actions of the Board of Supervisors

Accepted land development review time for CC Area Airport Authority to March 30, 2024

Accepted land development review time for Valley View Lot 8 Industrial Plan to July 20, 2024

Remarks on Actions of Planning Commission Chair – the Chester County Planning Commission noted our zoning does not have allowances for parking spaces for electrical vehicles. Should we consider amending our Zoning Ordinance allowing for EV parking? If yes, what ratio of EV parking spaces should there be.

Denny Bement will seek authorization from the BOS at next week's meeting to conduct research to either amend or supplement zoning laws to include EV parking spaces in future developments.

Old Business - none

Denny Bement advised the third agenda item, the **Valley View Business Park**, will not present tonight. Mike Ellis explained Valley View will address comments presented in Pennoni's March 9 2024, letter before presenting to the Planning Commission and will likely present at either the April or May Planning Commission Meeting. Those meeting agendas appear one day in advance of scheduled meetings.

New Business

1-Westwood Ridge Zoning Amendment Hearing Application – Presenters are Debra Shulski, Esq. (applicant's counsel), Dave Gibbons (applicant's engineer), and John Lymberis (applicant)

Debra Shulski stated they are here to request an ordinance amendment allowing for covered decks within the township. Township ordinances are unclear as to how covered decks are treated. They intend to clarify within the Ordinance that covered decks are permitted specifically in conjunction with a cluster development. Taking the simplest approach, they thought it best to limit it to cluster residential development in R1 and R2. They incorporated existing accessory setbacks and nothing else relating to height or otherwise. This only relates to single family homes with open decks (not screened or any other material on it).

Ms. Shulski advised they can work with the Zoning Officer and Township Solicitor in response to Comments received today. Ms. Shulski clarified this would be subject to the accessory setback regulations, but not for purposes of a principal building. The covering makes the deck part of the house, not free-standing structures.

Yvette Smith questioned what effect runoff water might have on the foundation. Mr. Gibbons advised there is a gutter on the deck roof and down spouts with the ground sloping away from the foundation and deck. Dave Porter (VT Zoning Officer) clarified there doesn't have to be a patio under the deck, it could just be lawn, grass, or stone. If a patio extends beyond the deck roofing (optional to homeowners), adjustments must be made.

Mr. Porter clarified there are three different cluster developments by Conditional Use in the township; sections 412, 413, and 448 of the Zoning Ordinance. 412 is the one that incorporates the Conservation Zone in R1; this one will not be amended. The limited cluster development in R1 and the cluster development R2 would be the two sections to be amended to incorporate this.

Denny Bement asked if decks could be enclosed with screens or storm doors. Ms. Shulski stated they did not address this, but are fine with the Zoning Officer's suggested additional language on this issue clarifying that the deck area would be completely open air.

Denny Bement asked if there is a consensus on the Board to recommend approval of the proposed text amendment as requested. Joe Arway Motioned, Shawn Leonard seconded. Jim Druecker, Joe Arway, Shawn Leonard approved, Yvette Smith opposed, Denny Bement abstained. Motion carries 3/2.

2-Westwood Ridge Amendment to Approved Land Development Plan Submission

- a. Amended Waiver: 22-615.9.C-requiring minimum 150foot horizontal centerline curve radii
- b. Amended Waiver: 22-615.4.C(9)-requiring illumination to not exceed 0.1-foot candles onto any adjacent residential use measured 10-feet beyond the right-of-way
- c. Waiver: 20.1-311.3G(1)-requiring fencing around stormwater basins to have a segment length no longer than8-feet

Shulski reminded the Board they were before them for Conditional Use in 2022 and Land Development was approved by the BOS on August 17, 2023. They have since done a few minor redesigns and modifications to the approved Plan they believe provide a better Plan layout. Generally, in addition to the site layout and configuration, the revised Plan provides slightly more trail area, open space, landscaping as well as a dog park. They moved some of the houses

further away from the neighboring development. We think this is an overall improvement. Denny Bement reminded Board members Pennoni's letter of February 26 addresses the waivers, requests, and comments.

