

**EAST GOSHEN TOWNSHIP  
PLANNING COMMISSION**

**Agenda**

**Wednesday, June 3, 2009**

**7:00 PM**

- A. Call to Order / Pledge of Allegiance
- B. Review of Tracking Log / Determine need for Workshop Meeting
- C. Public Comment on Non-Agenda Items
- D. Approval of Minutes
  - 1. May 6, 2009**
- E. Acknowledge Receipt of New Applications
  - 1. National Bank of Malvern (C/U)**
- F. Subdivision Plans
  - 1. Sullivan's Grove, Green Hill Road**
  - 2. Vincent J. Angelini, 957 Cornwallis Dr (S/D)**
- G. Land Development Plans
- H. Conditional Uses and Variances
  - 1. Metro PCS, LLC, 1201 North Chester Rd (C/U)**
  - 2. National Bank of Malvern (C/U)**
- I. Ordinance Amendments
- J. Old Business
  - 1. Discussion of the Comp Plan Action items**
- K. New Business
- L. Any Other Matter
- N. Meetings and Dates of Importance

June 2, 2009	Board of Supervisors	6:30 PM
June 3, 2009	Planning Commission	7:00 PM
June 4, 2009	Park & Recreation	7:00 PM
June 8, 2009	Municipal Authority	7:00 PM
June 9, 2009	Board of Supervisors*	7:00 PM
June 10, 2009	Conservancy Board	7:00 PM
June 11, 2009	Historical Commission	7:00 PM
June 15, 2009	Deer Committee	7:00 PM
June 16, 2009	Board of Supervisors*	7:00 PM
June 23, 2009	Board of Supervisors*	7:00 PM
June 30, 2009	Board of Supervisors*	7:00 PM

**\*Meeting held at Goshen Fire Hall**

- O. Correspondence:
    - 1. Department of Community and Economic Development
    - 2. Planning Commission motion for Richard Miller
    - 3. Planning Commission motion for National Bank of Malvern
    - 4. West Goshen – YMCA Parking Lot
  - P. Goals
    - 1. Review the Parking Section of the Zoning Ordinance and make recommendations, if necessary.
  - Q. Adjournment
- **Bold Items indicate that the Planning Commission has new information to review for that application.**

EAST GOSHEN TOWNSHIP  
PLANNING COMMISSION  
Agenda  
Wednesday, June 3, 2009  
7:00 PM

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**REMINDER** – Newsletter Article Submission Due Date:

**Article Due Date**

**Delivery date**

August 12, 2009

October 1, 2009

November 10, 2009

January 1, 2010

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**EAST GOSHEN TOWNSHIP  
PLANNING COMMISSION  
APPLICATION HISTORY  
Wednesday, June 3, 2009  
7:00 PM**

**1. SUBDIVISION PLANS**

**Sullivan's Grove, Greenhill Road (S/D)**

February 4, 2008	E.B. Walsh - Re-submission Plans
February 8, 2008	Yerkes – Review of Pre/Final Plan
February 2008	DEP – Sewage facilities
March 27, 2008	Landscape Plans
April 15, 2008	Yerkes, Landscape Review
May 2008	Sewage Facilities Planning Module
May 29, 2008	Extension letter until 7/15/08
June 13, 2008	e-mail from Conservancy Board
June 25, 2008	Extension letter until 9/20/08
September 4, 2008	Extension letter until November 30, 2008
September 2008	Plans – Landscape
September 11, 2008	CCCD – review
September 29, 2008	DEP – Discharge for Stormwater
October 29, 2008	Yerkes – Landscape Review
November 12, 2008	Wooldridge Construction – extension
January 27, 2009	Preliminary/Final Revised Landscape plan
January 28, 2009	Wooldridge – Extension period
February 25, 2009	Yerkes – Landscape Review
May 7, 2009	Wooldridge Construction - Extension
May 11, 2009	Yerkes – Review of Preliminary/Final Plan

**Vincent J. Angelini, 3-Lot Suidivision, 957 Cornwallis Dr. (S/D)**

April 30, 2009	Plans
April 20, 209	H. MacCombie – Description of Easement
April 29, 2009	1,000' letter
April 30, 2009	Yerkes – Preliminary Subdiv Plan Review
May 8, 2009	CCPC – Preliminary/Final Subdivision

## **2. CONDITIONAL USES/VARIANCES**

### **National Bank of Malvern, 2 West King Street, Malvern, (C/U)**

March 31, 2009	Application Sketch Plan
April 9, 2009	1,000' notification
May 6, 2009	Zoning Officer – review clock
May 19, 2009	Gawthrop Greenwood – proposed scheme Plans

### **Metro PCS Pennsylvania, LLC, 1201 N. Chester Rd (C/U)**

April 16, 2009	Application Plans
April 30, 2009	1,000' notification
May 22, 2009	Yerkes – Conditional Use Plan Review

## **3. ORDINANCE AMENDMENTS**

1. February 29, 2009 Interest Ordinance
2. February 26, 2009 memo – Act 39 of 2008
- 3.

## **4. ANY OTHER MATTER**

1. Ordinance titled "Zoning" specifically "annual Report"
2. Ordinance titled "Zoning" specifically "Interest on Debts"

## **5. ZONING AMENDMENTS**

# Planning Commission Application Tracking Log

Application Name	PC Lead	Application (C, LD, O, SD, V, SE, CA)	Type (Sk, P, F)	Date Filed	Start Date	Date to Yerkes/Consultant	Date to CCPC	Date to Abutting Prop. / ABC's	Extension	PC NLT Action Date	BOS NLT Action Date	Hearing Date	Drop Dead date
Sullivan's Grove (Greenhill Rd.)		SD	P/F	9/2/05	9/7/05	9/7/05	9/7/05	9/13/05	Y	8/5/09	8/18/09	NA	8/31/09
Angellini		SD		4/14/2009	5/6/09	4/14/09	n/a	4/15/09		7/14/09	7/21/09	n/a	8/3/09
Metro PCS		CU		4/20/09	4/21/09	4/30/09	n/a	4/30/09		6/3/09	6/16/09	6/16/09	6/19/09
National Bank Of Malvern		CU	S	4/30/2009	5/28/2009	5/12/09	NA	4/28/09		7/1/09	7/24/09	7/21/09	7/26/09

