EAST GOSHEN TOWNSHIP PLANNING COMMISSION

Meeting Agenda Wednesday, January 17, 2018 7:00 PM

- A. Call to Order / Pledge of Allegiance and Moment of Silence
- B. Chairman will ask if anyone is going to record the meeting
- C. Review of Tracking Log / Determine need for Workshop Meeting
- D. Public Comment on Non-Agenda Items
- E. Approval of Minutes
 - 1. January 3, 2018
- F. Subdivision and Land Development Applications
- G. Conditional Uses and Variances
 - 1. Malvern Institute (SE and Variances) Meeting on Jan. 17, 2019 @ 7PM
- H. Ordinance Amendments
 - 1. Discussion on residential development changes to the Zoning Ordinance.
- l. 2018 Goals
- J. Any Other Matter
- K. Liaison Reports
- L. Correspondence

Bold Items indicate new information to review.

East Goshen Township Planning Commission Tracking Log

Application Name	Application (CU,LD,O, SD,V, SE, CA)	Type (Sk, P, F)	Date Filed	Start Date	Date to Township Engineer	Date to CCPC	Date to Abutting Prop. / ABC's	Extension	PC NLT Action Date	BOS NLT Action Date	Hearing Date	Drop Dead date	Comments
Malvern Institute, 940 King Rd.	V, SE	Р	3/27/17	3/27/17	NA	NA	3/30/17	4	1/17/18	2/6/18	2/13/18	2/28/18	

Bold = New Application or PC action required

Completed in 2018

WCASD / EG Elem.	LD	Р	11/28/17	12/6/17	11/30/17	11/30/17	11/30/17	2/7/18	3/6/18	NA	3/6/18	
1665 E. Boot Rd	V	Р	12/1/17	12/1/17	NA	NA	12/7/18	1/3/17	1/16/18	1/25/18	1/30/18	

1 Draft
2 EAST GOSHEN TOWNSHIP
3 PLANNING COMMISSION MEETING
4 January 3, 2018

The East Goshen Township Planning Commission held a regularly scheduled meeting on Wednesday, January 3, 2018 at 7:00 p.m. at the East Goshen Township building. Members present were: Chairman Brad Giresi, Dan Daley, Jim McRee, Adam Knox, Ernest Harkness, Monica Close and Silvia Shin. Also present was Mark Gordon, (Township Zoning Officer), and Township Supervisors Janet Emanuel, Mike Lynch and Dave Shuey.

COMMON ACRONYMS:

CPTF – Comprehensive Plan Task Force
CVS – Community Visioning Session
SWM – Storm Water Management
ZHB – Zoning Hearing Board

A. FORMAL MEETING – 7:00 pm

- 1. Brad called the meeting to order at 7:00 pm. He led the Pledge of Allegiance and a moment of silence to remember our first responders and military.
- 2. Brad asked if anyone would be recording the meeting and if there were any public comments about non-agenda items. There was no response.
- 3. Brad reviewed the Tracking Log and commented that Malvern Institute gave an extension. A workshop is scheduled for Wednesday January 17, 2018.
- 4. Brad noted that the minutes of the December 6, 2017 meeting were approved.

B. SUBDIVISION AND LAND DEVELOPMENT

1. <u>WCASD – East Goshen Elementary School – Mark Groves</u>, WCASD Capital Program Manager, reviewed the application and issues that were discussed at the last meeting.

Warning Flashers – Mark Gordon found out that the Township owns these warning lights. He contacted PennDOT and got approval to move the light at the intersection of E. Boot Road further down Rt. 352 to before the Blacksmith Shop. He also got approval to install a new warning light on E. Boot Road before the intersection with Rt. 352.

Parking for events – Mark Groves commented that the school principal and a representative from the school district will contact the Township to work on a plan for the school to use Township parking areas

36 during events held at the school.

Fire Hydrant – Mark Groves mentioned that they determined a location for a fire hydrant at the rear of the school. He explained how water will be fed into the sprinkler system in the school.

Parking Spaces – Mark Groves explained the calculation for parking spaces based on the number of staff and class rooms.

