

Aston Township Planning Commission

Meeting Minutes for April 26, 2022

Present: J. McColgan, Chairman J. Marchlik, Vice Chairman
T. Novotni E. Finn

The meeting was called to order at 7:00 PM.

The following item was reviewed:

Preliminary Plan Review - A&A Enterprises, LLC 2043 Bridgewater Road Subdivision & Land Development

The plan was reviewed with comments from Delaware County Planning Commission letter dated April 21, 2023 and Aston Township Engineer - Pennoni letter dated April 25, 2023. In addition, was documentation from YERKES Associates, Inc. addressing PA DOT issues.

The plan was presented by Nick Cirilli, PE, PLS from Yerkes Associates, Inc. and Jose Grande, PE, Yerkes Associates.

The proposal is to reverse subdivide three parcels into one. The plan includes construction of a 6000 square foot building to be used for storage and some minor repairs. The site is in the Limited Industrial District.

The following were the general discussed:

1. There are six waivers being requested as part of the plan as follows:
 - a. Access ways to public street to be located not less than 250 feet from intersection of any other public street. This project has 160 feet. *The Planning Commission suggest the Township Engineer and Commissioners determine if this is acceptable.*
 - b. Landscape Plan is required by a Registered Landscape Architect. The developer is requesting to perform this himself. *Planning Commission does not agree this waiver should be issued.*
 - c. Steep slopes for an area of 7000 sq. ft. and providing a flatter slope of 8%. *The Planning Commission suggest the Township Engineer and Commissioners determine if this is acceptable.*
 - d. A waiver from the installation of curb and sidewalks on Bridgewater Road and Judy Way. *The Planning Commission does not agree this request should be granted. This area on Judy and Bridgewater Road are areas with a lot of vehicle traffic and not having the walkways is a matter of not having safe walking access*

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for the public. The reason the ordinance was created was to ensure safety to the public and to maintain our roads with curbing.

- e. Waive requested from showing utilities within 200 feet of the site. *This is acceptable to the Planning Commission.*
2. Approval from PaDOT is required for ingress and egress onto Bridgewater Road. During the review Mr. Cirilli discussed the research performed and thought the current access is acceptable. Discussion regarding the need to increase the width of the access road from 22 feet to 24 feet and to adjust the curb cut would require updated review and approval by PaDOT.
3. The plan indicates that all truck traffic will enter and leave the site through the Bridgewater Road access and that not truck traffic will be allowed to enter or exit off the Judy Way entrance. Additionally, all traffic exiting the site will use the Bridgewater Road. So, Judy Way will be an entrance only for all vehicles except truck. Trucks of any size. Interior signage will be incorporated into the plan.
4. The 6000 square foot building will be constructed and the use will be storage and some minor repair. The proposal indicates that electric will be from the existing electric service of another building on the site. No water or sewer is being provided. *The Township needs to confirm that this is not a requirement before being approved.*
5. There is a 100-foot setback required and the wall of the proposed building. The plan indicates the setback will be 140 feet.
6. A three-foot high by thirty-foot-wide earthen berm is planned along the south side. The berm will have plantings and a six-foot-high privacy fence with solid slats to reduce sound. *A Landscape Plan by a Registered Architect is required for the landscaping. The location the berm ends is to be reviewed to determine if it would better serve the neighbors to have the berm end nearest 201 Beatrice Lane or to have it turn and follow the fence line surrounding the building.*
7. No flammable liquids will be stored in the building.
8. Hours of operation was addressed to be 7:30AM to close by 5:00PM Monday through Friday and on Saturday 8:00AM until 5:00PM. No Sunday work hours are included.
9. Strict compliance with performance standards set forth in Chapter 1278 of the Codified Ordinances.
10. Compliance with all applicable building codes and Township Ordinances.
11. No equipment may be returned to the property until the installation of the berm, fence and landscaping is completed. *A reminder that the Landscape Plan needs to be approved first.*
12. Enforcement costs, including engineering and attorney's fees, for failure to comply with the terms of the conditions outlined in the conditional use approval will be paid by the property owner A&A Enterprises, LLC.
13. Erosion and sedimentation plan needs to be prepared and meet requirements of 1234-08.