**Bold = New Application or PC action required**

B. TRACKING LOG  
'P'

**EAST GOSHEN TOWNSHIP  
PLANNING COMMISSION MEETING  
MAY 6, 2009**

*The East Goshen Township Planning Commission held their regularly scheduled meeting on May 6, 2009 at the East Goshen Township building. Chairman Senya Isayeff, Vice-Chair George Martynick and members Chuck Proctor, Albert Zuccarello, Sue Carty and Peter Mylonas were present. Also present were Township Zoning Officer Mark Gordon, Jason Young from the Historical Commission (HC), Ginnie Newlin from the Conservancy Board (CB), and Don McConathy and Marty Shane from the Board of Supervisors (BOS).*

**WORKSHOP SESSION -- 7:00pm**

Members reviewed and corrected the minutes of April 1, 2009 and April 15, 2009.

New applications have been received by National Bank of Malvern, Metro PCS, Vincent Angelini and Richard Miller. A draft motion for the National Bank of Malvern and Richard Miller were reviewed. Mark suggested moving the Miller applicant to the top of the agenda.

National Bank of Malvern – Although Chuck supports a 2<sup>nd</sup> entrance to the YMCA, he has serious concerns about the traffic and recommends the applicant conduct a full traffic study including the Y's main entrance on Airport Road. Mark pointed out that traffic will be addressed during the conditional use process.

Sullivan's Grove – Mark said the updated technical plan is under review at Yerkes; an extension until May 31<sup>st</sup> has been received. Despite the extension, members will need to make a motion unless the applicant is present or a written extension is received otherwise the BOS needs to take action on 5/12.

Malvern Institute – this application has been withdrawn. Despite their withdrawal, Chuck would like to review the police data Marty obtained. Marty has the data but has yet compile it but is aware that the program has changed dramatically; the applicant asked Rick Smith to visit the site. He agrees the applicant may return again but not before attempting to engaging the residents.

**FORMAL SESSION**

**A. Call To Order/Pledge of Allegiance**

Senya called the meeting to order at 7:30pm and Ginnie Newlin led those present in the Pledge of Allegiance.

**B. Public Comment on Non-Agenda Items**

Ginnie reported that 12 trees were donated by ING and planted at the Reserve on Reservoir Road by approximately 20 volunteers.

George attended an outdoor lighting conference by the DEP & Outdoor Lighting Council in Lancaster County. It was very informative. There is a free workshop in Oxford next week and he encouraged the public to attend.

Senya reported that the Planning Commission (PC) held a workshop on 4/15 to identify any necessary ordinance changes. In an effort to protect EGT residents, members addressed places of worship, adult entertainment locations, signage (particularly electric signs) and parking (expand development opportunities for under-utilized commercial buildings in the township).

**C. Approval of Minutes**

Peter moved that the minutes of April 1, 2009 be approved as corrected in the workshop. Sue seconded the motion. No further public comment or discussion was heard. The motion passed unanimously.

Sue moved that the minutes of April 15, 2009 be approved as corrected in the workshop. George seconded the motion. No further public comment or discussion was heard. The motion passed unanimously with two abstentions by Peter Mylonas and Chuck Proctor.

#### D. New Applications

Senya announced the receipt of a new application by Richard Miller, 16 Reservoir Road for a variance, National Bank of Malvern, 2 West King Street for a variance, Metro PCS, 1201 N. Chester Rd. for conditional use and Vincent Angelini at 957 Cornwallis Rd for a sub-division. All applicants are present.

Senya reported that the Malvern Institute was withdrawn their application. The conditional use application for PA Leadership Charter School and variance for Cindy Speaker are closed.

An extension for Sullivan's Grove has been filed through May 31, 2009. At 7:45pm, no one was present for the applicant.

#### E. Subdivision Plans

##### Vincent Angelini, 957 Cornwallis Drive (S/D)

*Dennis O'Neill was present for the applicant along with Herbert MacCombie with Consulting Engineers Surveyors, Inc.*

Mr. O'Neill reported that the applicant previously withdrew a sub-division application in 2007. They have subsequently revised the plan and resubmitted. The property is located on the NE side of Cornwallis Drive in the R2 residential zone. There are currently two parcels, each with an existing house, garage and driveway. Lot #1 has street frontage and is 1.26 acres. Lot #2 is a flag lot and is 2.23 acres. Both lots have public sewer and on-site water. The applicant seeks to sub-divide the two lots into three.

Lot #1 would become 1.009 acres and the existing house and improvements would be removed. Lot #2 would become the middle lot at 1.077 acres and have access through a common driveway. Lot #3 would be the rear lot at 1.387 acres and share a driveway with lot #2; existing improvements would be maintained. They propose to meet all stormwater management requirements for all three lots without impacting the surrounding properties. Mr. O'Neill said they have addressed all of Yerkes' 2007 comments and seek a recommendation for approval by the PC.

The purpose of Lot #2 is to provide lots for Mr. Angelini's children. A residential home will be built on the lot immediately while a conceptual house on Lot #1 is shown on the plan to be constructed at a later date. Historically, properties on Cornwallis Drive have only been divided into two lots but Mark said this lot is unique as it is the only double parent lot on Cornwallis. The applicant does meet today's area and bulk requirements.

Mr. O'Neill briefly explained their stormwater management plans that included grading, a drain, and an infiltration bed to capture all water on-site. The existing wall on the edge of the property will create a permanent divide from the adjacent parking lot.

The Fire Marshal has provided the applicant with a letter acknowledging the adequate width of the driveway for emergency vehicles. The driveway is the same width as proposed in 2007 and there is ample turn around areas.

Senya noted that they will need to receive the permit and adequacy letter from the county before a motion is made. Mr. O'Neill said the outbounds of the property have not changed so no deed revisions are needed. The applicant is amenable to additional buffer/screening between Lot 2 and 3.