The Chester Co. Planning Commission response letter had 2 recommendations in it:

- 1. Give a 100 foot right of way off Rt. 352. Mark Groves pointed out the areas that would be impacted by this; i.e. lost parking spaces, fire hydrant, storm water management. Mark Gordon explained that the Township doesn't have a need for this at this time.
- 2. Install sidewalks around the property. Mark Groves pointed out that there is not enough space to do this. Also, the School District does not allow any students to walk to this school. Also, they don't allow students to walk along any major roads, such as Rt. 352 and Paoli Pike.

Buffer zone with Historic building- Mark Groves mentioned that they attended the Conservancy Board meeting and reviewed the landscaping plan, which includes a buffer along the property line with the

50 historic building. The Conservancy Board approved the plan.

- 51 Ernest moved that the Planning Commission support the waiver requests and recommend approval of the
- Land Development Plan for the East Goshen Elementary School dated 4/28/2017 and revised 11/28/2017

with the following conditions:

- 1. The applicant shall address all comments in the Township Engineers' review letter dated December 19, 2017 and submit revised plans to the Township.
 - 2. The applicant shall follow all applicable Federal, State and Local laws and ordinances.

Jim seconded the motion. After discussion, Ernest revised the motion to add two more conditions:

- 3. In an effort to address the parking concerns for special events at the school, the Applicant shall begin conversations with the Township to use the Township Building parking lot for overflow parking during special school events.
- 4. The applicant shall petition PennDOT to relocate and supplement the "School Zone" flashing lights on N. Chester Rd. and E. Boot Rd. to improve safety at the school entrance on North Chester Road. Jim seconded the revised motion. The motion passed unanimously.

C. CONDITIONAL USES AND VARIANCES

1 2

- 1. 1665 E. Boot Road (Dim. Variance) Applicant and owner Eric Elliott was present along with Eric Freeman of Gasper Landscaping. Eric Freeman explained the application seeking relief from the side yard setback in order to enlarge the existing nonconforming pool house. The pool house was permitted by the Township and inspected, however, a recent survey shows that the pool house was constructed within the side yard setback area. They want to expand a non-conforming structure and have a letter of support from a neighbor.
- Monica moved that the Planning Commission recommend that the Board of Supervisors take "No Position" with respect to the requested side yard variance relief. However, should the Zoning Hearing Board grant the requested relief, the following conditions should be imposed to mitigate any impacts caused by the granted relief:
- 1. The applicant shall make every effort to protect the existing trees that currently screen the area of the proposed building addition from the neighboring property to the east.
- 2. The applicant shall enhance the existing landscape screening, to the satisfaction of the Township, in order to provide a complete landscape screen for the neighboring property to the east.
- 3. The applicant shall follow all applicable Federal, State and Local laws and ordinances. Jim seconded the motion. The motion passed unanimously.

D. ORDINANCE AMENDMENTS

1. Residential Changes – Mark Gordon explained that the current Single Family Openspace Development (SFOD) regulation provides an openspace preservation development option for properties in zones R-2 and R-4, for clustering of single family homes. However, it does not consider semi-detached (carriage homes or twins) or a multi-family (townhouses) option. Brad pointed out that East Goshen is not competitive in these areas. Mike Lynch mentioned a Toll Brothers carriage home project on existing farmland in East Bradford. Janet pointed out that the remaining lots available for development are "in fill" meaning they are surrounded by other residential properties. You must consider these neighbors and have adequate setbacks. Ernie feels we need to find areas where this type of change went well and what was in the ordinance. More data is needed.

E. LIAISON REPORT

<u>Board of Supervisors</u> – Janet reported that they had their reorganization. Marty is Chairman, Carmen is Vice Chairman and Janet is Police Commissioner. She mentioned that Mike Lynch and Dave Shuey were sworn is as new supervisors. She reminded everyone that the annual ABC Meeting is this Saturday, January 6, 2018 from 8:00 am to 10:00 am.

F. ANY OTHER MATTER

- Adopt-a-Highway Mark Gordon contacted PennDot and renewed Strasburg Road for the Planning
 Commission. The Commission will divide into several groups to cover the different sections of the road
 and do a Spring and Fall cleanup.
- Barkway Lane Pump Station Mark Gordon explained the current maintenance that is needed for this pump station. The Municipal Authority wants to upgrade to a Muffin Monster, which will eliminate the

PC 1-3-18 draft 2

manual maintenance currently needed. They need to apply for a grant and need a letter of support from the Planning Commission. Adam moved to supply the requested letter of support. Ernest seconded the motion. The motion passed unanimously.

