

**MINUTES OF DUBLIN BOROUGH
PLANNING COMMISSION MEETING
MONDAY, AUGUST 15, 2022**

1. CALL TO ORDER: The August 15, 2022, meeting of the Dublin Borough Planning Commission was held at Borough Hall, 119 Maple Ave., Dublin, PA. Commission Chairman Gary Mast called the meeting to order at 7:30 p.m.

PLANNING COMMISSION MEMBERS PRESENT:

Gary Mast
Robert Morris
Eugene Miller*
Brent Smith
Thomas Rymdeika

APPOINTED OFFICIALS PRESENT:

Borough Manager:	Colleen M. Pursell
Borough Solicitor:	Michael Kracht, Esq.
Borough Engineer:	Thomas F. Zarko, P.E.
Fire Chief:	Kevin Nugent
Borough Council:	Matthew Mayes

*Not Present

**Late Arrival

2. Pledge of Allegiance: Chairman Gary Mast led the Planning Commission and audience in the Pledge of Allegiance.

3. Approval of Minutes:

3.1. Minutes of the Planning Commission Meeting of July 18, 2022:

MOTION: A Motion was made by Mr. Rymdeika, seconded by Mr. Morris and unanimously carried, to accept the July 18, 2022 minutes as amended.

4. Discussion Items:

4.1. 144 N. Main Street Land Development Agreement, Morning Development, LLC: In attendance were Attorney Ms. Kellie McGowan Esq., Mr. Antonio DiCianni, representative of Morning Development, Paul Schwartz, USA Architects and Jake Modestow, Stonefield Engineering and Design.

Mr. Mast asked if there have been any issues communicating with Borough professionals or staff during this application process. Ms. McGowan replied that she has not had any problems. Mr. Modestow advised that his only issue has been with the turnaround time on review letters. Mr. Mast questioned why they keep requesting extensions. Ms. McGowan stated that there are a number of technical issues with plans that have been identified by the Borough that the applicant needs to resolve. Additionally, she explained that there was a delay in getting title information for the property. At this time, they believe the matter with the Manor Drive access to the development site has been resolved.

Mr. Mast asked Mr. Kracht to preside over the meeting. Mr. Kracht stated that the Planning Commission

will not be going over the Borough Engineer's 11-page review letter item by item and we will discuss any items the applicant needs direction assuming all other items will be "will comply". He also indicated that Borough Council received an extension from the applicant until September 26th for consideration of final and preliminary approval. Ms. McGowan had asked Mr. Kracht earlier what he thought the Planning Commission's feedback was about the rooftop. Mr. Kracht thought they liked the idea and also took that to Council, but there was a safety concern as to how the first responders would access. Mr. Smith specified that Council did discuss the rooftop and would like more information on the safety aspects of it. He also announced that another Council Member, Matt Mayes, was in attendance tonight.

Ms. McGowan advised that if there are any issues with the comments after the meeting, they will give the Board and Council additional time to address the comments, as they do not currently have a timing issue with obtaining the required project approvals. She stated that the applicant will comply to all the comments in the review letter however she wanted to comment on a few items.

Ms. McGowan stated that Manor Drive is a private access driveway owned by the Whistlewood Apartments. She confirmed that the use of Manor Drive as a proposed secondary access to the development site is permitted with the Whistlewood Apartments and will obtain a written agreement from the owner. This agreement which will identify the easement and the requirements for the access and ongoing maintenance will be forwarded to the Borough. Mr. Mast asked if it would be a new easement. Ms. McGowan was not sure, but she stated there is an easement there already. Mr. Kracht asked who will own the access drive if the project moves forward. Ms. McGowan stated it will be retained as a private street.

Ms. McGowan discussed the Zoning Hearing Board decision and zoning relief that was granted with respect to the buffers on the property. She spoke with the Zoning Hearing Board Solicitor and Mr. Kracht for clarification. The applicant requested to permit the property to be developed without full width and installation of plantings required for a Class B buffer yard which is required by zoning section 27-610.1.A. They also requested relief from section 27-610.1.B.5 to permit parking in the buffer yard at the rear property line abutting the residential use. However, some inconsistencies with the requested relief were recently noted in the Zoning Hearing Board Decision. She did speak with Christen Pionzio, Zoning Hearing Board Solicitor and was advised that the Zoning Hearing Board did not intend to deny any of the relief that was requested. Mr. Mast asked if it was cleared up now. Mr. Kracht stated no. Mr. Kracht indicated that the adjudication did not include all of the relief that was requested by the applicant and was approved by the Zoning Hearing Board. Mr. Kracht will work with the Zoning Hearing Board Solicitor to resolve the issues.