##### *Public Comment:*

1 Ginnie Newlin, CB – asked about the large mulch pile left by the applicant in the rear of the property by  
2 Hershey's Mill. Mr. O'Neill admitted that the mulch pile does exist but deed research has shown that the  
3 entire right of way is within the property boundaries.

4  
5 Rosanne Havird, 353 Devon Way – is concerned about the slope of the rear property (Lot #3) and would  
6 like to know more about the engineering of the stormwater management. Mr. O'Neill explained that they  
7 are required to provide stormwater management that does not allow anymore water to run off the  
8 property then currently exists. Through a series of calculations they determine the volume of water that  
9 flows off the property. Senya assured Ms. Havird that the applicant must meet state requirements, that  
10 are then reviewed and enforced by the PA DEP and Conservation District. Ms. Havird is not happy with  
11 the debris left behind from the last development and is hesitant to trust the applicant and process.

12  
13 Dick Shumaker, 971 Cornwallis Drive – has lived in the cul-da-sac since 1971 and has had many  
14 problems over the years due to the narrowness of the street. Specifically Elite Contracting Specialist  
15 damaged his property in 2004 while they installed sewer lines two doors down from him. Elite left a rut  
16 20' long by 6" deep. He contacted Tim at Elite who agreed to take care of the damage but has yet to fix it.  
17 He has documented it with pictures and wrote several letters without reply. Also there is a silt barrier to  
18 the west of his property that has washed down onto his property and he is concerned about additional  
19 water draining onto their property. Senya recommended Mr. Shumaker contact township personnel as the  
20 PC can only address the application before them tonight. The silt fence disruption should be reported to  
21 the township so the county can be notified. Rick Smith previously recommended Mr. Shumaker file a  
22 civil complaint and Senya recommended Mr. Shumaker review his file directly with Mark Gordon. Mr.  
23 Shumaker was encouraged to review this applicant's plan, which is open to the public and available at  
24 the township building.

25  
26 **F. Conditional Uses & Variances**

27  
28 **Richard Miller, 16 Reservoir Road (V)**

29 *The applicant, Richard Miller, along with his attorney Richard Lipow were present.*

30  
31 Mr. Lipow explained that Mr. Miller previously had two illegal apartments set up above his garage  
32 which were discovered during a real estate resale inspection. The apartments were removed and turned  
33 into a rec area. However there were no incidents or disturbances while the apartments were there. They  
34 are seeking a use variance to re-establish two 1-bedroom apartments, as Mr. Miller needs to generate  
35 additional income in order to keep his home. They would like to limit the variance to the current owner,  
36 to terminate upon his death or sale of the property. All leases would also be subject to the variance.  
37 Senya is concerned that if they allow Mr. Miller to have apartments, it is difficult to deny another  
38 residents. Mark said the previous apartments were mirror units over the garage; only 1 unit was occupied.

39  
40 Members are sympathetic to the applicant but agree a financial burden is not a hardship. Mr. Lipow  
41 argued that all variance requests are unique and this one is limited by the facts and circumstances to this  
42 applicant. Given his age (Mr. Miller is in his 80's) the variance has a limited duration. Mr. Miller said he  
43 does not have enough money for a reverse mortgage; he has owned the property for 25 years.

44  
45 Mr. Lipow explained they were asking for relief from Zoning ordinance 240-10, including 240(E) 18 &  
46 19 because they wanted to allow for a family member and/or a person with a home business such as web  
47 design or telephone sales to occupy the apartments. Senya is moved by the applicant's situation but does  
48 not foresee a favorable outcome if the board votes tonight; he urged the applicant to consider an  
49 extension to allow for additional evidence to be presented. Peter was cautious about inadvertently  
50 providing the applicant with false-hope as he needs to provide a burden of proof and address the hardship  
51 requirements. Mr. Lipow said they have no additional information to present.

52  
53 Al moved that the Planning Commission recommend that the Board of Supervisors oppose the zoning  
54 variance application of Mr. Richard Miller noting that the standards for granting a variance have not



been met by the applicant, the variance is not needed to enable a reasonable use of the property, the hardship presented is monetary and the variance, if granted, could alter the essential character of the neighborhood and open things up elsewhere. Peter seconded the motion. No further discussion or public comment was heard. The motion to deny was passed 5:1.

**National Bank of Malvern, 2 West King Street, Malvern (V)**

*Patrick McKenna, attorney with Gawthrop Greenwood was present for the applicant along with Chuck Olivo, engineer with Stantec Consulting and Gary Green from the YMCA.*

Mr. McKenna distributed updated color versions of the sketch plan to PC members and explained that the applicant is seeking two variances plus conditional use. Essentially they have a corner lot as there is frontage on both the north side of Paoli Pike & on the east side of Airport Road. Area & bulk requirements for the BP District are met. They seek a side yard variance from the 50' setback for the bank drive-thru canopy and to allow parking in the front yard. Additionally the YMCA has proposed to lease 138 parking spaces in the rear of the bank building, on the north side of the property. No variance is needed for this parking or use.

The minimum lot size in a BP District is 4 acres; this lot is irregularly shaped and 4.56 acres. The minimum lot width at the street line is 300'. There is 150' of street frontage on Airport Rd (which does not comply) and 556' of street frontage on Paoli Pike (does comply). They will meet building setback requirements. The maximum building allowance is 30% and the 6050 sq. ft. building area is only 3%. The maximum impervious coverage is 50% and 38.8% of the lot will be covered. They ask that the 50' side yard setback be reduced to 32' for the drive-thru canopy. There will be a total of 41 parking spaces around the bank/office area. The rear of the property will be covered with 138 parking spaces to be leased to the YMCA. They will follow the natural island areas to connect the parking lots. Impervious coverage will begin 23' from the Paoli Pike and 44' from Airport Road and landscaping will be added inbetween. Once the variance setbacks are approved, the applicant will return for full land development and conditional use approval.