G. ADJOURNMENT

There being no further business, Sylvia moved to adjourn the meeting. Monica seconded the motion. The meeting adjourned at 9:00 pm. The next regular meeting will be held on Wednesday, February 7, 2018 at 7:00 pm.

Respectfully submitted,

Ruth Kiefer, Recording Secretary

PC 1-3-18 draft

Memorandum

East Goshen Township 1580 Paoli Pike West Chester, PA 19380

Voice: 610-692-7171 Fax: 610-692-8950

E-mail: mgordon@eastgoshen.org

Date: 1/9/2017

To: Planning Commission

From: Mark Gordon, Township Zoning Officer

Re: Malvern Institute ZHB Application for Special Exception and Variances

Staff Recommendation: After consultation with the solicitor, staff is recommending that the PC take no position with respect to the Special Exception and Variance requests or the legal argument that the Applicant makes concerning the right to expand the nonconforming use based on the doctrine of natural expansion of a nonconforming use.

Draft Motion:

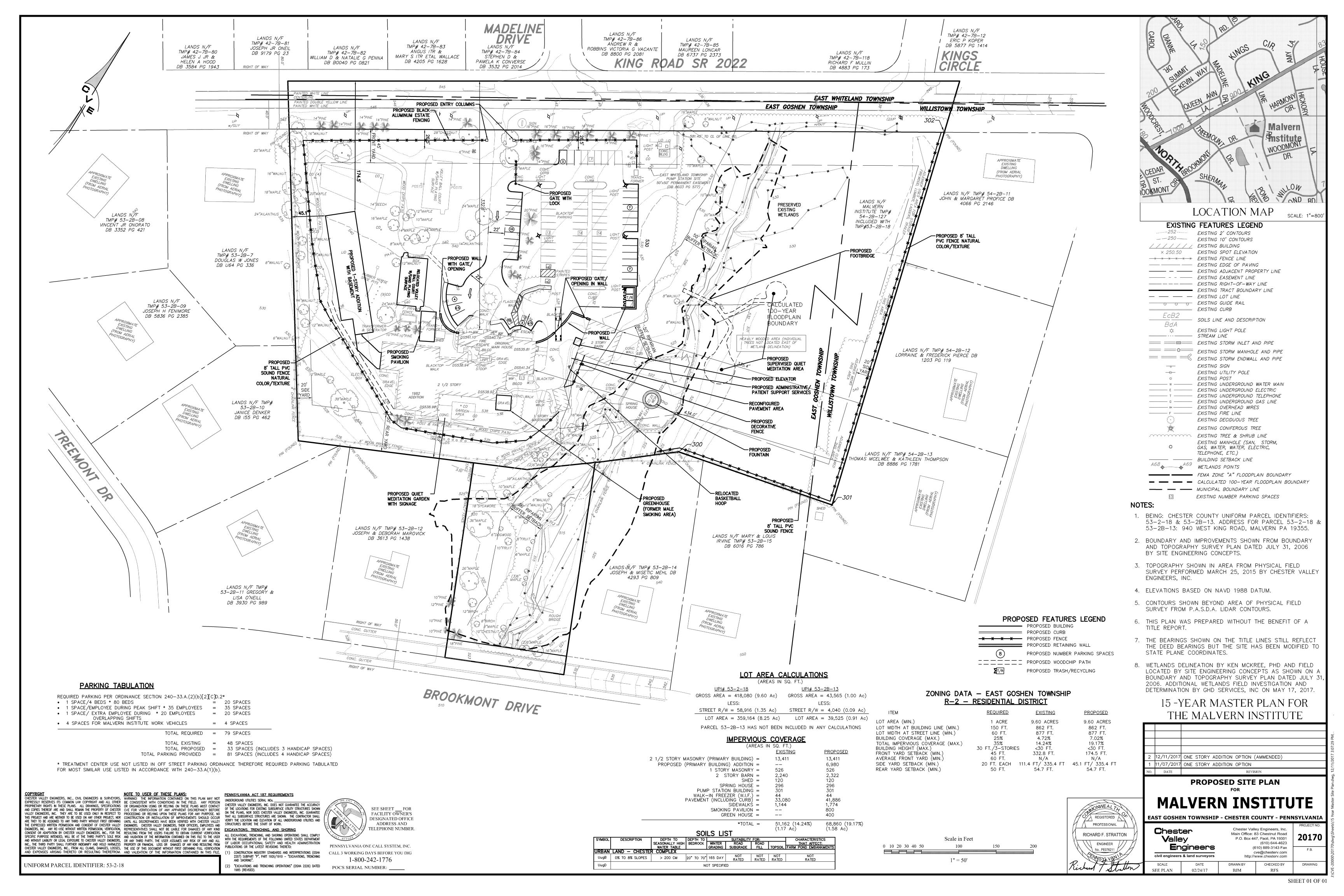
Mr. Chairman, I move that the PC take no position on the special exception and variances requested by the Malvern Institute or the legal argument advanced by the Applicant with respect to the right to expand the legal non-conforming treatment center use based on the doctrine of natural expansion. Should the ZHB determine that the applicant has met its legal burden and is entitled to expand the non-conforming use; the Planning Commission recommends that the ZHB impose the following conditions on the Applicant in order to mitigate the impacts that the non-conforming use has on the surrounding community. The PC also recommends that the Board of Supervisors authorize the Township Solicitor and the Township Engineer to enter an appearance at the Zoning Hearing to advocate the Board of Supervisors' position on the recommended conditions.

