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ASTON TOWNSHIP
BOARD OF COMMISSIONERS
SPECIAL MEETING
November 23, 2015

Transcript of the ASTON TOWNSHIP BOARD OF
COMMISSIONERS SPECIAL MEETING, taken before Lorraine
Evans, Court Reporter-Notary Public, at the Township
Building, 5021 Pennell Road, Aston, Pennsylvania
19014, on Monday, November 23, 2015,
commencing approximately at 7:00 p.m.

BOARD MEMBERS

JAMES M. STIGALE, PRESIDENT
MICHAEL J. HIGGINS, VICE-PRESIDENT
MARK T. OSBORN
JON FIRLEIN
CAROL GRAHAM
JAMES W. MCGINN

ELIZABETH NAUGHTON-BECK, ESQUIRE, SOLICITOR
JOSEPH VISCUSO, TOWNSHIP ENGINEER

LORRAINE EVANS
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L O R R A I N E E V A N S

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1 PRESIDENT STIGALE: Good evening
2 everybody. I would like to call this special
3 meeting of the Aston Township Board of
4 Commissioners for November 23rd, 2015 to order.
5 Please rise and take your hats off for the
6 Pledge of Allegiance.

(Pledge of Allegiance)

8 PRESIDENT STIGALE: Thank you. Ms.
9 Naughton-Beck.

10 MS. NAUGHTON-BECK: Thank you,
11 Commissioner Stigale. Members of the public

12 and Commissioners, we're here on the
13 application of Grace Development to rezone the
14 10.4 acre parcel of land located at 104-106 Old
15 Pennell Road from institutional to townhouse.
16 Grace Real Estate Investment Partners have
17 submitted a preliminary plan, townhouse
18 buildings consisting of 77 units. Tonight's
19 not a substantive challenge, just a request to
20 change the zoning.

21 MR. DIGNAZIO: Correct, not challenging.

22 MS. NAUGHTON-BECK: It's my understanding
23 that this has been reviewed by the Delaware
24 County Planning Commission and they have issued

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1 review comments dated September 25, 2015, and
2 the Aston Township Planning Commission with
3 comments dated October 28, 2015. I have not
4 seen the County's Planning reviews. It's my
5 understanding they were both favorable to the
6 request.

7 MR. DIGNAZIO: That's correct. Both gave
8 attention to our application.

9 MS. NAUGHTON-BECK: So at the end of the
10 hearing if you could provide a copy, what I'd
11 like to do is put in the record copy of the
12 County's Planning Commission review comments.
13 Properties were posted. Notices were sent to
14 all of the affected property owners and
15 tonight's hearing was advertised November 6 and
16 November 13 editions of the Delaware County

17 Daily Times.

18 By way of some very brief history of the
19 property, in 2007 the zoning for this property
20 was changed from commercial to institutional
21 and in 2012 the applicant sought and obtained
22 conditional use approval for age restricted
23 apartments.

24 Tonight my understanding is the request is

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1 to change it to townhouse, as I indicated, 77
2 proposed units. Tonight is not a land
3 development application, so the inquiry for the
4 applicant, the Commissioners as well as members
5 of the public is whether the change in the
6 zoning and the intended use for townhouses as
7 opposed to institutional is appropriate for
8 this site.

9 The actual number of units, ingress,
10 egress, those issues are land development in
11 nature and that will be the subject for another
12 day, assuming they are -- the applicant is
13 successful at this point. Mr. Dignazio.

14 MR. DIGNAZIO: Thank you. For the board's
15 edification, my name is Michael Dignazio. I am
16 an attorney with offices in Media and, believe
17 it or not, I was the attorney for the applicant
18 back in 2005 and 2010 with regards to this
19 property.

20 We have one witness and several exhibits.
21 And I would ask that Joe Grace be called and
22 sworn.

23 JOSEPH ALOICIOUS GRACE, JR,
24 having been called as a witness
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1 and having been duly sworn, was
2 examined and testified as
3 follows:

4 BY MR. DIGNAZIO:

5 Q Where do you reside, Mr. Grace?

6 A In Chadds Ford, Pennsylvania.

7 Q With regards to Grace Real Estate
8 Investment Partners, what connection, if any, do you
9 have with that entity?

10 A I am the manager of Grace Real Estate
11 Investment Partners.

12 Q Are you authorized to offer testimony on
13 their behalf this evening with regards to the
14 application to change the zoning of the parcels?

