

Planning Commission Meeting Minutes
Wednesday, November 18, 2015, 7:30 P.M.

Attendance: Commissioners Gary Summers, Meg Johnson, Mickey Bailey, Rob Miller; Kristin Camp, PC Solicitor; Kevin Matson, McCormick & Taylor, Township Engineers. Commissioners absent: Suzy Breiseth and Sean Rafferty.

1. **Call to Order:** Summers called the meeting to order at 7:30 p.m.
2. **Public Comment:** Summers noted the passing of Joe Stumpo, the husband of Township Supervisor Ricki Stumpo. Summers and the Commissioners recognized Joe Stumpo for his many years of volunteer service to the Township. Summers noted that Supervisor Ricki Stumpo, not able to attend, extends her thanks and appreciation to the Planning Commission for their work during 2015.
3. **Riparian Buffer Ordinance Amendment and Greenway Corridor:** John Thielacker, AICP, Associate Director for Municipal Assistance, and other representatives from the Brandywine Conservancy, appeared before the Commission to continue the discussion that began in July on the subject of proposed model riparian buffer protection ordinance amendment to the Township Code. Free technical assistance for the ordinance amendment proposed by the Conservancy is provided through a grant received from the William Penn Foundation. Seung Ah Byun, PhD, PE, Senior Planning for Water Resources for the Conservancy, reviewed the findings of the proposed model juxtaposed with Pocopson's current regulatory ordinances, as follows:
 - a. Pocopson Township has one of the most complete set of riparian buffer protection provisions within the zoning chapter (250).
 - b. The conservation of natural features is good as outlined in the Township Code defined as zone one (inner) and zone two (outer).
 - c. A review of the subdivision and land development chapter found that it is consistent with the zoning chapter.
 - d. Suggested code refinement recommendations are fully described on pages 7 - 9 of the Conservancy Review Memo dated July 28, 2015.
 - e. Consideration should be given to Act 162 of 2014 which created alternatives to riparian buffers thus amending the Clean Streams Law.

The next step will be to review ordinance amendments prepared by Brandywine Conservancy staff members for presentation in January 2016. With regard to the greenway corridor, Theilacker provided background noting that initial work on greenway corridor mapping began in 2004 when the corridor was identified as references in the Township Code. Mapping of the corridor was paid for through a County grant; field work was not completed for every site on the map. Miller and Solicitor Camp noted that there is merit in identifying the greenway corridor with accurate mapping and scientific criteria so that such sites can withstand a challenge by applicants. Commissioners believe that an argument can be made to accurately define and identify woodlands, riparian buffers, native and hardwood trees, as well as grass planting standards, because all of these natural components serve a greater function in controlling pollution, phosphate reduction, nitrogen control, run-off, etc. Township Engineer Matson expressed support in the context of the Township MS4 program and

the federal mandate to meet TMDL (total maximum daily load) requirements.

Discussion on the greenway corridor will continue in January 2016.