14. The review of Delaware County Planning Department has incorrectly indicated under proposal that the plan is to create two new parcels. The plan is to create one new parcel.
15. The Aston Township Fire Marshall shall review the plans for compliance. A 20-foot-wide fire lane is required at the rear of the building near the buffer.
16. The plans need to be corrected and incorporate the comments before proceeding to final plan submission.

Comments from the Public

Tom Agnew, 213 Beatrice Lane, Aston

- Has been a 32-year resident and has had such a bad experience with this guy.
- Judy Way entrance will be blocked when they use Bridgewater Road entrance and exit due to backlog of trucks.
- Thinks they will still be using Judy Way entrance no matter what he agrees to.
- Not having a 200-foot sight line should not be. They indicate the driveway is grand fathered but not for this use.
- Curb and sidewalk are a must. Should not be allowed to build. People need to be safe and without it they will not by.
- Building Codes. Do they require water and sewer in the building?

Kevin Tinsley, 113 Beatrice Lane, Aston

- Go by the book on this equipment building.
- Currently there is a portable storage building on the site where he is storing equipment.
- Currently he is using porta potties and not the building on Bridgewater Road. Is this allowed? Is he allowed to not have sanitary and water in the building?
- He uses wood burning stoves as well. And now he is proposing to use propane for the new building.
- As for the waiver for curb and sidewalk, this should not be allowed. Safety is the first thing.
- What type of lighting will be used?
- There are dead trees on Judy Way. They were getting replaced and nothing yet.
- The parking for a couple of employees is not true. The lot is full all the time.
- Stormwater management. What will they do with all the water. *Engineer went through the plan and discussed the subsurface retention system.*
- Noise that they have put up with and do not want to have. Keep being told things then it does not happen.

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Mike Ruggieri, 113 Dorothy Lane, Aston

- Have put up with noise from trucks and tractor trailers. Will there be any insulation in the building to reduce noise from inside with repairs and equipment running?
- Can the fence be higher than 6 feet? Hoping a fence to reduce sound better. *It was discussed that at Shopping Bag they had a taller fence installed. Not sure if that can be done.*
- Do not agree with any approval from the Commissioners to waive the curb and sidewalks. Requirement is to protect people. He had to be aware of requirement when he purchased the land.
- Mike showed photo of bucket truck on the site and also said there is lighting strung on the trees and illuminating the resident's property.

Terry Foldes, 205 Beatrice Lane, Aston

- No to the wood chip walkway in the woods. The wood chips will wash out and not be maintained. Do not want people in the woods behind houses. Sidewalk and curb required.
- Will welding be done? No water? Does not make sense.
- Trees have been removed previously and still laying on site rotting. Was told they were going to be removed. Never happened.
- I would say to plant even more trees on the site. If they remove trees for the work and storage area replace them.
- Was the wetland looked at? *Answer, yes, it is delineated on the plan.*

Janice Misci, 201 Beatrice Lane, Aston

- The wood chip trail would serve no purpose.
- No waiver for curb and sidewalk.
- Removal of trees in the past that served no purpose but was done.
- Keep as many trees as possible. Plant more trees.
- Landscape plan needs to be done by a 3rd party not the owner.

Mike Higgins, Radon Drive, Aston

- Spoke about the project and the stipulations as part of the conditional use approval (attached here). Went through several of the requirements and discussed with the audience.
- Spoke about the 22-foot-wide entrance and required 24-foot-wide and that PADot was required to review.
- Spoke to Kevin Tinsley about his concern of the equipment stored on the property and being the property in the middle and not this property.

- The storage will be on site in stoned area.

It was recommended that the developer incorporate the comments from the Planning Commission, Township Engineer, and New Construction and revise the plans for submission of final plan review. In addition, pay special attention to but not limited to the recommendations:

1. Proceed to final.
2. PADot permit required or amended to include the change to the current opening width and use.
3. A Registered Landscape Architect provide a landscape plan showing all features and also include lighting plan on same. The request to have the developer provide is not acceptable.
4. The berm as proposed be modified from the current plan and turn the berm and extend along the proposed fence line to reduce the sound and light from the residents.
5. Replacement of trees that will be removed as part of the construction on the property to add to provide additional protection of the residents. Should the extent of trees on site be sufficient then the developer should work with Aston to provide the plantings elsewhere in the Township.

Recommendation proposed by J. Marchlik, Vice Chairman.