15 A Yes.

16 Q Let me show you an exhibit I marked as
17 P-1, which is a certified copy of the deed.

18 (Whereupon, a document is
19 produced and marked as P-1 for
20 identification.)

21 BY MR. DIGNAZIO:

22 Q Do you recognize that, sir?

23 A Yes.

24 Q That was the deed that you received from
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1 whom?

2 A When we purchased the property from, part
3 of it from Dean Fountain.

4 Q And the other part came from the Evans
5 family?

6 A Yes.

7 Q Let me show you another deed which will be
8 marked P-2. Is that the deed from the other
9 property from the Evans property?

10 A Yes.

11 (Whereupon, a document is
12 produced and marked as P-2 for
13 identification.)

14 BY MR. DIGNAZIO:

15 Q Combined those two deeds produce a
16 contiguous land area of 10.4 acres, is that correct?

17 A Yes.

18 Q And that's the subject of the hearing this
19 evening?

20 A That's correct.

21 Q Now, the area is currently zoned
22 institutional, is that right?

23 A That's correct.

24 Q And was that a result of your efforts

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1 before this board back in 2005?

2 A Yes.

3 Q I am going to mark what's on the easel,
4 gentlemen, as P-3.

5 (Whereupon, a document is
6 produced and marked as P-3 for
7 identification.)

8 BY MR. DIGNAZIO:

9 Q It's a copy of a plan that was approved by
10 the township on June 12, 2008 and it reflects the
11 development of several units for independent living
12 and several units for intensive care, is that
13 correct?

14 A That's correct.

15 Q And did you get to begin development on
16 this plan?

17 A We did all of the engineering for it, yes.

18 Q Did you get to actually develop the site?

19 A No.

20 Q Is there a reason or was that occasioned
21 by the fact that the market crashed in 2008-2009 and
22 your financing just went away?

23 A Yes.

24 Q Then did you eventually come back to the

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1 township in 2010 and request an amendment to that
2 plan, or 2012 I believe that was?

3 A Yes.

4 Q You sought, and that's by the plan which I
5 am marking as P-4, to change it to age restricted
6 condominiums, is that correct?

7 A That's correct.

8 (Whereupon, a document is
9 produced and marked as P-4 for
10 identification.)

11 BY MR. DIGNAZIO:

12 Q And that was adopted by the township by a

13 resolution 2010-2012 on 9/15 2010, is that correct?

14 A Yes.

15 Q Have you been able to develop the site
16 with regards to this plan?

17 A No, I have not. Financing for senior
18 living has fallen through the floor.

19 Q So this was 235 age restricted condominium
20 units, is that correct?

21 A I believe that's correct.

22 Q And the other units were --

23 A Two hundred and eighty-four units, I
24 believe the first plan was.

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1 Q Two hundred eighty-four, and that was
2 divided up between independent living and intensive
3 care, is that correct?

4 A Yes.

5 Q Now you have before the board the
6 application to change the zoning to townhouses.

7 A That's correct.

8 Q And is this the sketch that we provided
9 before the Delaware County Planning Commission and
10 the Township Planning Commission with review to that
11 application?

12 A Yes.

13 Q I am going to mark this P-5 for the
14 record.

15 (Whereupon, a document is
16 produced and marked as P-5 for
17 identification.)

18 BY MR. DIGNAZIO:

19 Q This shows approximately 75, 77 townhomes,
20 is that correct?

21 A I believe so, yes.

22 Q And does the plan reflect the traffic
23 pattern that was originally approved by the township
24 back on June 12 of 2005?

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1 A It would be exactly on the same road we
2 had proposed before.

3 Q Basically your request is to limit the
4 intensity on the property, which was originally some
5 284 units in 2005, reduced to 254 units in 2010 down
6 to basically 75 or 77 townhomes?

7 A That's correct.

8 Q Do you consider that a significant
9 reduction in the intensity of the use of the
10 property?

11 A Yes.

12 Q Now, is there any plan on your behalf, if
13 this is approved, to ever open the back end of the
14 development to Old Pennell Road?

15 A No. I believe the new construction, the
16 Planning Commission all recommended we have an
17 emergency access only and that would be to Old
18 Pennell Road. We have an emergency access as shown
19 on both of those other previous plans that were
20 approved.

21 Q I'm pointing to Exhibit P-3, the plan
22 approved back in 2005, and that shows proposed
23 emergency access way that was basically a knock down

24 gate with --

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1 A Impervious pavers.

