

Warwick Township Planning Commission

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January 15, 2020 MINUTES

The Regular Meeting of the Warwick Township Planning Commission was called to order by Chair Fred Reisser at 7:00 p.m. at the Township Municipal Building. Other members present were Andy Donaldson, Susan Hudson, and Olga Karkalas. Gary Kraft of Kraft Engineering also attended.

Minutes

The minutes of the Regular Meeting of January 15, 2019 were reviewed. Fred Reisser made a motion to approve the minutes as submitted, which was seconded by Susan Hudson. The motion passed with all ayes. Andy Donaldson abstained because he had not attended the meeting.

Public Comments

There were no public comments.

Correspondence

The Building Permit Report for January 2020 was reviewed.

Sketch Plans

No sketch plans were submitted.

Preliminary and Final Subdivision Plans

A. *545 Rock Run Road Minor Subdivision Plan*: No reviews or amended plans have been received. Further discussion on this subdivision was tabled.

B. *Black Granite*: The applicant was represented by Mike Bercek of Bercek and Smith Engineering, Inc. The following documents were received: a revised plan with a revised date of January 28, 2020; a review letter from Kraft Engineering, dated February 11, 2020; and a copy of the Request for Planning Waiver & Non-building Declaration, dated 1/28/20. The Request form was submitted to the DEP but was not yet signed by the Sewage Enforcement Officer. The Kraft Engineering review letter was discussed.

C. *Winters*: No reviews or amended plans have been received. Further discussion on this subdivision was tabled.

D. *Stonewall Golf Course Clubhouse*: No reviews or amended plans have been received. Further discussion on this subdivision was tabled.

E. *Natural Lands Trust-Garner Subdivision*: The following documents were received: a revised plan dated 12/19/19; a review letter, dated January 9, 2020, from Kraft Engineering; a letter,

dated January 15, 2020, from Regester Associates, which constituted a response to the Kraft Engineering review letter of 1/9/20; and PNDI search results, dated 12/19/2019, which showed potential impacts identified by the PA Department of Conservation and Natural Resources and the U.S. Fish and Wildlife Service. The Planning Commission discussed the Kraft Engineering review letter with the applicant's representative, Jack Stefferud. The letter from Regester Associates indicated that the issues raised in the Kraft Engineering review letter were addressed in a revised plan, with a last revised date of January 15, 2020, which will be reviewed and discussed at the next Planning Commission meeting.

Other Business

A. Zoning Hearing Board Hearing: Beam: The application of Calvin & Sally Beam of 252 Warwick Road, Elverson, PA, (R-1 Zoning District) to the Zoning Hearing Board was reviewed; this constituted an appeal from the decision of the Zoning Officer and a request for a variance from the terms of §§1918(C), 1900(C)(2), and 1908(B)(2)(a-c) of the Zoning Ordinance. Alternatively, a Variance by Estoppel/Vested Right was requested. The documents reviewed were: application to the Zoning Hearing Board with a date received of 12/10/19; the public notice that a public hearing on this matter would be heard on January 29, 2020; letters from the Zoning Officer, Joseph Boulanger, dated November 8, 2019 and December 4, 2019. The applicant wishes to use a "carriage house" that "was converted approximately 15 years ago to be used as a residential dwelling" as a detached single-family residential dwelling, therefore, creating two dwellings on an approximately 1.9-acre lot. Further, the applicant claims that the residential use of the carriage house was "informally approved" by the Township or that the Township gave "tacit acquiescence" to this use. It is not clear how the Zoning Ordinance sections apply to the applicant's situation. §1918(C) refers to the conversion of a single dwelling into a two-family or multi-family dwelling and not the creation of two separate dwellings on a lot. §1908(B)(2)(a-c) refer to servants quarters. The Commission is also not aware that the Township has a policy of granting informal approvals. Per the requirements of the MPC for a variance, the applicant's situation is a self-created hardship and is not imposed by any unique physical conditions of the property. No mention was made in the application whether the Chester County Health Department provided approvals for the additional water use or for the waste disposal for the carriage house. A letter will be written to the Board of Supervisors describing the Planning Commission's concerns.

Adjournment

There being no further business, at 7:48 p.m. Fred Reisser made the motion to adjourn the meeting, which was seconded by Susan Hudson. The motion passed unanimously.

Respectfully submitted,

Olga Karkalas,
Secretary