- 1. Applicant shall restrict the drug and alcohol treatment programming at the King Road facility (the "Facility") to in-patient treatment only.
- 2. Applicant shall limit the number of patients receiving treatment at the Facility to a maximum of 80 patients on-site at any one time. Applicant shall forward a letter to the Commonwealth of PA Department of Health agreeing to permanently cap the licensing of the facility to 80 in-patients in perpetuity.

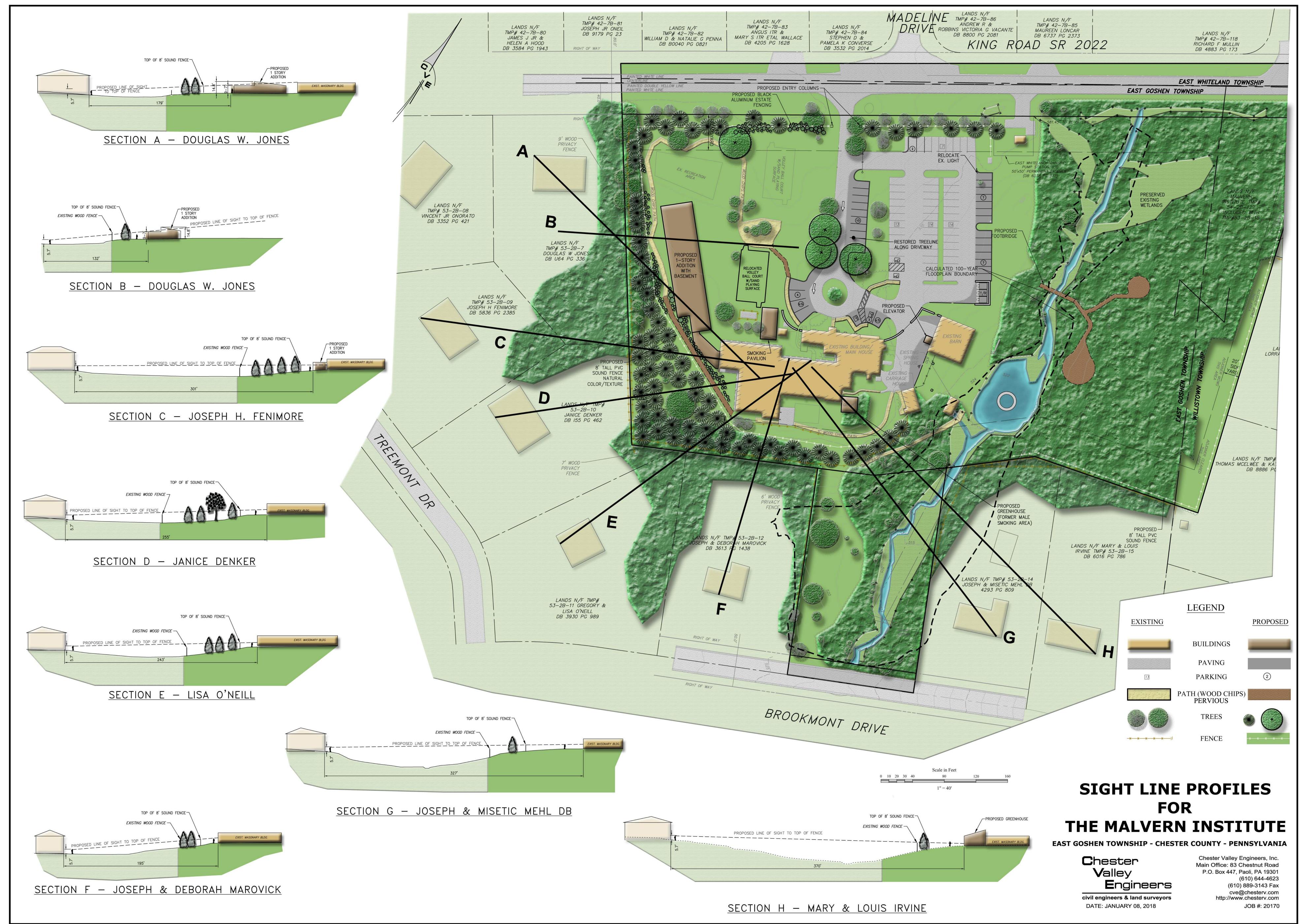
- 3. Applicant shall add a camera at the front entrance as an addition to its existing camera system. The eastern parking lot gate shall be locked by 11 p.m. to ensure that any vehicle entering the site must approach the main building. Applicant shall have no less than one security guard on site during the nighttime shift when the clinical staff is reduced in number. In addition, Applicant will implement and maintain its new policy for any, however rare, nighttime patient departures against medical advice, including the use of at least one masters level clinical supervisor during the overnight shift and consistent with the Applicant's testimony.
- 4. Applicant commits to building a one story addition as identified in the site plan to facilitate the expansion of the use.
- 5. Applicant agrees to submit a land development application that includes the proposed improvements to the Property which are approved in the Decision and which are consistent with the testimony and exhibits presented at the zoning hearing and with the conditions of approval within 180 days of final unappealable, and unappealed zoning approval.
- 6. Applicant shall submit and implement a landscape plan in accordance with §240-27.C.(2) of the East Goshen Code for the western and southern portions of the property together with the planned understory restoration at the eastern property boundaries as part of its land development application.
- 7. Applicant agrees to plant and maintain the aforesaid buffer yard landscaping in accordance with §240-27.C.(3), as long as the Property is used as a Treatment Center, subject to accommodation of the sound fence within said buffer yard landscaping.
- 8. Applicant shall obtain all necessary governmental permits and approvals to construct a creek crossing, including but not limited to permits from the PA Department of Environmental Protection.
- 9. Applicant shall install and maintain 8 foot high sound fencing, as described, along the entire western, southern and eastern boundaries of the Property. The 8 foot sound fencing shall extend to the King Rd. right of way line, so long as the fencing does not impede sight distance for motorists exiting the Facility's driveway or the driveway for 950 King Rd. Any new recreation facilities shall be subject to review and approval of the Township Engineer for determining appropriate sound attenuation measures.
- 10. Applicant shall install a fence along the right of way line for King Rd. up to and around the pump station to meet the street line on the eastern side of the property. The entrance shall include a monitored camera. This fencing and the