2 Q Would the development of this townhome
3 community be any different?

4 A No.

5 Q Thank you.

6 MR. DIGNAZIO: I have no further questions
7 of the witness if the board would like to
8 inquire.

9 BY MS. NAUGHTON-BECK:

10 Q I have a couple. Mr. Grace, in your
11 opinion would the proposed change in zoning from
12 institutional to townhouse adversely effect the
13 roads or sewer systems?

14 A No, it would be less impact.

15 Q How about the water supplies?

16 A Less impact.

17 Q An issue that was raised is with the
18 removal of the age restricted housing that was
19 approved in 2012 to townhomes, what impact, if any,
20 it would have on the school system.

21 A It would be minimal. These would be
22 directed towards new residents to the township.

23 Q And I know this is a lot of speculation
24 further down the road, can you give the board an

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1 idea as to the dollar figure, what sort of marketing
2 you're going to do for these?

3 A The townhouses now in the area,
Page 10

4 specifically Ballinahinch, which would be a little
5 bit smaller than these units, average \$225,000 to
6 \$245,000. We expect the starting price in these
7 units to be north of \$260,000, because they'll be
8 200 to 300 square feet and larger and they'll be
9 brand new versus 25 years old.

10 Q How many bedrooms per unit?

11 A Probably average two bedrooms.

12 Q If I understand your prior testimony, the
13 only change that you're requesting from this board
14 is just to change the proposed use to construct
15 townhouses instead of apartments?

16 A That's correct.

17 Q Mr. Grace, in your opinion, the change in
18 zoning from apartments to townhouses, do you think
19 that it's going to have an adverse affect on the
20 intensity of the use of the site's sewer, or slopes
21 or flood plains?

22 A No, it would be less than the previous
23 approved plans.

24 Q Have you ever done any research into what

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1 the housing needs are in the township and what
2 effect the townhouse will have on it?

3 A There's an immense need for houses in that
4 price point range.

5 MS. NAUGHTON-BECK: Those are the
6 questions that I have.

7 BY MR. DIGNAZIO:

8 Q Will each unit have garages?

9 A These will all have garages.
10 Q Two car garage attached?
11 A Yes, inside.
12 Q Do you anticipate that this final plan
13 would provide more open space than the other two
14 plans?
15 A Slightly more open space in this plan or
16 less impervious coverage.
17 MR. DIGNAZIO: Thank you.
18 PRESIDENT STIGALE: Commissioner Firle in.
19 COMMISSIONER FIRLEIN: I am okay.
20 PRESIDENT STIGALE: Commissioner Osborn.
21 COMMISSIONER OSBORN: I am fine.
22 PRESIDENT STIGALE: Commissioner Higgins.
23 COMMISSIONER HIGGINS: Mr. Grace, how are
24 you?

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1 THE WITNESS: Little sore.
2 COMMISSIONER HIGGINS: Good to see you.
3 The target market for the townhomes, what type
4 of folks are you looking to bring in here, the
5 so-called millennials?
6 THE WITNESS: Combination. People that
7 want to move from a house where they have a lot
8 of maintenance, to a project that there's total
9 care, Homeowners Association that takes care of
10 everything.
11 COMMISSIONER HIGGINS: So a lot of these
12 would be people that, let's say, have a house
13 in Aston, want to downsize, let's say, and
14 would look to come into what you have to offer?

15 THE WITNESS: Yes.

16 COMMISSIONER HIGGINS: What kind of -- I
17 think you said minimal impact on the school
18 district?

19 THE WITNESS: I believe there would be
20 minimal impact. I am not an expert in
21 demographics. I have seen the demographics
22 from townhouses before. There's not a gigantic
23 impact on the school districts. You have a mix
24 of people selling their homes in the district

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1 and there's a mix of millennials moving into
2 them. A lot of them are single.

3 COMMISSIONER HIGGINS: That's all I have.
4 Thank you.

5 COMMISSIONER GRAHAM: None.

6 COMMISSIONER MCGINN: No.

7 PRESIDENT STIGALE: You had mentioned
8 something about the sewer, water and sewer
9 impact.

10 THE WITNESS: Yes, less than the previous
11 project, a lot less.

12 PRESIDENT STIGALE: Which was approved
13 previously?

14 THE WITNESS: Yes.

15 PRESIDENT STIGALE: Okay.

16 MR. DIGNAZIO: For the Board's
17 edification, believe it or not, our original
18 plan which is dated June of 2005 is the last
19 recorded plan that we could actually build on,

20 ask for building permits for, because of the
21 extension by the Commonwealth to June of 2016.
22 So it's still a valid existing plan and it's
23 just that we don't think that it's the right
24 thing for the market right now and it's

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1 significantly more intensive than what we are
2 asking for with this application.