Ms. McGowan stated they have also not seen the fire department review. Mr. Kracht advised that they need to contact the fire department to request a formal review.

Ms. McGowan stated there are two additional waivers to add to the list. Mr. Mast stated there was seven (7) waivers, now there will be nine (9). The first new is waiver from the requirement that all easement areas be maintained as a lawn, Ordinance Section 22-705.4. There is an existing sanitary easement in the area where paving and other site improvements are proposed. The second waiver is in Ordinance section 707.1.J, which requires a 48-foot cartway along the North Main Street frontage of the development site.. Mr. Mast asked Mr. Zarko if that issue was identified in his review letter and Mr. Zarko did confirm it was in the letter. Ms. McGowan stated the water and sanitary sewer items included in the review letter would be "will comply" items and the onsite utilities will be private. Mr. Kracht stated they need to determine who will be maintaining it. Mr. Zarko replied that they are proposing public sized water and sewer facilities on their site. It is a water and sanitary main extension, not just laterals. Mr. Zarko advised this will need to be worked out.

Mr. Jake Modestow indicated that they are conducting infiltration testing for the onsite stormwater management system design, but there are no results yet. They are proposing to implement a conservative approach in the upcoming stormwater management analysis assuming that no infiltration is possible. If there was no infiltration, they will be able to address the site stormwater management requirements by increasing the sizes of the onsite systems. Alternatively, if the testing documents favorable infiltration rates then the size of the systems can be reduced. The testing will be submitted to the Borough for review, once available. The flow off the property now flows to the rear of the adjoining properties. They will have underground storage for the stormwater, acting like a "bathtub" holding some of the water and the rest to be discharged slowly. Discharge rates will be reduced for the one-year storm all the way to a hundred-year storm. an area of concern is along the western property line. There will be a small french drain and a gravel area to address the drainage along this portion of the development site. The flow from the proposed paved areas on the site will be collected and conveyed to the proposed underground stormwater management systems. Mr. Zarko stated the applicant will need to document that the proposed design will comply with Borough regulations. The owner of one of the neighboring properties has been complaining to the Borough that the water has been draining from the undeveloped site to his property for many years. Mr. Zarko wants to make sure that the proposed designs will function properly when this project is complete to address this concern. Mr. Zarko also wants more detail concerning the proposed the underdrain. One of the basin outlets is discharging toward the rear of the adjacent property and will need to be modified to eliminate any potential future drainage concerns Also, there are still some questions concerning the stormwater management calculations that need to be addressed. Mr. Smith asked Mr. Zarko if the concept is okay. Mr. Zarko stated the concept is fine, but they want to make sure the current drainage concerns are addressed. Mr. Mast asked if by opening up Manor Drive to access this property will there be a greater flow of water. Mr. Zarko said no it will be the same.

Ms. McGowan stated that Mr. Kracht had asked if the proposed building architecture would be consistent with what was shown on the drawings. She did provide more detail with the color scheme. Mr. Paul Schwartz indicated that it is mostly all brick with some different colors. Mr. Kracht asked if the exterior is all natural and Mr. Schwartz replied that it is. Mr. Schwartz gave a brief detail of the rooftop level for the building residents. The elevator and stairs will go up to the deck which will accommodate about 25-30 people. There will be a canopy that protrudes along the edge of the building with glass and all hard surfaces – brick pavers. Mr. Mast asked what kind of glass will be on the front of the building and if it will be reflective. Mr. Schwartz stated there will be a solar aspect to it, not reflective, to look like residential windows. Chief Nugent expressed concern with the offsets from the street to the building, as Dublin Fire Company has a 75-foot ladder truck. Mr. Modestow stated it will be 35 feet from the Main Street curb line. Mr. Kracht asked if they put a fire apparatus on the turning radius diagrams. Mr. Modestow stated yes, it's provided on Sheet C20 of the plans. Mr. Schwartz affirmed that it is 45 feet to the roof. Mr. Mayes stated that you also have to add 4 feet of glass, which would make it 49 feet total. Chief Nugent stated it will be close but the mutual aid companies could reach. He would also like to see more details and asked if there will be a fire hydrant on the plot plan. Mr. Modestow assured him they will comply. Mr. Zarko suggested that the applicant provide Chief Nugent a copy of the plans so that he can identify where he wants the fire hydrants. Ms. McGowan indicated they will provide a full plot plan set.

