

Minutes of Meeting West Pikeland Township Planning Commission
May 12, 2008

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The regular meeting of the West Pikeland Township Planning Commission was convened on May 12, 2008, at the Township Building at 1645 Art School Road in Chester Springs, Pa.

CALL TO ORDER

The meeting was called to order at 7:05 p.m. by Frank Best, chairman. Other Planning Commissioners in attendance were Tom Dinan, Bill Normoyle, Paul Dowie, John Henssler, and Sean O'Neill. Also present were Township Engineer Michael Mayhew of Yerkes Associates, and the Township's alternate engineer, Julia Lacey, of Gilmore Associates. Subdivision Officer Harry Miller and Township Manager, Jeri L. Diesinger, were also present.

APPROVAL OF MINUTES

Mr. Best called for the approval of the meeting minutes of April 14, 2008. On motion by John Henssler, seconded by Bill Normoyle, the minutes were unanimously approved.

PERSONS WISHING TO BE HEARD

Chairman Best asked whether any persons in attendance wished to speak to matters not on the agenda. There were none.

OLD BUSINESS

A. **NALT BCF HOLDINGS (Bryn Coed Farm) Subdivision Extension.** Jeri Diesinger advised the Planning Commission that the current extension on time limit for decision will expire on June 5, 2008. The Township is still waiting to receive and approve the previously recommended environmental indemnification plan note and agreement. On motion made by Sean O'Neill, seconded by Tom Dinan, the Planning Commission resolved that, pending resolution of this issue, the Township accept a further extension of time for decision by the Applicant and that, absent either the Township's receipt of a further written extension of time for decision by the Applicant or the submission of the environmental indemnification agreement and plan note in form acceptable to the Township solicitor, the plan be denied.

B. **ACMEC CONDITIONAL USE APPLICATION.** Present for a further review of revised plans for the proposed Hindu temple building, auxiliary building and related improvements for the site on the north side of Conestoga Road, directly east of Skyline Drive, were: Joseph Hunt, PLS, PE, and Erin Smith, of Yerkes Associates (the Applicant's site engineer), Fronefield J. Crawford, Jr. Esquire, on behalf of adjoiners Mr. and Mrs. Lawrence O'Donnell, Mr. Jacob Yasgur, owner of property adjoining to the west, and Julia Lacy, PE, of Gilmore & Associates (Township's alternate consulting engineer for this project). Also present and commenting were various residents living within the vicinity of the proposed Temple.

The Planning Commission noted receipt of a review letter dated May 8, 2008 by Gilmore & Associates, the plans and materials received from the Applicant and the Township and recited

in the Gilmore review letter, memorandum with attachments by Jacob Yasgur, and a memorandum from Fronefield Crawford on behalf of the O'Donnell's.

Joseph Hunt, for the Applicant, commented briefly on the revisions made to the plans since the time of the last meeting, including modification of the retaining wall and the proposed buffer.

Julia Lacey of Gilmore & Associates presented a summary of her ~~the~~ Gilmore review letter and outstanding points of concern, including the following:

- The retaining wall has been reduced in height to comply with the 8 foot limit but this resulted in a “dip” in the wall which created a point of discharge onto adjoining property. The wall needs to be modified to avoid discharging on the neighbor.
- The traffic circulation plan allows for no turnaround of large vehicles (trucks, buses, emergency vehicles) requiring same to back out on to the main road. The truck turning diagrams that were provided do not show ability to traverse the entire site around the building.
- The lighting analysis must be corrected to assure no light trespass onto adjoining neighbors.
- The proposed vegetative buffer or “screen” has been increased, but some plantings now impact very steep slopes
- The reviewing engineer has insufficient information to evaluate the proposed demolition of the springhouse and the filling in and construction over top of that area. The details of demolition, filling and alteration of the stream below the construction of critical to evaluating impact on the watercourse and to assure that the retaining wall and parking lot are not saturated subgrade and that their structural stability is not undermined. Also the new stormwater management system requires construction of an outfall which will impact very steep slopes and a zone one wetland buffer area.
- The Applicant has not supplied soils testing at a depth and in the locations needed to support the infiltration rates used in design of seepage beds and rain gardens.
- The Planning Commission had requested views of the site and proposed buildings and improvements by renderings to show that the ridgeline would be protected and the construction at and near ridgeline adequately buffered in views from the road way and from neighborhood to the west. These visual aids were not presented. Applicant presented photos showing views from the site north and west, but not to the site and of the proposed improvements - from the road and west as requested.
- Ms. Lacy summarized a number of outstanding comments pertaining to the traffic study. The study should be revised to address comments pertaining to background growth rates, added intersections, times of counts and crash analysis. A 75 foot left turn lane is warranted based on volumes, and the necessary turn lane analysis should be submitted with a revised study.