3 PRESIDENT STIGALE: I wanted to get that
4 clarified compared to you had said a reduction,
5 compared to what. I missed that point of
6 conversation. I have no other questions. If
7 anyone in the public here has a question, stand
8 up, state your name and address.

9 MS. NAUGHTON-BECK: If we can have Mr.
10 Grace sit down and members of the public can
11 come up.

12 PRESIDENT STIGALE: Come to the podium,
13 state your name and address.

14 A VOICE: My name is Tina Picciati and I'm
15 on North Manor. It's changing from restricted
16 active adult living and it's going to
17 townhouse, correct? What impact is that going
18 to cause on the traffic in that area if there's
19 only one -- is there plans to make a light on
20 Pennell Road? Pennell Road gets very congested
21 as of right now.

22 MR. DIGNAZIO: We are going from well over
23 250 condominium units down to 75.

24 MS. PICCIATI: They were active adults,

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1 which most aren't really driving at this point.
2 Now you're talking about families that it could
3 be a single parent with teenagers that are --
4 there's at least three drivers.

5 MR. DIGNAZIO: I can't respond to the
6 possibility. I can tell you that I am well
7 over 55, so is my wife, we both have our own
8 cars.

9 PRESIDENT STIGALE: Let's refer to the
10 previous plan that was approved. What was the
11 entrance and exit?

12 MR. DIGNAZIO: Entrance is off of Pennell
13 Road and loops around and exits on Pennell
14 Road. Doesn't impact Old Pennell Road
15 whatsoever, and I am going to give you an idea,
16 there's 50 units with five levels, 50 units at
17 five levels, 41 units at five levels, 41 units
18 at five levels, almost 200 on this plan, 200
19 condominium units, some of which were five
20 stories. These, how tall? What would be the
21 height?

22 MR. GRACE: Forty, 45 feet.

23 MR. DIGNAZIO: It's a significant
24 reduction in what the plans are.

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1 PRESIDENT STIGALE: Let's refer back to
2 that exit out onto Pennell Road, give us an
3 idea of where that is at in relation to the
4 property.

5 MR. DIGNAZIO: It's -- who's across the
6 street?
7 MR. GRACE: Yarnell Pools to the west.
8 MR. DIGNAZIO: To the west, exiting out
9 onto Yarnell Pools.
10 PRESIDENT STIGALE: You understand where
11 they're going to come out?
12 MS. PICCIATI: It's further down where Old
13 Pennell Road comes out, right?
14 PRESIDENT STIGALE: No. Where Yarnell --
15 COMMISSIONER MCGINN: More or less in the
16 middle of the property where the sign is now.
17 MS. PICCIATI: There's still a very large
18 congestion area.
19 PRESIDENT STIGALE: Mr. Viscuso, that will
20 be addressed by PennDOT?
21 MR. VISCUSO: Yes. Pennell Road is a
22 state highway. They are the ones that control
23 and permit the access onto Pennell Road. They
24 have to satisfy them.

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1 MR. DIGNAZIO: We did twice in the past.
2 MR. VISCUSO: They had one.
3 MR. DIGNAZIO: For the approved plan in
4 2005.
5 MR. VISCUSO: We had this discussion on
6 another development, traffic signal. There
7 wouldn't be enough units existing there to
8 warrant a traffic signal there.
9 MS. PICCIATI: Thank you.
10 MR. MILLS: David Mills, 252 Brakel Lane.

11 One is follow-up on the impact on the schools
12 from the addition of children at school age. I
13 don't think you've been specific enough as to
14 the number of additional children that would be
15 eligible to attend our school districts. Do
16 you have a rule of thumb, 75 townhouses, how
17 many you might have? And I don't know what
18 capacity the school system has, 75, 150.

19 MR. GRACE: I don't know what that
20 statistic is. I was at a meeting months ago in
21 another township where a company came forward
22 and produced demographics that showed that it
23 wasn't a major impact because a lot of people
24 are moving down into a townhouse from a single

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1 home and there is millennials and a lot of
2 millennials are single people that move into
3 the units, so I am not a demographics expert.
4 Without having the number of units approved to
5 be able to specify as and who you sell to as to
6 the number of children, that would be in there
7 and what age they'll be.