Chuck said the traffic study they provide for the conditional use consideration will need to include counts of the intersection and the YMCA driveway on Airport Road. Mr. Olivo said the new entrance through the bank may actually provide some relief to the system as there will be a right in/right out entrance. They will address any potential conflicts and need to get a PennDot permit to allow the access. If restrictions are necessary they will handle them in land development. Mr. Olivo said the applicant was open to including car stops in the rear parking lot to prevent cars from driving straight through empty spaces. They will get information from the Y on their AM, PM and noon access. Parking has become a problem at the Y because of it's overwhelming membership success.

Sue wonders if there is any kind of cumulative limitation on impervious coverage within a district but Mark said the ordinance does not set a limit as it would penalize those owners who have not developed their land yet. Also, Mr. Olivo said the 100 yr. Flood Plan was considered and the YMCA is currently in compliance; they will install an underground infiltration system on the bank lot. The applicant is open to using some porous pavers as well.

Ginnie said the applicant appears to be putting in more impervious coverage than they need and Mr. McKenna said that depends on the definition of "need." National Bank of Malvern has made a business decision to enter into a lease with the YMCA therefore *needs* the impervious coverage to fulfill the lease. Ginnie is concerned about additional flow into the Chester Creek and potential pollution.

Don McConathy said hypothetically speaking if the 138 parking spaces were not put in, the bank could be repositioned on the lot and a variance would not be needed; it appears to be a self-imposed hardship. Mr. McKenna agreed but argued that positioning the bank farther from the road front would not be in the best interest of the bank; they are asking for relief for the canopy only, not parking. All Y parking spaces meet the minimum width requirements and there is no room for expansion. The bank is not interested in

1 sub-dividing the lot or selling a portion of it to the YMCA. Senya said in light of their denial to Mr.  
2 Miller earlier tonight it seems unfair across the board to approve this plan. Al believes their decision for  
3 Mr. Miller was correct and said this situation was different.

4  
5 Peter moved that the Planning Commission recommend that the Board of Supervisors oppose the zoning  
6 variance application of National Bank of Malvern for their lot at 1305 Paoli Pike TPN# 53-3-1.9A, with  
7 respect to Section 240-21.G and Section 240-33.B(5)(b) as the hardship is self-imposed for the economic  
8 benefit of the applicant whom otherwise could build within compliance of the current ordinance. Chuck  
9 seconded the motion.

10  
11 **Public Comment:**

12  
13 *John Schorn, 1401 Larch Lane* – thinks the board is overlooking a common sense approach to the fact  
14 that the Y has a parking problem and here is a solution with the bank. Since membership restrictions or  
15 other consideration were not addressed during the Y's process, the board should be thinking now of what  
16 make "sense." Senya said that it would be inconsistent with their ordinances so Mr. Schorn suggested the  
17 township change their ordinances as they have done in the past. Senya maintained that the plan does not  
18 work under the proposed footprint and suggested the applicant rework the plan. Mr. McKenna argued  
19 that the corner lot does not meet setback requirements yet they choose to build there so it is in a way a  
20 self-imposed hardship and asked the PC for their support.

21  
22 *Bill Egan, 1422 Millcreek Drive* – pointed out that the PC approved the CTDI variance because it was  
23 financially burdensome so this approach has been supported for previous applicants. Sue agreed but said  
24 the CTDI situation was different; Mr. Egan disagreed.

25  
26 No further discussion or public comment was heard. The motion to deny passed unanimously.

27  
28 **Metro PCS, LLC, 1201 N. Chester Road (C/U)**

29 *Attorney, Chris Shubert, was present for the applicant.*

30  
31 Mr. Shubert explained that the applicant proposes to install telecommunication antennas within the  
32 United Church of Christ's existing church steeple (which is currently occupied by another  
33 telecommunications provider) at 1201 N. Chester Road. They will put the antennas 10' below the  
34 existing antennas and place a 10' x 10' pad in the rear of the church behind T-Mobile's equipment. There  
35 is no interference so long as there is a 10' separation between antennas. The ground cabinets are cooled  
36 with fans and there are no compressors. They can do a board on board fence to capture noise and buffer  
37 sound.

38  
39 **Public Comment:**

40  
41 *Marty Shane, BOS* – noted that Immaculata is the highest point between Philadelphia and Harrisburg.  
42 Hiding the equipment inside the steeple is a great idea.

43  
44 *Don McConathy, BOS* – asked if the applicant approached NexG about using their equipment and Mr.  
45 Shubert said they have a relationship with NexG but the NexG system typically works better in a denser  
46 urban area while a macro center gives better range. Don pointed out that although the church was built  
47 prior to 1998 the steeple was added in 2004. He requested that the applicant provide a letter from T-  
48 Mobile agreeing to share the location.

49  
50 **G. Ordinance Amendments**

51  
52 Following some typographical errors, Sue moved that the Planning Commission recommend that the  
53 Board of Supervisors approve the Conditional Use Notification Ordinance as amended. Chuck seconded  
54 the motion. No further discussion or public comment was made. The motion passes unanimously.

**H. Old**

1. State Ethics Commission – The state requires all elected or appointed officers to complete and return this form; due 5/1/09.
2. Outdoor Lighting Program, 5/12 – George attended this workshop program presented by the DEP & Outdoor Lighting Council. They addressed unnecessary light pollution and presented numerous strategies for improvement.
3. Township Clean-up Day, 5/9 at 9am – was previously cancelled due to rain.
4. Shirts – Senya distributed matching blue Oxford shirts and polo shirts in the members' color of choice. All shirts are embroidered with "East Goshen Township Planning Commission." All PC members personally purchased their shirts.

**I. New**

1. Comprehensive Plan – Personally Sue would have preferred to help Mr. Miller and wished there were more flexibility in the ordinance. Members agree that it was unfortunate but they couldn't do so without potentially changing the character of the neighborhood by allowing anyone to rent there. Chuck believes this applicant had other options yet unexplored, such as a reverse mortgage. Mr. Schorn knows the applicant and said it was unfair to speculate about his situation without knowing the facts. Even when Mr. Miller had tenants there was never any evidence or incidents. He said the ordinance should be re-examined; he has been coming here for five years and has seen decisions changed. Senya said it was a difficult situation but they need to support the township as a whole and without additional evidence they had no choice.
2. Generators – Al and Chuck will meet next week and should be ready for review of the ordinance in June. Once items are identified they will be submitted to the solicitor for review.