4. **Riverside Daycare - 1390 Lenape Road/Tax Parcel 63-4-495 (Riverside Daycare Partnership, Commonwealth Engineers, Inc.):** Victor Kelly, Jr., P.E. and Jody Thompson of Ducklings Early Learning Center (Applicants), appeared before the PC to discuss the Preliminary Land Development Plan prepared by Commonwealth Engineers, Inc., dated October 26, 2015, and subject of Township Engineer Review and Comment Letter dated November 17, 2015. The matter was last before the PC on June 17, 2015 at which time the Commissioners reviewed a Sketch Plan dated May 18, 2015. Kelly represents the Riverside Daycare Partnership and clarified that the owner of record for the parcel is T&D Sheeder Realty, LLC. Kelly acknowledged that full infiltration testing per NPDES standards is not complete at this time and Plan revisions as recommended will be forthcoming. Kelly noted the entrance will not be accessible via State Route 52 (Lenape Road) and that parking will be kept to the rear of the property. A traffic study will be completed so that engineering can preliminarily assess peak student drop-off times and traffic flow. Following is Public Comment and discussion on this agenda item:
 - a. John Gilbride commented that the closure of the Route 926 Bridge will create a significant rerouting of traffic through Riverside. Moving the entrance to Route 52 could alleviate heavy traffic using Winston Lane. Kelly responded that a highway occupancy permit for a Route 52 entrance is not likely for a variety of reasons. However, he noted the possibility of adjustments to the entrance as shown on the Plan.
 - b. Jody Thompson responded to general public comment regarding the number of "back to school" nights and holiday celebrations. She noted that at other facilities, off-site parking is used when it is anticipated that the event will be heavily attended. A shuttle service brings attendees to the facility.
 - c. Jennifer Doran, Esquire, Marcus & Hoffman, representing the Riverside at Chadds Ford Homeowners Association, commented that there are a number of concerns none the least of which is the proposed enrollment of 140 preschool/nursery students without adequate buffer to alleviate noise and visual impact of traffic. She also noted concern for additional service trucks accessing the site, i.e., delivery, trash, etc. Thompson noted that state law is guiding as to the number of enrolled students permitted. There are standards relative to the educational component that governs the student-to-teacher ratio. A traffic study will certainly help in the analysis as to the number of families that can enroll when compared with identifiable peak drop-off and pick-up times. Solicitor Camp reiterated that the facility was anticipated on the Riverside Subdivision Plan and that it is not the role of the Planning Commission to regulate enrollment. The Commissioners are reviewing the Plan for Township Code compliance.
 - d. Attendees discussed at length the various uses of every square foot of the proposed building, taking into consideration calculating the square foot per child space that includes the width of the hallways, indoor gymnasium, classrooms, etc. Commissioner Bailey noted that the Plan does not mark specific space associated with specific age groups, i.e., infants, crawlers, kindergarten, etc. Thompson noted that the classrooms would be adjusted depending on the demographics; by example, a breakroom can be redesigned to accommodate a classroom if there's a change in the demographics.
 - e. Kitty Caldwell commented that consideration should be given as to traffic patterns for Riverside residents exiting the community during the morning rush hour for any given work week.

- f. Michael Scott commented that the project scope has changed significantly from a pre-school to an early learning center and therefore is beyond what was originally stipulated during the subdivision approval process. Commissioner Summers noted that opponents to the project should not apply loose definitions to the scope of the project as state licensing boards oversee the administration of childcare facilities.
- g. Janice Bardzik asked what speed control measures will be installed by the Applicant in order to protect the children. Thompson noted that children will be limited to a fenced outdoor play area.

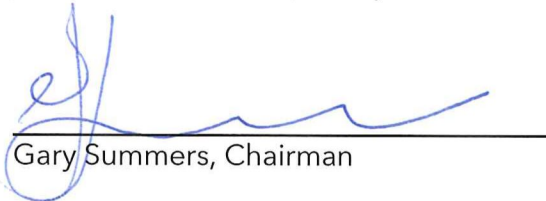
There being no further discuss or public comment, Kelly remarked that the Applicant will contact the Planning Commission to schedule presentation of Plan revisions and traffic study findings when completed.

5. **Upcoming Township Meetings:**

- a. Board of Supervisors Barnard House Bid Package Work Session November 16th, 7:00 p.m.
 - b. Board of Supervisors Regular Public Meeting November 23rd, 7:30 p.m.
 - c. Planning Commission - no December meeting
6. **Approval of Meeting Minutes:** Johnson moved, Miller seconded, to approve the Meeting Minutes dated September 16, 2015; motion carried.
7. **Other Business:** the following ordinance reviews were discussed:
- a. Multiple storage units are provided for in the limited industrial area; will look at temporary structures and time limits;
 - b. Enforcement concerns and possible amendment to the decibel meter measurements within the noise ordinance.
8. **Adjournment:** At 9:00 p.m., Johnson moved, Summers seconded, to adjourn the meeting; motion carried.



Susan Simone, Administrative Secretary



Gary Summers, Chairman