8 PRESIDENT STIGALE: They also will be
9 paying school taxes.

10 MR. MILLS: Townhouses, buying the
11 property, paying the taxes. Second because our
12 property borders Old Pennell Road on the one
13 side, will there be any kind of a berm or
14 buffer or landscaping to somewhat shield the
15 view of this development or the noise or

16 anythi ng?

17 MR. GRACE: There's already a plan there
18 that shows you have a hill there on Old Pennell
19 Road to the property. There will be a berm and
20 plantings and we'll have to meet the
21 requirements of the township engineer. I know
22 on these two plans there was a tremendous
23 amount of plantings.

24 MR. VISCUSO: Just to answer that, from
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1 the township's standpoint, it's a fair
2 question. We are not at the detail stage. The
3 question is does it get rezoned, and if
4 rezoned, they have to go through the whole land
5 development process. So you and the residents
6 can all voice those concerns, I want more
7 landscaping, trees, that's where all the detail
8 comes in.

9 MR. DIGNAZIO: Especially with regards to
10 the lighting. If you can recall, because of
11 the institutional uses that were approved, we
12 had lighting plans that lit the whole hill up.
13 That won't be the case with the townhouses.

14 MR. MILLS: How high would these
15 townhouses be?

16 MR. DIGNAZIO: Two stories with under
17 ground, below level parking.

18 MR. GRACE: Level and below level.

19 MR. MILLS: As far as the impact on Old
20 Pennell Road, do I understand, other than
21 having an emergency exit out there, there's no

22 --

23 MR. DIGNAZIO: No other ingress or egress.

24 MR. MILLS: No sewer that needs to be

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1 done, widening of that road or not part of.

2 MR. DIGNAZIO: If there's no ingress and
3 egress onto the road, shouldn't need it.

4 MR. MILLS: Thank you.

5 A VOICE: Sonny Yarnell, and I have the
6 property down on Pennell Road. Ten, 15 years
7 ago when he looked better than he looks now, I
8 was here and it's still the same story second
9 verse, could be better, gonna get worse. You
10 got 10 and a quarter acres of ground that's
11 going to be covered with blacktop or roof.
12 Where is the water going? I get flooded now
13 when it's a very bad rain.

14 The nun's property let's all the sticks
15 and trees and they can't get under the big pipe
16 under my thing. Where is that water going to
17 go is what I want to know. I asked the great
18 Mr. Viscuso many years ago. I said do we still
19 have the 100 year storm rule, and he
20 reluctantly went yes.

21 MR. VISCUSO: It's gotten worse now in
22 terms of the ordinances. They're tighter.

23 MS. NAUGHTON-BECK: If we had done it 10
24 years ago they weren't as strict.

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1 MR. YARNELL: That's good. That's what I
2 was after, still going to have the blacktop in
3 the roof, 10 acres of water is coming down and
4 running, and I don't want it running down my
5 place and have me -- that boat in the back will
6 have to go in the front.

7 MR. VISCUSO: You and I walked your
8 property many times.

9 MR. YARNELL: That's all I wanted to know.

10 PRESIDENT STIGALE: Any other questions
11 anyone? Seeing none --

12 MS. NAUGHTON-BECK: Anything additional?

13 MR. DIGNAZIO: No. We move for P-1
14 through P-5.

15 PRESIDENT STIGALE: Is that it?

16 MS. NAUGHTON-BECK: For everyone's
17 edification the board will take this under
18 consideration and I believe it will be on the
19 agenda for the Commissioners December meeting,
20 whatever the third Wednesday is.

21 MR. DIGNAZIO: Thank you.

22 PRESIDENT STIGALE: I need a motion to
23 adjourn.

24 COMMISSIONER MCGINN: So move.

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1 COMMISSIONER FIRLEIN: Second.

2 MR. DIGNAZIO: Thank you for your
3 attention.

4 (Whereupon, the meeting is
5 concluded at 7:26 p.m.)

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REPORTER'S CERTIFICATION

I HEREBY CERTIFY that I was present upon the hearing of the above-entitled matter and there reported stenographically the proceedings had and the testimony produced; and I further certify that the foregoing is a true and correct transcript of my said stenographic notes.

Lorraine Evans
Reporter-Notary Public
My Commission Expires
October 25, 2018

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16 (The foregoing certification of this transcript does
17 not apply to any reproduction of the same by any
18 means, unless under the direct control and/or
19 supervision of the certifying reporter.)

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