**J. Adjournment**

Motion to adjourn the meeting was made by Peter and seconded by Chuck. The meeting adjourned at 9:45 p.m.

Respectfully submitted,

\_\_\_\_\_  
*Tracie Hill, Recording Secretary*



Gawthrop Greenwood

Attorneys At Law

RECEIVED  
BY: \_\_\_\_\_  
MAY 20 2009

Robert F. Adams  
610.696.8225 x125  
rfadams@gawthrop.com

May 19, 2009

Mark A. Gordon, Zoning Officer  
East Goshen Township  
1580 Paoli Pike  
West Chester, PA 19380-6199

Re: **National Bank of Malvern Conditional Use Application**

Dear Mark:

I understand from your letter of May 6, 2009 that the review clock on the conditional use submission cannot begin until the zoning variance relief has been granted. I believe that the Zoning Hearing Board is going to meet before the end of the month to make this decision.

In your letter, you stated that you forwarded plans to the Township engineer for review. In view of the change of the proposed development scheme, I am supplementing the application with the revised sketch plan prepared by Stantec. This shows the single bank building with only the front yard parking on Paoli Pike as the needed variance. This is the same plan that was presented to the Zoning Hearing Board last week. I am enclosing 10 copies of this plan for distribution as you see fit.

As soon as you have any idea of when the conditional use hearing may be scheduled, I would like to get it on my calendar. Thank you for your assistance.

Very truly yours,



Robert F. Adams

RFA/cb

Enclosures

pc: Louis F. Smith, Jr., Township Manager

F. SULLIVAN'S GROVE  
1 pg



## WOOLDRIDGE CONSTRUCTION OF PA., INC.

1389 East Boot Road  
West Chester, PA 19380  
(610) 436-8900 Phone  
(610) 436-5162 Fax

May 7, 2009

East Goshen Township  
1580 Paoli Pike  
West Chester, PA 19380

Attn: **Mr. Mark Gordon – Zoning Officer**  
RE: Sullivan's Grove – Extension period

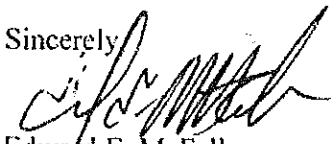
Dear Mark:

Please accept this letter as the grant by Wooldridge Construction of PA, Inc. of an extension for the review period of the subdivision plans for Sullivan's Grove out to and through August 31, 2009.

I believe all the engineering and landscaping issues are resolved. I owe you a revised Declaration. We just got another revision request from PennDot to add to Declaration about curbing. I know Rick Smith just sent a letter to DEP on the Planning Module issue.

Thank you for your usual cooperation and consideration.

Sincerely,



Edward E. McFalls  
Vice President



F. SULLIVAN'S GROVE  
5 pgs

Yerkes Associates, Inc.

Consulting Engineers / Site Planners / Land Surveyors

May 11, 2009

Planning Commission  
East Goshen Township  
1580 Paoli Pike  
West Chester, Pennsylvania 19380

Re: Sullivan's Grove – 4 Lot Subdivision Plan  
Review of Preliminary/Final Plan

Commission Members:

We have received for review the following revised plans and correspondence prepared by Edward B. Walsh & Associates, Inc.:

Plans dated 08-31-05, last revised 04-27-09

- Sheet 1 of 8 – Subdivision Plan
- Sheet 2 of 8 – Existing Features Plan
- Sheet 3 of 8 – Grading & Utilities / Post Construction Stormwater Management Plan
- Sheet 4 of 8 – Erosion & Sedimentation Control Plan
- Sheet 5 of 8 – Detail Sheet
- Sheet 5A of 8 – Profile Plan
- Sheet 6 of 8 – Detail Plan
- Sheet 7 of 8 – Detail Plan
- Sheet 8 of 8 – Landscape Plan (missing)
- Highway Occupancy Permit Plans, Sheets 1 through 5, dated 01-08-09, last revised 04-27-09

Correspondence

- E. B. Walsh & Assoc., Inc. letter to E. Goshen Township dated 02-04-08
- E. B. Walsh & Assoc., Inc. letter to Yerkes Associates, Inc. dated 02-28-09
- Final Hydrological Study / Post Construction Stormwater Management Report / Erosion and Sedimentation Control Report dated 08-31-05, last revised 04-03-08
- AQUA PA, Inc. letter dated 12-10-08
- PADEP NPDES Permit letter dated 09-29-08
- Yerkes Associates, Inc. Landscape Review letter dated 02-25-09.

Professional services since 1874

1444 Phoenixville Pike, P.O. Box 1568, West Chester, PA 19380-0078 / Tel: 610-644-4254 / Fax: 610-640-0771

Sullivan's Grove  
May 11, 2009  
Page 2 of 5

The plans have been submitted as both a Preliminary and a Final subdivision plan and are being reviewed for compliance with both the preliminary and final plan requirements of the Ordinances. All comments from our previous review letter of February 8, 2008 have been satisfactorily addressed except for the following that are numbered as they appeared previously:

Subdivision and Land Development Ordinance

12. Sections 205-30.C (1) (g), 205-33.B (16) & 205-45.E: The plan proposes a new street that intersects a state road. A PENNDOT HOP will be required for approval.

**The applicant has submitted plans to PennDOT for review. Approval of the HOA Permit is pending. This item is continued outstanding.**

22. Sections 205-30.C (4) (i), Section 205-33.C (3) & 205-21.B and Section 205-33.C (2): The plan proposes a private street which will require maintenance by the home owners as well as Comcast. Full documentation of any proposed homeowners' association, covenants or other such proposed association and/or restrictions governing the subdivision and/or land development for maintenance should be provided. A separate agreement with the Township must be prepared establishing the conditions under which the street may later be offered for dedication. These documents should be submitted to the Township Solicitor for review and approval.