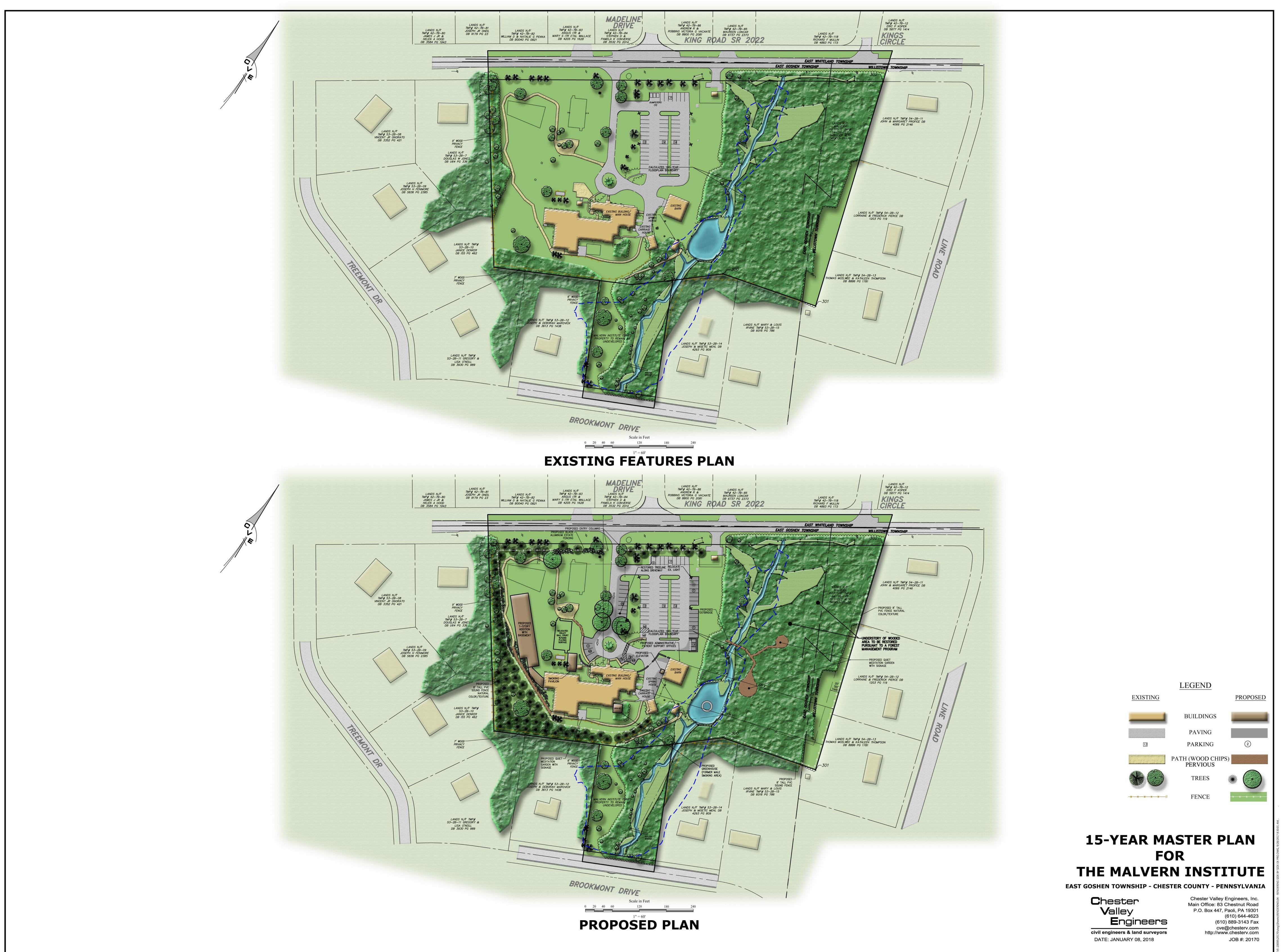
- aforesaid sound fencing shall be connected and is intended to facilitate ingress and egress via the main entrance.
- 11. Applicant shall identify the fencing types and styles as well as provide details of each style of fencing in the land development plan which fencing shall be approved by the Board of Supervisors at land development.
- 12. If Applicant chooses to build a new one story building addition, the new addition shall be set back a minimum of 45 feet from any property line.
- 13. Applicant shall agree to permit no recreational activity (excluding the garden and the greenhouse) in the area between the existing and/or proposed building and the southern and western property lines except for pedestrian walking paths.
- 14. Applicant shall identify the active recreation areas on the land development plan.
- 15. The Facility shall be restricted to one outdoor smoking area for patients. (smoking pavilion) The applicant shall agree to require all patients to smoke within the limit of the smoking pavilion.
- 16. The smoking pavilion shall be equipped with a "Smoke Eater" type of ventilation and filtration system to minimize the effects of smoke for the surrounding property owners.
- 17. Applicant shall screen the smoking pavilion from the neighboring properties to the west and north with an 8 foot sound fence. This sound fence shall remain in place until the one story addition project is complete.
- 18. The Applicant shall demonstrate during the land development application review; that the "Smoke Eater" system can effectively ventilate and filter cigarette smoke in an open pavilion.
- 19. The Applicant shall install sound attenuation blankets or similar sound dampening material inside the existing emergency generator fencing to mitigate noise from the generator.
- 20. The Applicant shall install the 8 foot sound fencing and deer resistant understory landscape buffer plantings in the wooded area on the eastern side of the Property prior to the installation of any walking paths and/or meditation areas on the east side of the Ridley Creek. The fencing and landscaping shall be shown on the landscape plans submitted with the land development application and shall be approved by the Board of Supervisors as part of land development.