Recommendation agreed to by members.

Adjournment

Motion to adjourn was made.

Motion by K. Novotni.

Motion was second by J. Marchlik, Vice Chairman.

Motion passed.

These meeting minutes reflect the main areas of discussion and comments addressed during the review process of the plans as presented. There may however, have been other items discussed that were not noted or documented in the minutes and need to be included in the plan presented for final approval by the Township.

Respectfully submitted,

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J. McColgan, Chairman

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A&A Enterprises LLC Rick Conditional Use Hearing

Conditions for Approval

1. Approval from PaDot for ingress and egress onto Bridgewater Rd. If PaDot denies this permit, the conditional use request is denied in its entirety.
2. Limit the existing entrance on Judy Way to automobile ingress use only. The existing entrance will have clearly marked signs identifying that the entrance is limited to passenger vehicles only and that "No Exit" for all vehicles.
3. Bridgewater Rd Driveway:
 - A. The driveway will be widened to 24 feet.
 - B. Driveway will be used for ingress and egress (all vehicles).
 - B. All truck and equipment to the site, both ingress and egress, will be required to use the Bridgewater road driveway.
 - D. The proposed driveway will have clearly marked signs identifying mandatory use for all trucks.
4. The proposed auxiliary structure, consisting of a sixty (60') foot x one hundred (100') foot building shall be located where indicated on the attached plan.
5. The proposed structure will connect electricity from the 400 am service currently located on the property. Heating of the new structure will be propane. The existing structure on the property shall convert from wood pellets to propane.
6. The doors to the proposed structure will face northward toward Bridgewater Rd.
7. There shall be a one hundred (100') foot setback between the southern property line and the side wall of a proposed sixty (60') foot by one hundred (100') foot building as required by ordinance. (120' provided).
4. The existing vegetation of approximately fifteen (15') feet wide by two hundred ten (210') feet along Judy way starting at the southerly side of the existing storage yard to the Burnones' property line (115 Dorothy way) is scheduled to be removed. The fifteen (15') foot strip will be replanted with a row of Leyland cypress and any existing damaged fence along Judy way will be repaired.
5. A three (3') foot high by thirty (30') foot wide earth berm is planned on the south side of the A & A property.
6. Extend the earth berm from a point on the corner of the retention wall to a point ending at the rear of the Misci property at 201 Beatrice lane. The exact termination of the berm to be re-evaluated for modified berm/fencing, subject to Township's request.

7. Plant Leyland cypress or similar evergreen vegetation on top of said earth berm as shown on the sketch plan.
8. Installation of a six-foot (6') privacy fence is planned on the A&A side of the earth berm and will extend to the rear of the Misci property at 201 Beatrice lane. The exact termination of the fence to be re-evaluated for modified berm/fencing, subject to Township's request. PVC fencing to be installed for properties along Beatrice Drive, color to be determined by Township.
9. Regrading of the existing outside storage area may result in a three (3') foot more or less high retaining wall up to and along the bottom of the proposed three (3') foot high earth berm as shown on the sketch plan.
10. The new building and storage area (approximately 60'x100') shall be enclosed in a six-foot (6') foot high chain link fence with green privacy slats as shown on the sketch plan as required by ordinance.
11. The woods outside of the area enclosed within the six-foot (6') foot high fence is to remain undeveloped.
12. Hours of operation Monday through Friday will commence no earlier than 7:30 AM and close by 5:00 PM and on Saturday no earlier than 8:00 AM and close by 5:00 PM.
13. No flammables will be stored inside the new structure.
14. Strict compliance with the performance standards set forth in Chapter 1278 of the Codified Ordinances.
15. No mulching, wood chipping, grinding or processing of material of any kind shall be performed on the property (other than that which is necessary to clear the property). This condition shall be recorded on the land development plans and run with the property.
16. Compliance with all applicable building codes and Township ordinances.
17. Compliance with the testimony provided during the September 13, 2022 conditional use hearing.
18. No equipment may be returned to the property until the berm, fence and landscaping have been completed.
19. No further removal of healthy trees is permitted, other than that which is necessary for the installation of the berm, fence and landscaping, until issuance of a building permit.
20. Enforcement costs, including engineering and attorney's fees, for failure to comply with the terms of these conditions will be paid by the property owner.