**HOA documentation has been submitted to the Township and should be approved by the Township Solicitor prior to Final Plan approval. This item is continued outstanding.**

- 30a. Section 205-52.A: Curbs shall be required on all streets. The radius returns to Greenhill Road should be shown to be curbed. Intersection and curbing within the PennDOT right-of-way shall meet PennDOT specifications.

**PennDot is not permitting return curbing from Sullivan's Circle to Greenhill Road, since there is no curb presently installed on Greenhill Road. A waiver request has been requested for relief from providing curb returns. It has been noted on the plan that the HOA will responsible for curb returns in the event curbing is installed along Greenhill Road in the future. We have no objection with the waver request from Section 205-52.A.**

33. Section 205-53: The proposed street name is subject to the approval of the Board of Supervisors, the Chester County Department Emergency Services and the postmaster.

**Approval of the proposed street name "Sullivan's Circle" is pending. This item is continued outstanding.**

39. Section 205-68.A: The relocation and details of the sanitary sewer line must be reviewed and approved by the Greenhill Sewer Association.

**Final approval has not been received. This item is continued outstanding.**

Stormwater Management: Section 205-37 and Chapter 195 (Ordinance No. 129-M-03)

**New General Stormwater Comments**

55. **The Typical Underground Stone Infiltration Bed and Sullivan's Circle Infiltration Bed Details on Sheet 5 note that the yard drain inverts in the center of each bed are to be set 0.5 in. above the bottom of the bed. The inverts on the plan place the inverts below the bed. Inverts should be revised on the details on Sheet 5 and Sheet 3 to be above the bed bottoms.**
56. **Sullivan's Circle Infiltration Bed:**
- a. **The depth and bottom of the bed should be revised on Sheet 3 per the design calculations.**
  - b. **The bed should be depicted and dimensioned on the Profile on Sheet 5A per the design calculations.**
  - c. **The end of overflow pipe leading and discharging onto Lot 3 should be extended past and relocated further away from the proposed dwelling. Since the HOA would be the responsible for maintenance of the overflow pipe, a stormwater easement should be provided across Lot 3. In order to minimize any encumbrance on lot 3, it is recommended that the location of the overflow pipe and easement be adjusted to run adjacent and parallel to the property line.**
57. **Lot 2 Infiltration Bed:**
- a. **The depth of bed and bottom invert should be revised to match the calculations on Sheet 3.**
  - b. **The outlet slope should be corrected in the table in the Typical Underground Stone Infiltration Bed detail on Sheet 5 and table on Sheet 3.**
58. **Lot 3 Basin: There is a reference to a Cross-Section A-A shown on Sheet 3 which should be clarified.**
59. **Lot 4 Infiltration Bed:**
- a. **The top of grate for the center yard drain should be set to provide 12 in. of cover above the bed on Sheets 3.**



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60. There is a shallow berm now shown on the property line between Lots 2 and 3. The maintenance responsibility should be clarified whether the shallow berm is the Lot owner(s) or the HOA. A stormwater easement should be provided if it is to remain on the property line. If it would be the responsibility of a single lot owner, the shallow berm should be relocated on the lot it serves, and a stormwater easement would not be required.

**New Sewer Comments**

61. **Section 205.71:** Sewage Facility Planning Modules have been submitted and will be required to be approved by the East Goshen Municipal Authority for final plan approval. This item is pending approval and is outstanding.
62. The lateral connection for Lot 4 is shown to be crossing through the corner of the lot's infiltration bed. The lateral and bed should be offset from each other at least 10 ft. The lateral also passes within 10 ft. of the corner of Lot 3 and connects to the sanitary sewer on Lot 2. Additional 20 ft. wide sanitary lateral easements should be provided near the corner of Lot 3 and to connect on Lot 2.
63. The lateral shown from Lot 2 connecting onto sanitary sewer on Lot 3 should be provided with a 20 ft. lateral easement.

**General Comments**

64. Legal descriptions for all properties, utility easements and access easements should be submitted for review.
65. The landscaping plan has been submitted in January and approved under separate cover, however it is part of the Final Subdivision Plan set. All future submissions should include the Landscape Plan Sheet 8 of 8.

**Summary**


66. Items needed for approval are noted as follows:
- a. PennDOT HOP Permit
  - b. HOA documentation approval by the Twp. Solicitor.
  - c. Street Name approval from the Chester County Department Emergency Services.
  - d. Greenhill Sewer Association Approval.
  - e. PADEP Planning Modules approval.
  - f. Remaining plan revisions.
  - g. Legal descriptions.

585

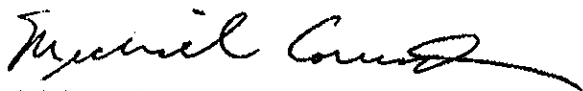
Sullivan's Grove  
May 11, 2009  
Page 5 of 5

The plans as submitted are not recommended for final approval by the Township. The plans should be revised to address the comments noted herein and be resubmitted for review. All plan changes should be highlighted on the plans. Please do not hesitate to contact our office if there are any questions concerning the above.

Sincerely,  
YERKES ASSOCIATES, INC.



Charles E. Jackson III



Michael Conrad, P.E.

Cc: Rick Smith, Township Manager  
Mark Gordon, Zoning Officer  
Edward B. Walsh & Associates, Inc. Attn.: Mr. Daniel H. Daley, P.E.



# THE COUNTY OF CHESTER

## COMMISSIONERS

Terence Farrell  
Carol Aichele  
Kathi Cozzone

RONALD T. BAILEY, AICP  
Executive Director

## PLANNING COMMISSION

Government Services Center, Suite 270  
601 Westtown Road  
P.O. Box 2747  
West Chester, PA 19380-0990  
(610) 344-6285 Fax: (610) 344-6515



RECEIVED  
BY: \_\_\_\_\_

May 8, 2009

Louis F. Smith Jr., Manager  
East Goshen Township  
1580 Paoli Pike  
West Chester, PA 19380

Re: Preliminary/Final Subdivision – Vincent Angelini  
# 12238-2 – East Goshen Township

Dear Mr. Smith:

A preliminary/final subdivision plan entitled "Vincent Angelini," prepared by Herbert E. MacCombie Jr., P.E., Consulting Engineers and Surveyors, Inc., and dated January 29, 2009, was received by this office on April 14, 2009. The subdivision is situated on the east side of Cornwallis Drive north of Colonial Lane and involves the subdivision of two existing residential lots totaling 4.04 acres (U.P.I. #53-4-64 and #53-4-64.1) into three residential lots. While the existing residence on Lot 3 will remain, the existing residence on Lot 1 will be removed. The lots will be served by on-site water and public sewer. The project site is located in the R-2 Residential zoning district.