- Applicant needs to show application to the Army Corps of Engineers and PADEP for construction over the existing spring. Applicant must notify CCCD of the proposal to remove the existing E&S control measures,
- The plan notes state that no development will be permitted outside of the buildable area restriction on the plans; however, the plans show parking and stormwater management facilities being located outside the allowed development areas. The existing concrete pad should be removed from the development area.
- An updated wetlands survey is needed since the existing wetlands are “emergent” and expanding. A jurisdictional determination should be secured at the same time.
- The drainage area map is too small (< 1”=100’) to be legible. The drainage scheme does not allow for treatment or storage recovery and drains directly to the pipe network. Due to proximity to wetlands and special protection watershed, revised stormwater management regime must be proposed and shown feasible.
- E&S planning details are lacking and should be submitted along with evidence that the revised stormwater management regime has been approved by CCCD.
- Additional well pump test reporting should be submitted to show location and impacts with respect to other area wells.

Sean O’Neill commented that soils testing at the depth and locations noted by the Township Engineer is required as a conditional use submission. John Henssler questioned the construction in and adjacent to the steep slopes and wetlands. A question was raised as to construction of the existing driveway. It appears to traverse areas of very steep slope. The Applicant stated that it received Township permits for construction of the driveway. A question was raised as to whether zoning approval was required and obtained. Mr. Hunt stated that it obtained a grading permit for the driveway construction. Mr. Hunt stated that the Applicant would widen the driveway on its approach to the Temple area. A question was raised as to the need for an historic impact resource study. Mr. Hunt stated that they have a letter from PMHC stating that there are no known Class I historic resources in the area of the proposed development. Mr. O’Neill noted that the Township’s historic resource inventory map shows other structures that “Class I” national register resources in the area of the site, including the buildings on the site itself (proposed to be demolished) and on the adjoining Yasgur property, as well as others along Conestoga Road in this area. Mr. Hunt stated that the Yasgur home is not within 300 feet. The Zoning Ordinance requires an historic resource impact study be done whenever land development is proposed within 300 feet of an historic resource or when requested by the Board of Supervisors.

Mr. Yasgur stated his concerns over the scale of the retaining wall along his property and the wetlands. In response to questions, Mr. Hunt agreed that the retaining wall would be between 8 and 12 feet high and approximately 200 feet long. Other residents expressed their concern over the traffic impact on Route 401 during events at the temple. Mr. Yasgur and another resident cited several examples of other Hindu temples in region, noting that they are smaller than the one proposed here and have more parking. Examples of a variety of events and festivals occurring on a regular basis at such other temples were given from their websites and informational materials. Frank Best reiterated his concern that the parking area was based on seating (which only occurs in the auxiliary building) and that the Applicant had not so far indicated how the parking count relates to anticipated use of the temple area itself, since it has

no seats. In response to questions from the public, the Planning Commission members restated the Applicant's assurances that the Temple would not be used for educational, medical or any overnight uses.

In discussion by the Planning Commission, Frank Best noted his concerns that the proposal does not, based on the presentation, appear to be consistent with the use of existing adjoining properties, and that it cannot be effectively screened in accordance with the Ordinance where place on the ridge and adjacent to neighbors. He also expressed a concern that the use had not been quantified sufficiently for the parking proposed or for the long term maintenance of the facility. John Hensler expressed his concerns over the development impact on the steep slope and wetlands and all outstanding matters raised by Gilmore in its latest review and in the memoranda submitted by Fronefield Crawford and Jacob Yasgur. Paul Dowie stated that all of the other examples of temples given are smaller than the one proposed here, and that once the facility is constructed it will be used by numbers of people and events that are greater than stated by the Applicant based on past usage of the undeveloped site and that the parking, access, screening and other improvements will not be adequate for the facility in this location. Sean O'Neill is concerned that the effective screen required by the Ordinance can not be created in this location due to its ridgeline location and its direct proximity to slopes and wetlands where encroachments are prohibited. He is also concerned that soil testing for the concentrated stormwater management system has not been done. Tom Dinan believes the well study is needed to be completed in order to determine impact on adjoining wells.

For these reasons, on motion made by Frank Best and seconded by Tom Dinan, the members present unanimously voted to recommend against approval of the conditional use as presented.

ADJOURNMENT

There being no further business, on motion by Tom Dinan, seconded by Bill Normoyle, the meeting was unanimously adjourned at 10:15 pm.

Respectfully Submitted,
Sean O'Neill
Sean O'Neill, Secretary