Dave Gibbons clarifies it is still 87 lots as previously approved and lot sizes are still nearly identical. Looking at the Plan, the western side of the development barely changed at all. Changes of the layout are on the eastern side. They previously had a road ending in a cul de sac on the far eastern side of the property with a short connector road that headed down the hill towards Valley Road. That short connector road has been removed; road continues down through where the cul de sac was connecting to Valley Road on the far eastern side.

Denny Bement asked for reasoning behind eliminating the cul de sac and turning it into a road entrance. Mr. Gibbons explained it was discovered the constructability of the Plan was difficult. The short connector road lowered the grade a lot. Although doable, it wasn't the most efficient design. This layout is simpler and there are downsides to maintaining cul de sacs. We have an approval letter from the Fire Marshall for this revised Plan.

Stormwater management is nearly identical, the calculations barely change. The basin on the western side did not change at all. The basin being installed at the top of the site to help with the stormwater runoff down Valley Road did not change at all. The basin on the eastern side remains the same size and just shifted a little bit because of the realignment of the roadways. They all still tie into the same points of interest down along Valley Road.

More benefits of the layout change involves reducing the overall number of retaining walls. Previously there were a decent number of retaining walls on the western side between the lots and a few retaining walls on the very high side of the property. We reduced the overall number of retaining walls by 30%. We had a section between the upper and lower lot with three six-foot tiered walls and were able to eliminate one of the tiers through regrading. On the low side we are proposing uphill units allowing us to raise the back yard. There will be about a 15-20% slope from the back and front yards between the buildings. Denny Bement questioned the proposed 20% slope between the homes. Mike Ellis indicated it is not uncommon and will have no effect on stormwater runoff.

Four Waivers were previously granted, two remain the same. They are requesting two Amended Waivers:

Amended Waiver 22-602.9.C requests a minimum of 150-foot horizontal centerline curve radii. The previous layout had three places on the roadways that did not meet that criterion and that was granted. We removed two of them so we are down to just one of those locations.

The second Amended Waiver 22-615.4.C(9) refers to the amount of light spillage onto some of these homes. Lights are proposed at all intersections and where the roads may have a significant curve. With the realignment of the roads, some of those light locations have changed so we are presenting an Amended Waiver to apply to a different listing of lots.

The last (new) Waiver 20.1-311.3.G(1) deals with the spacing of fence posts. We have fencing around the basins as required by Ordinance as well as fencing on the top of retaining walls. Fencing along the top of retaining walls will be spaced at 10-feet 6-inches. The Ordinance states fencing around the stormwater basins must be 8-feet apart. They are requesting fencing around the basins be the same as that on the retaining walls, which provides consistency and will help the HOA maintain fencing throughout the development.

Mike Ellis agrees that two Waivers regarding lighting and curve radii were previously approved, this is simply an amendment and has no objection to their proposed Amended Waivers. The Waiver for the fencing was not addressed in Pennoni's comment letter as it was requested after the letter had been issued. Mr. Ellis does not take any exception to the requested 10-foot 6-inch fencing at the basins.

Several attending residents expressed concern about stormwater runoff, grading, and erosion issues and worry that this additional development will worsen an already problematic situation with flooding on Cynthia and Valley Roads.

Mike Ellis addressed the Valley Crossing piece of it acknowledging they are well aware of historical problems at the bottom of Cynthia Road with drainage over the past 15-20+ years. There was a stormwater reconstruction project that is halfway complete at this point at Valley Crossing to address that problem. The drainage that comes down along the east side of Cynthia Road is supposed to be captured along Cynthia Road in the stormwater inlet system and then piped across Cynthia Road into a detention basin. That inlet system eroded 10+ years ago causing large storm events to bypass the inlet system and continues to run down the grass eventually flooding Cynthia and Valley Roads.

In approximately the 1980s, inlets were installed within the channel along the east side of Cynthia Road so the water coming down was captured by the inlets and piped into the detention basin before it is slowly released into the downstream storm sewer system. Those inlets have fallen into a state of disrepair. The township was able to get grant money to assist the homeowner's association with correction of that problem. A wall was constructed behind the inlets a few months ago to enable the inlets to capture water in the channel; the contractor will retrofit the detention basin itself within the next month or so.