Mr. Kracht asked the Planning Commission if they had any questions. Mr. Mast commented that there would not be any grills on the rooftop just a casual sitting area. Mr. Mayes asked if there will be heaters on the rooftop. Mr. Schwartz stated that he does not think so. Mr. Kracht asked if there will be hours of availability. Ms. McGowan will confirm with the noise ordinance. Mr. Mast asked if anyone could use the elevator to access the deck. Mr. Schwartz replied that you have to be a building resident with card access. Mr. Mast asked if there was an issue with the overall building height as it stands. Mr. Zarko confirmed that the use was the issue. Mr. Schwartz indicated that the only area they are pushing up is the stairwell and

elevator, which will be higher. Mr. Schwartz stated since it exceeds the height ordinance, they will be asking for waiver. Mr. Kracht specified that you can't get a waiver for that, and he will investigate it. Mr. Smith asked how tall it is. Mr. Schwartz replied it is an additional 12 feet from 45 feet. Mr. Mayes asked if there is an exterior stairwell from the rooftop. Mr. Schwartz said no, the staircase is all interior and it is by code.

Mr. Kracht advised that the proposed development is not currently included in the Borough's Connection Management Plan to permit a public sewer connection as outlined in Mr. Zarko's review letter. He asked if the applicant would be willing to pay the cost of a re-rating study that is needed to amend the Connection Management Plan and associated DEP Permits which is approximately \$11,000. Mr. Modestow assured him whatever the applicant needs to do to move the process along, they will do.

Mr. Kracht asked Ms. McGowan who she spoke to that has been identified as the owner of Manor Drive. Ms. McGowan indicated the applicant did talk to the attorney of the property.

Mr. Kracht asked if Mr. Zarko is prepared to discuss the cartway. Mr. Zarko would defer the cartway width issue to PennDOT, since it is a state roadway. Mr. Kracht asked if we have a 48-foot cartway in this corridor. Mr. Zarko stated no, but it was a goal of the Revitalization Plan, but it has not happened as projects have been developed along the Main Street Corridor. There is enough width to allow the center lane and a signal as part of the project. Mr. Zarko believes part of the 48-foot width concept was to have parking along Main Street.

Mr. Zarko stated that he spoke to Mr. Modestow this afternoon about some concerns. Mr. Modestow stated there was a will comply with concerns regarding internal parking lot design issues and they will reconfigure the one island and add another island. There is only one or two locations where they were not complying. One was parking closer than 20 feet to the proposed buildings, because they are under cantilevered portions of the buildings and that would require a waiver. Mr. Zarko stated on the access to Manor Drive there is a 2-foot radius as you come out towards the exit, which would be in line with the traffic. The other access towards Manor Drive, towards Main Street is where there are parking spaces all the way to Manor Drive. There will be issues with cars pulling in and out at this location. Mr. Kracht stated that Boroughs needs to make reasonable accommodations for development. Mr. Smith asked if the number of parking spots are the amount required, or would they be able to remove two (2) spaces to change the radius. Mr. Zarko stated that the number of required parking spaces needed to support the proposed use is a zoning requirement. Ms. McGowan stated they did receive zoning relief on parking, but they did not need it, they are one (1) space over. Mr. Mast reminded everyone there was a traffic engineering review letter, that recommended that the applicant contribute \$7,200, for a traffic signal modification at the primary site access drive. Mr. Modestow indicated that they will comply with this recommendation. Mr. Smith thinks the more they communicate about the project, the more people will understand how different it is. Mr. Kracht suggested the applicant should give the Borough the renderings to post on the website for the community to see. He is happy that they are using the bricks. Mr. Smith agrees that it will fit with the Dublin Town Center. Mr. Mast stated these apartments are being stacked which saves using a lot of acreage space. Mr. Kracht asked if the spaces will be leased. It was confirmed they will be rented 100%. Mr. Smith asked what the price point will be for the apartments. Ms. McGowan stated that they will be comparable to the other apartments in Dublin. Mr. Mast noted the proposed buildings have a studio, 1-bedroom and 2-bedroom apartments. Mr. Mast indicated that the applicant will need to address all the will comply's, and any issues with PennDOT and DEP with sewer. Mr. Mast stated that it seems like everyone likes the idea of the project. Mr. Kracht reminded everyone that in Mr. Zarko's review letter it says that the applicant must confirm that there are no issues of record that exist that would prohibit the proposed development of the site. Mr. Kracht needs to confirm that before there is a motion.

There will be a revised plan and a review letter before they can proceed. The application was tabled until the next meeting on September 19, 2022.

5. Other Business: There was no other business at this time.

6. Public Comments: There were no public comments at this time.

7. Adjournment: Upon motion by Mr. Smith, the meeting adjourned at 8:42 p.m.

Respectfully Submitted,

Date Approved: 09/18/2022

Colleen M. Pursell
Colleen M. Pursell, Manager/Secretary