

MEETING MINUTES
PLANNING COMMISSION
BOROUGH OF PARKESBURG, PA
AUGUST 29, 2024

MEMBERS PRESENT –

Todd Brade
Matt Marran
Dave Bashore

OTHERS –

Rochelle Gresh, MPA, Borough Manager
John Carnes, Jr., Esq., Borough Solicitor
Ed Van Arsdale, PE, ARRO Consulting, Borough Engineer
Jeff Strauss, D.R. Horton, Inc., Applicant/Developer
Erika Miller, Esq., Obermayer (Developer's Attorney)
Keith Marshall, Howell Engineering (Developer's Engineer)
Nicole Kline-Elsier, Bowman Consulting
Mike Wagoner (Developer's Landscape Architect)

Call to Order. Mr. Bashore called the meeting to order at Borough Hall at 7:10 p.m.

Quorum. A quorum of members was present.

Announcements. Mr. Bashore announced that Casey Wyatt was appointed as a regular member of the Commission at Borough Council's July meeting. Members of the public who are interested in joining the PC as an alternate member should send a letter of interest as soon as possible to Council president Todd Brade at 315 W. First Avenue.

Approval of Minutes. Mr. Brade moved to approve the Minutes of the Commission's June 27, 2024, meeting. The motion was seconded by Mr. Marran and passed 3-0.

Discussion of Reforestation and Other Waiver Requests Related to Land Development Plan of D.R. Horton, Inc., dba EPC Holdings 584, LLC re: *Construction of 130 townhouses on 29.8 acres at 200 North Church Street, to be known as Meadowview, in the R-5 Residential Zoning District, adjacent to existing Crystal Springs apartments.*

* Mr. Brade moved the attached motion, which is incorporated as part of these minutes, to recommend that Borough Council approve the Applicant's requested waivers from various sections of the Borough subdivision and land development and storm water management ordinances consistent with and conditioned upon the Applicant's compliance with the Borough Engineer's recommendations and related comments contained in a letter to the Borough Manager dated August 27, 2024. The motion was seconded by Mr. Bashore.

* Waiver request #4 regarding open space was removed from the motion by consensus, based on the Applicant's commitment to submit a revised open space plan before the Planning Commission's September 26, 2024, meeting in consultation with the Borough Engineer, who will evaluate whether the

resubmitted open space plan is in compliance with §425.C of the Borough SALDO or requires a waiver with an appropriate in-lieu-of-payment pursuant to §425.B.2.

* Mr. Marran raised concerns about waiver #8 and said the Borough should have recourse if/when any whips and other trees and shrubs planted by the Applicant should die, adding that the dense tree buffer along the northern property line was extremely important to preserve. The Applicant noted that all plantings would be guaranteed by an 18-month warranty and that whips generally have a 75-85% survival rate. The Applicant agreed to include a provision in the Homeowners Association agreement requiring the HOA to be responsible for the maintenance of whips, trees and shrubs and to replace any that don't survive their warranty period.

* Mr. Marran reminded the Applicant of the wishes of the adjoining property owner to have a fence built to prevent the encroachment by dirt bikes and other means. The Applicant expressed an unwillingness to install a fence, believing that future encroachment would be unlikely given the location of the townhouses to be built.

* The motion to approve a recommendation of approval of the waivers passed 3-0.

* Mr. Strauss then advised that he understood that the PC was going to recommend conditional approval of the entire Land Development Plan.

* Mr. Bashore said that based on his conversations with other PC members and Borough officials the PC had intended only to take action tonight on the waiver requests. After additional discussion, the PC recessed the meeting.

* Upon Mr. Bashore calling the meeting back to order, Mr. Brade made a motion to recommend that Borough Council approve the Meadowview Land Development Plan as prepared by Howell Engineering, dated February 8, 2024, and last revised May 30, 2024, and submitted by the applicant D.R. Horton, Inc. dba EPC Holdings 584, LLC, provided that:

1. The Applicant shall fully satisfy and comply with (a) all 148 SALDO and zoning code comments issued by the Borough Engineer as contained in his August 27, 2024, letter to the Borough Manager and (b) waiver comments #1-3 and #5-13 issued by the Borough Engineer, all as contained in the Applicant's Preliminary/Final Waiver List as prepared by Howell Engineering, dated July 18, 2024, and shall resubmit a revised open space plan in compliance with §425 of the SALDO regarding open space, including providing an in-lieu-of-payment satisfactory to the Borough, if necessary.

2. The Applicant shall also prepare, in advance of final Borough approval of the Plan, the HOA documents in consultation with Carl Weiner, Esq. to the satisfaction of the Borough Solicitor (for example, the Borough wishes the HOA to take responsibility for curbs and sidewalks in the development) and shall also provide any legal documents necessary, including but not limited to: (a) cross-easement agreements relative to the parking and other uses relating to the reserved approximately 3.5 acre parcel to be subdivided and retained by the Seller and not part of this subdivision/land development plan (with said areas to be generally delineated on the plans for clarity of understanding); (b) access easements to stormwater features if needed; (c) Best Management Practices agreements to be recorded with the Chester County Recorder of Deeds in accordance with the Borough SALDO; (d) the Applicant's Subdivision and Land Development Agreement and Financial Security Agreement; and (e) any 3rd party approvals necessary for the development of the subdivision, etc.