This plan is reviewed by the Chester County Planning Commission in accord with the provisions of Section 502 of the Pennsylvania Municipalities Planning Code (MPC). This report does not review the plan for compliance to all aspects of your ordinance, as this is more appropriately done by agents of the Township. We offer the following comments on the proposed subdivision for your consideration:

### BACKGROUND:

1. The Chester County Planning Commission has previously reviewed a three lot subdivision proposal for this 4.04 acre site (CCPC# 12238, dated June 25, 2007). According to our records, this previous subdivision plan has not been approved by the Township.

### LANDSCAPES:

2. The 1996 Chester County Comprehensive Plan, *Landscapes*, designates the area of the proposed subdivision as a **Suburban Landscape**. **Suburban Landscapes** include areas where infrastructure and public services have been, or should be, extended to accommodate residential development and shopping and employment centers. *Landscapes* encourages design flexibility and a mix of density and uses, either through revitalization or infill, within the **Suburban Landscape**. The location of this subdivision proposal is consistent with the **Suburban Landscape** as shown on the *Livable Landscapes Map*, as last amended October 14, 2003.

Page: 2

May 8, 2009

Re: Preliminary/Final Subdivision – Vincent Angelini

# 12238-2 – East Goshen Township

### PRIMARY ISSUES:

#### Access and Circulation:

3. The plan proposes to create an additional dwelling unit served by a single access to the public road network. We estimate that there are approximately 63 dwelling units currently served by a single access to Route 352 at Colonial Lane, and the approval and subsequent construction of this proposal will increase that number to 64. If Colonial Lane or Cornwallis Drive were to be blocked by an accident, or natural disaster, access for emergency vehicles could be compromised. We reiterate that the Township should consider establishing a secondary access or consider limiting the number of residences permitted on a single access.
4. Access to both Lots 2 and 3 will be provided from a common driveway entrance on Lot 3. The details of this shared driveway arrangement should be incorporated into the deeds of both parcels. The Township Engineer should verify that this common driveway entrance is in conformance with Township Ordinances with regard to grade and sight distance.
5. The plan depicts a 25 foot wide ultimate right-of-way on the east side of Cornwallis Drive, which, according to Project Note #4, is offered for dedication to the Township. The 2004 Road Functional Classification Technical Memorandum by the Chester County Planning Commission classifies Cornwallis Drive as a local road, and recommends a 33 to 50 foot-wide right-of-way for local roads to accommodate future road improvement. The proposed right-of-way is appropriate for a local road.

### OTHER CONSIDERATIONS:

6. The applicant is requesting two waivers from the provisions of the Township Subdivision and Land Development Ordinance. Waiver requests should only be considered following the determination that the proposed project either meets the purpose of these requirements or does not create the impacts that these provisions are intended to manage.
7. The site is located in an area designated by the Pennsylvania Department of Environmental Protection (DEP) as a Special Protection Watershed. Special Protection Watersheds are important because Chester County's High Quality and Exceptional Value Watersheds may be especially sensitive to degradation and pollution that could result from development. The DEP may impose stricter limitations on proposed wastewater discharges in these watersheds, and DEP also encourages that special care be exercised in the design and construction of stormwater control facilities in these areas.

The DEP suggests that "Best Management Practices" (BMPs) be used for stormwater control, as recommended in *The Pennsylvania Stormwater Best Management Practices Manual*. This document is available from the Chester County Conservation District or directly from DEP via the web at: <http://www.depweb.state.pa.us/watershedmgmt/cwp/view.asp?a=1437&q=518682>, then select Best Management Practices (BMP) Manual. Toolbox # 32-1, in the *Landscapes Community Planning Handbook Volume I*, (CCPC, 1997) also contains an explanation of BMPs

Page: 3

May 8, 2009

Re: Preliminary/Final Subdivision – Vincent Angelini

# 12238-2 – East Goshen Township

as well as a sample BMP ordinance. BMPs can be used to recreate pre-development conditions on all construction projects through the use of natural and manmade features such as retention and infiltration basins, pervious pavement, biofilters, grass swales, curbless streets, and other environmentally-sensitive design techniques. Project engineers are encouraged to examine these, as well as other BMPs. Addressing these issues in the initial plan submission should assist in expediting plan approval.

Additionally, the following map note should appear on all erosion and sediment pollution control plans:

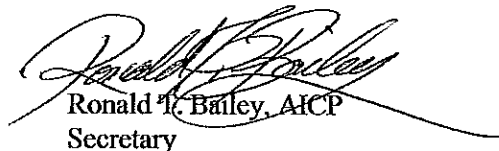
“The site is located in an area designated by the Pennsylvania Department of Environmental Protection as a Special Protection Watershed, and extreme care should be exercised in all disturbance activities to prevent degradation of the waters of the Commonwealth. All disturbed areas on which work has been, or will be stopped, must be promptly stabilized with appropriate temporary or permanent stabilization measures.”

**ADMINISTRATIVE NOTES:**

8. The item on the attached checklist should be addressed and reflected in the proposed subdivision.
9. A minimum of five (5) copies of the plan should be presented at the Chester County Planning Commission for endorsement to permit recording of the final plan in accord with the procedures of Act 247, The Pennsylvania Municipalities Planning Code, and to meet the requirements of the Recorder of Deeds, the Assessment Office, and the Health Department.

**RECOMMENDATION:** The Commission recommends that the issues raised in this letter be addressed and all Township requirements be satisfied before action is taken on this plan.

