

**BIRMINGHAM TOWNSHIP PLANNING COMMISSION  
MINUTES OF THE MEETING OF DECEMBER 8, 2009**

The Birmingham Township Planning Commission's regular December meeting was called to order at 7:30 pm in the Township Building. Present were Chairman Nick DiMarino, Scott Boorse, Pete Davenport, Mary Pat McCarthy, Janet DeCaestecker, Debbie Hineman, Doug Marshall, Eric Hawkins, Solicitor Fronfield Crawford, and Township Engineer Jim Hatfield.

The minutes of the November 10 meeting were approved with one correction: Change the spelling of Scott's name to Boorse (not Bourse). (Marshall, Boorse, unanimous)

Arden Forge: Project Consulting Engineer Joe Viscuso, Developer Anthony Diver, and Architect Art Bernardon presented a Preliminary/Final Plan for the renovation of the former Arden Forge at 301 Brinton's Bridge Road in Dilworthtown. Mr. DiMarino recommended that, since there were so many issues still to be resolved, the plan should only be treated a Preliminary Plan. Mr. Viscuso agreed. Mr. Viscuso reported that he had responded the Township Engineer's letter from last June and had had a site meeting with Lloyd Roach, Supervisor Kirkpatrick, PC Chair DiMarino and Township Engineer Hatfield. Mr. Viscuso addressed the Township Engineer's letter of December 8 as follows:

ITEM 1 Applicant agrees to change the wording to state that a "certificate of appropriateness *shall be obtained* prior to any building demolition."

ITEM 2A Applicant agrees to obtain Township approval prior to any demolition, alteration, and modification of the buildings."

ITEM 2B Applicant agrees that the Board of Supervisors must decide whether or not they will waive the setback requirement and will request a waiver.

ITEMS 2C, 2D SEE BELOW

ITEM 3 has been resolved with a "statement of intent," but Mr. DiMarino suggested a restricted definition of "office" so that future occupants will not find themselves in violation of what is agreed to regarding the present plan.

ITEM 4 The space has been maximized to allow 20 parking spaces. The 2 spaces closest to the entrance from Birmingham Road may be designated in a manner to reduce risk.

ITEM 5 has been resolved: The 20-foot buffer along the western neighbor's property has been provided.

ITEM 6 has been resolved with the removal of the existing truck dock/dumpster location and its conversion to a landscaped area.

ITEM 7 has been resolved with provision of a trash receptacle space in lieu of a dumpster area.

ITEM 8 The applicant has agreed to request a waiver or variance (pending the Solicitor's advice) from provision of a large loading area; this is seen by the Township Engineer as not applicable to this planned use.

ITEM 9 The applicant has agreed to put the numbers of the deed book and page on the plan.

ITEM 10 Mr. Viscuso said the applicant is in the process of trying to connect to the Township's public sewer system. The sewage plan will be added to the plan when it is confirmed.

ITEM 11 With so little available space, it is likely impossible to include a trail on the property, but the applicant will continue discussion of this and may provide trail access across the west side of the property to avoid users entering the traffic area at the corner.

ITEM 12 With the building already existing within or at the right-of-way, a 50-foot ultimate ROW is not feasible, so the applicant has asked the Township for a waiver.

ITEMS 13 THROUGH 18, all having to do with storm water, have been resolved.

ITEM 19 Mr. Viscuso expects that the soil will be immediately removed from the site rather than be stockpiled.

ITEM 20 has been resolved.

ITEMS 21 AND 22 The applicant agreed to the Township Engineer's specifications for the storm water grates and grading.

ITEM 2C Mr. Bernardon displayed perspectives of the proposals – the architectural plans – showing the improvements, additions, and modifications to the buildings. Everything is being photographed for documentation for the record.

ITEM 2D Mr. Bernardon said Mr. Diver will request a waiver from the Historic Resource Impact Study because the area has already been so thoroughly studied and its improvements will only enhance the site.