Westwood Ridge is not going to impact any of the drainage on Valley Crossing. The changes being proposed now simply amend the Plan that was previously approved and does not impact that western end of the proposed development so it will not alter conditions there now.

Dave Gibbons then addressed the stormwater design as it relates to the project site. They are well aware of the existing drainage problems along Valley Road. There are a series of inlets that takes the water from the south side of Valley Road over to the north side. The water coming down into Valley Road is not being controlled and the Valley Road inlets get clogged, which is why there is ponding along the road with icing conditions in the wintertime. They provided an extensive stormwater analysis to the Township Engineer for his review and have designed a system to reduce the flow to all four inlet points. As part of Conditional Use, we offered to install

an extra stormwater management basin on that central swale in the middle of the site to reduce as much runoff as we could.

We designed this as an extra measure to help the Valley runoff even though it has nothing to do with our development, but it would help reduce runoff from the large drainage areas coming down into Valley Road. This is a PennDOT road so they would need a PennDOT permit for this. We also offered to clean the boxes out because they are full of material that comes down the hillside as it free-flows down to Valley Road. Mr. Gibbons adds they incorporated a lot of measures within their development and also incorporated extra measures to be good neighbors and to help improve the Valley Road water situation as best they could.

Denny Bement explained to the residents that developers install the improvements before they start building the homes. It will be a detention (not retention) pond to capture the runoff. The developer will put barriers down to keep the soil from eroding and use netting to capture dirt. Once all of the homes are built and sod put in, there should be improvement. It is not inexpensive, is not done overnight, and it requires patience. Additionally, the Chester County Conservation District manages stormwater runoff. A developer cannot add more water to a system than what is already there.

A representative of the property owner for the adjacent “Irwin” parcel expressed concern about accessing their property due to an existing ditch. Dave Gibbons explained there is an existing easement that runs along the western side of the property line; they are leaving that exactly where it is. Access to properties will be the same as it is today.

Debra Shulski suggested they talk off mic since this issue does not involve the Planning Commission. Denny Bement reiterated nothing is going to change because this situation is not on the developer’s property. Mike Ellis stated, as Township Engineer, he is very sensitive to make sure that easement is not affected and will not be changed. The easement as it exists right now runs through the channel. Mike Ellis suggests the property owner and developer have a separate conversation as this is a private property matter between the two property owners.

Dave Gibbons confirmed to concerned residents there will not be public parking along the trail.

Denny Bement expressed appreciation for resident input. With discussion on the Waiver requests completed:

Waiver 22-602.9.C requiring 150-foot horizontal centerline curve radii - Jim Druecker Motioned, Shawn Leonard seconded, 5/0 Motion carried

Waiver 22-615.4.C(9) requiring illumination to not exceed 0.1 -foot candles onto any adjacent residential use measured 10-feet beyond the right of way – Jim Druecker Motioned, Denny Bement seconded, 5/0 Motion carried

Waiver 20.1.311.3G(1) requiring fencing around stormwater basins to have a segment length no longer than 10’ 6” - Denny Bement Motioned, Joe Arvay seconded, 5/0 Motion carried

Denny Bement Motioned to recommend approval of the Westwood Ridge Amended Land Development Plan including the approved Amended Waivers conditioned upon addressing comments within Pennoni's February 26, 2024, letter. Jim Druecker seconded, 5/0 Motion carried

Mike Ellis clarified to remaining residents that this is a recommendation by the Planning Commission to the Board of Supervisors. The BOS meets the first and third Tuesdays of the month. Watch to see when it is placed on the BOS agenda.

Township Engineer Report/Update

1-W. Lincoln Highway Corridor Plan Implementation – suggestion to begin review of SLDO for recommended changes related to W. Lincoln Highway Corridor Plan. Now that the Corridor Plan is well underway, we should take a look at the Plan between now and the next meeting to determine to what extent we are going to require developers to make certain improvements such as street trees, landscaping, curbing, and to ensure lighting is consistent along the entire Corridor.

2-Subdivision Plan received for 1331 Valley Road (Kore Home Solutions,LLC – on next month's agenda.

Meeting adjourned

Schedule for presentation to BOS

Denny Bement– will present at next BOS Meeting

Yvette Smith

Shawn Leonard

Joe Arvay

Jim Druecker