- 21. The Applicant shall implement the Malvern Institute 15 year renovation plan as presented to the Zoning Hearing Board in the order as outlined in Applicant's testimony and shall implement all of the 1-2 year site improvements prior to the issuance of any building permits.
- 22. All conditions shall be implemented as per the plans and presentations given to the Planning Commission.
- 23. Applicant shall agree to construct all walking paths with pervious wood chips. If path surfaces are changed, permits shall be obtained prior to any changes.
- 24. The parking lot lighting shall comply with the Township Zoning Ordinance.
- 25. The Applicant shall comply with the parking allocation presented on the plans and presentations made to the Township Planning Commission and Board of Supervisors.
- 26. Applicant shall agree to only permit outdoor activities on the property between the hours of 7 AM and 10 PM, provided that no more than 8 patients at any one time shall be permitted to use the smoking pavilion until 11:30 p.m., with active supervision from staff, and no more than 4, also supervised, during the overnight hours.
- 27. The following site improvements shall be completed prior to the commencement of any other improvements listed in the 15 Year Renovation Timeline:
 - a. Completion of all parking lot renovations
 - b. Completion of all sound fence installation
 - c. Installation of the smoking pavilion to include the installation of screening and smoke mitigation measures
 - d. Installation of sound blankets inside the generator fencing
 - e. Installation of understory restoration planting as determined on the land development landscape plan.
- 28. In the event that the Applicant's requested relief is granted, the Applicant shall agree to record a copy of the Zoning Hearing Board Decision with the Chester County Recorder of Deeds.









Memorandum

East Goshen Township 1580 Paoli Pike West Chester, PA 19380

Voice: 610-692-7171 Fax: 610-692-8950

E-mail: mgordon@eastgoshen.org

Date: 1/11/2018

To: Planning Commission

From: Mark Gordon, Township Zoning Officer
Re: New Residential Development Regulations

Dear Commissioners,

As a follow-up to our last conversation about new residential development regulations concerning our remaining larger underdeveloped parcels I found the following to support the concept.

The Township Comprehensive Plan:

Objective 6.7 – Continue to provide for a variety of housing options within the Township to accommodate a diverse population.

Recommendation 6.7.1 – Evaluate the Zoning Ordinance in Light of housing choices for changing demographics and income diversity.

Objective 6.8 – Preserve the Character of existing residential housing neighborhoods.

Recommendation 6.8.1 – Consider adopting provisions in the Zoning and Subdivision & Land Development Ordinance that encourage innovative design for new residential development while respecting the character of surrounding neighborhoods.

Paoli Pike Corridor Master Plan:

The Land Use Overview of the Paoli Pike Corridor Master Plan identifies a demand for for additional housing units in the Township. Based on the population projections and the build out analysis, more diverse housing options are needed.

Staff Recommendation:

Staff is of the opinion that there is support in both the PPCMP and the Comp Plan to warrant moving forward with a planning effort to develop an amendment to the existing

SFOD ordinance or a to develop a new residential openspace development that will meet these identified goals and objectives.

Draft Motion:

Mr. Chairman, I move that the Planning Commission recommend that the Board of Supervisors authorize the Staff and the Planning Commission to begin the process of drafting a zoning ordinance to permit semidetached dwellings and/or townhouse dwellings as an option for a residential openspace development option.

<u>Action Item 6.3.2.5.</u> - Review landscaping regulations to enhance landscaping for new uses, while recognizing the practical limitations of nonconforming uses and combined sites.

<u>Objective 6.4.</u> – Continue to receive guidance from the Authorities, Boards, and Commissions (ABC's).