3. The Applicant shall attend the Borough Council meeting on September 19, 2024, and the Planning Commission meeting on September 26, 2024, to hear additional suggestions, comments and questions

from members of the Council, the Commission and the public regarding any unresolved issues related to the land development plan, including agreeing to take any additional appropriate and reasonable actions to address said issues, and the Applicant shall also present an updated summary of the development at said meetings, including building elevations, pictorial depictions of building facades and major takeaways from its traffic impact study. The motion was seconded by Mr. Marran and passed 3-0.

Old Business. None

New Business. None.

Adjourn. Mr. Brade moved to adjourn the meeting. The motion was seconded by Mr. Marran and passed 3-0. The meeting was adjourned at 8:25 p.m.

Respectfully submitted,

/s/

Dave Bashore, Chair

(NOTE: *These minutes were approved 5-0 by the Planning Commission on 12/16/2024.)*

Attachment (incorporated hereto):

Motion to recommend approval of Applicant's Preliminary/Final Waiver List

**PLANNING COMMISSION MOTION
TO RECOMMEND APPROVAL OF
MEADOWVIEW WAIVER REQUESTS (8/29/2024)**

Pursuant to the recommendations of the Parkesburg Borough Engineer, Arro Consulting (the Engineer), as indicated in a letter to the Parkesburg Borough Manager (the Manager), dated August 27, 2024, the Parkesburg Planning Commission hereby recommends that the Parkesburg Borough Council (the Borough Council) approve the Preliminary/Final Waiver List for the Meadowview Land Development Plan (the Plan) as prepared by Howell Engineering (Howell), dated July 18, 2024, relating to said Plan, as prepared by Howell, dated February 8, 2024, and last revised May 30, 2024, and submitted by the applicant D.R. Horton, Inc. dba EPC Holdings 584, LLC (the Applicant), as follows:

Unless otherwise indicated below, a waiver shall be granted from the following sections of the Parkesburg Borough (Borough) Subdivision and Land Development Ordinance, consistent with and conditioned upon the Applicant's compliance with the Engineer's recommendations referenced above:

1. §305, Preliminary Plan Submission, Resubmission, Review and Content;
2. §402.A.4, Lot Design – residential lots shall not be more than 3:1, depth to width ratio;
3. §407.B, Street Grades – maximum intersection grade of 2%;

<p><u>NOTE:</u> THE FOLLOWING ITEM #4 WAS REMOVED FROM THIS MOTION BY CONSENSUS WITH THE UNDERSTANDING THAT THE APPLICANT WILL SUBMIT A NEW OPEN SPACE PLAN TO THE BOROUGH ENGINEER, WHO WILL COMMENT ACCORDINGLY THEREON, ALL BEFORE THE 9/26/24 PLANNING COMMISSION MEETING.</p>

<p><i>4. §425.C, Parks, Recreation and Open Space – 25% of dedicated opens space shall provide provision for active recreation with 15% of dedicated opens preserved for passive recreation: provided that the Applicant in lieu of providing required open spaces as per this section shall upon the recording of this Plan make a lump sum payment to the Borough in an amount that is satisfactory to the Borough;</i></p>

5. §427.K, tree replacement – A partial waiver shall be granted from §427, Conservation of Existing Vegetation and Natural Features, provided that the

Applicant shall make three lump sum payments to the Borough (unrestricted funds) as follows:

- (i) Upon the recording of this Plan, a payment to the Borough in the amount of \$225,000; and
- (ii) Upon the issuance of a certificate of occupancy of the 60th unit in the Meadowview development, a payment to the Borough of \$200,000; and
- (iii) Upon the issuance of a certificate of occupancy of the 100th unit in the Meadowview development, a payment to the Borough of \$175,000.

The second and third payments shall be protected by a surety bond, acceptable to the Borough Solicitor and paid by the Applicant and issued for the benefit of the Borough, whereby if said payments (ii) and (iii) are not timely made as required – or within three years after the first unit’s building permit has been issued or within five years after the Plan’s recording, whichever comes first – then the Borough shall be permitted to be paid immediately out of said bond in lieu of payments (ii) and (iii). All three said payments to the Borough under this paragraph 5 shall be made in lieu of the tree replacement provisions of this section.

6. §427.G.8.c, screening around group mailboxes;

7. §427.G.9, screening along retaining walls;

8. A partial waiver shall be granted from §427.H.3.a – minimum planting requirement of 2” caliper for trees – provided that the Applicant plants a minimum of 1,000 “whips” as indicated on the Plan, each with a caliper of no less than three-quarters of one inch to one inch;

A waiver shall be granted from the following sections of the Borough Stormwater Management Ordinance, consistent with and conditioned upon the Applicant’s compliance with the Engineer’s recommendations referenced above:

9. §313.A.1, Conveyance and System Design Standards – infiltration rate;

10. §313.C.c.2 – interior slopes of basins;

11. §313.C.1.c.3 – bottom slope of basins;

12. §313.C.1.c.3 – concrete channel within basins;

13. §313.D.5 – retention of trees over 8” DBH.

This recommendation of approval of the Applicant’s requested waivers shall in no way be deemed or constitute final approval of said requested waivers unless duly approved by the Borough Council; nor shall it be deemed or constitute approval of the Applicant’s Land Development Plan referenced above or a recommendation of approval thereof.