Mr. Hawkins asked Lloyd Roach if Dr. Abramson's house is a historic resource; Mr. Roach did not know. Mrs. Hineman expressed concern about the parking. Mr. Viscuso explained how the plan meets the requirements of the ordinance (13 to meet the square footage plus 7 for the employees); with minimal visitors to the building, these 20 should be more than adequate. Mr. Hatfield said he believes the 20 spaces will be adequate for the planned use of the building. Mr. Viscuso confirmed that no additional off-site parking will be necessary. Mrs. DeCaestecker asked the number of planned offices. Mr. Bernardon responded that the building has a number of features (e.g. thick interior stone walls, summer kitchen appendage not usable for office space, etc.) that limits the building to 75-80% efficiency (usable area); this actually could reduce the parking requirements. Ms. McCarthy said the use is the most important thing in the plan. There was further discussion of moving the trash spot to the stacked parking spot, the unlikelihood of large truck arrivals, waivers, etc. Mr. Crawford asked if the applicant would be willing to compromise over the ROW by agreeing to future condemnation at no cost to the Township. Mr. Viscuso said it must not be so much that it would compromise the building. Mr. Bernardon read the Ordinance provision that permits the Supervisors to waive the Historic Impact Study. Mr. Hawkins expressed concern about the impact on the neighboring Historic Resource (Dr. Abramson's) and concern that the so-called wooden addition may actually be the most original structure. Mr. Bernardon showed why he believes it to be an infill addition (missing end walls).

Dr. John Abramson said his house and barn are historic resources. Dr. Abramson expressed skepticism about the percolation tests on the Forge property because his own ground is normally supersaturated. Mr. Viscuso expects that the work on the Forge property will improve the situation on Dr. Abramson's property. Mr. DiMarino said the neighbor's property should be protected from resulting damage, and suggested dialogue between the two property owners. Mr. Hawkins noted that the Forge property's well could be endangered by the infiltration bed and/or new paving. The issue of an acceptable "perc" test needs to be addressed in a way that leaves no doubt that it was properly performed.

In conclusion, reiterating some of the remaining problem issues, Chairman DiMarino suggested constraints on the use of the building. Doug Marshall recommended the Supervisors review the plan, especially since the buildings are to be protected and improved, while they are now in danger of being lost. Mr. Hawkins suggested that the Preliminary Plan be brought back to the Planning Commission. Mr. DiMarino asked for a letter of extension of time to review the plan. (Mr. Hatfield said the sewage plan would take more than a month to be completed.) A motion was made to approve the Preliminary Plan with the following conditions:

Zoning variances be applied for, (8)

Supervisor waivers be requested (2abcd, 12)

An agreement that limits the uses to those that will have few employees and a limited number of visitors (especially discussed were medical offices as a potential problem)

Clarification of the lighting plan

Identify whether or not Dr. Abramson's property is a historic resource

(Marshall, Boorse, all in favor)

Temporary Signs: Discussion postponed.

Announcements: Chairman DiMarino said he'd discovered that Mrs. DeCaestecker's term does not end until December 2010; Janet agreed to stay until then. Mr. Hawkins has agreed to another three-year term and Mr. Towler must let Mr. DiMarino know if he will stay for another term.

Scenic Byways: PennDOT cancelled the project grant for the consultant.

Dan Hill has resigned from the Scenic Byways Commission; the Supervisors would like a PC member to fill one position. Mary Pat McCarthy agreed to serve.

Mr. DiMarino distributed his November 18 email to Supervisor Al Bush listing comments about the Scenic Byway presentation at the September PC meeting. Mr. DiMarino asked for confirmation of his statements to Mr. Bush. Regarding the first five, all members were in agreement (Marshall, Boorse). Regarding the issue of whether or not the Township needs more trails, three members are in favor of more trails and five are not.

Thornbury Township Comprehensive Plan Historic Resources section: Mr. DiMarino emailed his comments to the PC members. A motion to recommend these comments to

the Supervisors in their consideration of the plan was made by Mr. Boorse and seconded by Mr. Marshall, passed all in favor.

The January PC meeting will begin with an organizational meeting.

Mr. Crawford said he is integrating the proposed sign ordinance changes in their proper context within the ordinance – for our January discussion.

After Mr. Crawford left the meeting, the PC members voted to retain Mr. Crawford as PC Solicitor for 2010. (Marshall, Boorse, all in favor) Mr. Hawkins noted the continuation of Mr. Crawford's "personal touch" beyond the support of his former larger firm.

The meeting was adjourned at 9 pm. (Hawkins, Hineman, all in favor)

Respectfully submitted,

Jacquie Roach

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