The ABC's offer valuable talent and insight on numerous land use issues. The roles of the ABC's should be maintained and expanded.

<u>Recommendation 6.4.1.</u> – Continue to meet in January of each year to review past achievements and current goals.

<u>Action Item 6.4.1.1.</u> – Continue to seek input and new creative ideas from the ABC's for improving and enhancing the Township.

<u>Objective 6.5.</u> – Continue effective governance by the East Goshen Township Board of Supervisors.

<u>Recommendation 6.5.1.</u> – Continue to focus on all aspects of land use, development, and redevelopment.

Action Item 6.5.1.1. – Continue to rely on the input of the ABC's.

<u>Objective 6.6.</u> – Continue to accommodate a diverse mix of residential, commercial, institutional, light industrial, and recreational uses.

<u>Recommendation 6.6.1.</u> – Insure that the Ordinances are consistent with and used to implement the Future Land Use Plan.

Action Item 6.6.1.1. – Compare the text and map of the Zoning Ordinance with the Future Land Use Map and consider updates to the Ordinance as needed to provide for land use decisions that are consistent with this map.

<u>Action Item 6.6.1.2.</u> – Review the Subdivision & Land Development Ordinance, with the Future Land Use Plan and consider needed revisions.

<u>Objective 6.7.</u> – Continue to provide for a variety of housing options within the Township to accommodate a diverse population.

An extensive number of single-family detached dwellings on individual lots are located throughout the Township. In addition, the northern portion of the Township is home to Hershey's Mill, a large, senior-oriented, and gated residential/golf course community that offers a mix of housing options. Higher-density housing in the form of townhomes and garden apartments is clustered along West Chester Pike at the southern end of the Township. Consistent with national housing trends, most of the Township residents are likely to prefer remaining in their current housing as they grow older, or move to other forms of housing in the Township that can address their changing needs. Also, an increasing number of children of

Township families, upon graduation from college, are expected to return to their parents' home while seeking suitable employment or while working to pay off student debt.

<u>Recommendation 6.7.1.</u> – Evaluate the Zoning Ordinance in light of housing choices for changing demographics and income diversity.

<u>Action Item 6.7.1.1.</u> – Consider updating residential zoning districts to allow smaller residential lots, multi-generational homes, and principal and accessory residential dwellings on the same lot.

<u>Action Item 6.7.1.2.</u> — Continue to accommodate higher-density residential housing through zoning, especially near existing or planned commercial areas and where infrastructure capacity exists or is planned.

<u>Objective 6.8.</u> – Preserve the character of existing residential neighborhoods.

<u>Recommendation 6.8.1.</u> – Consider adopting provisions in the Zoning and Subdivision & Land Development Ordinances that encourage innovative design for new residential development while respecting the character of surrounding neighborhoods.

Action Item 6.8.1.1. – Encourage innovative development in areas of the Township designated Low Density Residential (LDR) Medium Density Residential (MDR) or Planned Community (PC) on the Future Land Use Map in order to better protect existing neighborhoods, historic structures, and natural resources.

<u>Action Item 6.8.1.2.</u> – Review and amend, if necessary, the existing lot area, width, and yard regulations of the R-3, Medium Density Residential District to more closely reflect the existing lot sizes within this district.

<u>Action Item 6.8.1.3.</u> – Utilize the input of the Township's Historic Commission and the Conservancy Board during review of sketch, preliminary, and final land development plan applications, as well as for Variance, Special Exception, and Conditional Use applications, to help address historic- or environmentally-related issues.

<u>Action Item 6.8.1.4.</u> - Review area and bulk regulations, and impervious coverage limitations in all residential zoning districts and update as necessary to provide for appropriately designed infill development.

<u>Objective 6.9.</u> – Retain and attract corporate investment on lands shown on the Future Land Use Plan as Business Park Industrial.

<u>Recommendation 6.9.1.</u> - Create opportunity for more compatible or co-dependent, uses, building expansion, and expanded amenities in existing corporate/business/industrial parks.

Action Item 6.9.1.1. – Allow for growth within the business and industrial parks by considering amendments to the B-P and I-1 zoning districts to increase the maximum building height beyond 3 stories or 35 feet, and to permit building coverage to exceed 30 percent.