Sincerely,

  
Ronald T. Bailey, AICP  
Secretary

RTB/PF

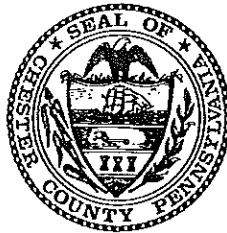
Attachment

cc: Michele A. and Vincent J. Angelini  
Vincent J. Angelini, Sr.  
Herbert E. MacCombie Jr., P.E., Consulting Engineers and Surveyors, Inc.  
Albert J. Giannantonio, P.E., Township Engineer  
Chester County Health Department

4034

# THE COUNTY OF CHESTER

Chester County  
Planning Commission  
601 Westtown Road, Suite 270  
P.O. Box 2747  
West Chester, PA 19380-0990



Board of  
County Commissioners  
Chester County, Pennsylvania

MUNICIPALITY East Goshen Township

CCPC FILE # 12238-2

DATE May 8, 2009

The following agencies should be contacted regarding this subdivision or land development:

- ☐ Pennsylvania Department of Transportation (PennDOT): A PennDOT permit is required for new or revised access and should be identified on the final plan as required by Section 508(6) of the Municipalities Planning Code.
- ☐ U.S. Army Corps of Engineers and Pennsylvania Department of Environmental Protection (DEP): Placement of fill in wetlands is regulated by the Corps of Engineers in accordance with Section 404 of the Clean Water Act (1977) with DEP under Chapter 105 Rules and Regulations for the Bureau of Dams and Waterway Management. The applicant should contact these agencies to determine if the proposed activity will require a permit and provide the municipality with documentation of this contact and of any subsequent permit(s) before action on this plan is taken.
- ☐ Pennsylvania Department of Environmental Protection (DEP): The applicant should contact DEP to determine whether a stream encroachment permit is necessary for the proposed road, driveway, or sanitary sewer line crossing in accordance with Section 205.293 of its rules and regulations and provide the municipality with documentation of this contact and the requirements of DEP before action on this plan is taken.
- ☒ Chester County Health Department (CCHD): A copy of the plan should be submitted to the CCHD for their review and comment on the proposed sewage disposal and/or water supply. The municipality from the appropriate authority and company prior to final plan approval, if applicable, should receive confirmation on the availability of sufficient sewer and water capacity.
- ☐ Chester County Conservation District (CCCD): The applicant should contact the office of the CCCD for information and clarification on erosion control measures. The provisions of the Commonwealth Erosion Control Regulations may apply to the project and may require an Earth Disturbance Permit or a National Pollutant Discharge Elimination System permit for discharge of stormwater from construction activities.

**BOARD OF SUPERVISORS**  
**EAST GOSHEN TOWNSHIP**

CHESTER COUNTY  
1580 PAOLI PIKE, WEST CHESTER, PA 19380-6199

Y. METRO ES  
1 pg

April 30, 2009

Dear Property Owner:

The purpose of this letter is to inform you that Metro PCS, LLC has submitted a Conditional Use application requesting approvals to install a stealth telecommunications facility within the church steeple on the property owned by the United Church of Christ at 1201 North Chester Road, West Chester PA, 19380.

Pursuant to Township policy, property owners and residents within 1000 feet of the subject property are notified of Conditional Use applications.

**The meeting dates and times when this application will be discussed are outlined below.**

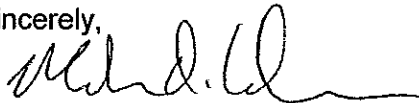
**May 6, 2009** - Planning Commission meeting (workshop at 7 pm, formal meeting @ 7:30 pm)

**June 3, 2009** - Planning Commission meeting (workshop at 7 pm, formal meeting @ 7:30 pm)

**June 16, 2009** – Board of Supervisors meeting (workshop at 7 pm, formal meeting @ 8:00 pm)

All meetings are held at the Township Building and are open to the public. The plans are available for review during normal business hours. Please give me a call at 610-692-7171 or email me at [mgordon@eastgoshen.org](mailto:mgordon@eastgoshen.org) if you have any questions or need additional information.

Sincerely,



Mark A. Gordon  
Township Zoning Officer

Cc: All Township Authorities, Boards and Commissions  
Debra Shulski, Esq. (Via email)

H. METRO PCS  
App



Yerkes Associates, Inc.

Consulting Engineers / Site Planners / Land Surveyors

May 22, 2009

RECEIVED  
BY: \_\_\_\_\_

MAY 28 2009

East Goshen Township  
1580 Paoli Pike  
West Chester, Pennsylvania 19380

Attn: Mark Gordon, Township Zoning Officer

Re: Metro PCS – 1201 North Chester Road  
Conditional Use Plan Review

Dear Mark:

The following plans prepared by CMX have been received by our office for review:

Metro PCS Site No. PH0715A, last revised March 11, 2009

- Sheet T-1: Title Sheet
- Sheet Z-1: Site Plan
- Sheet S-1: Compound Plan & Elevation

The plan submission also included the following supporting documents:

- Conditional Use Application and Checklist
- April 17, 2009 Plan Submission Letter prepared by Debra Shulski
- FCC Wireless Telecommunications Bureau License Record Copy

The parcel owner is United Church of Christ. The parcel is located on the east side of the North Chester Road (S.R. 0352) intersection with Greenhill Road and is situated within the R-2 Low Density Suburban Residential Zoning District. The plans depict a proposed 12 foot wide by 15 foot long lease area located at the northeast corner of the Church. The lease area will contain equipment cabinets on a 10 foot square concrete pad which will serve six antennas to be attached to the inside of the Church steeple at a height of approximately 51 feet above ground level.

The following comments are offered for consideration:

Professional services since 1874



## Zoning Ordinance

### Wireless Communications Facilities

1. Section 240-31.C.3.h.2.e: Within the R-2 Zoning District, Conditional Use approval is required to locate communication antennae on an existing steeple and to install support equipment on the ground. The requirements for Conditional Use approval as outlined by section 240-31.C.1 and .2 must be addressed to the Board's satisfaction.
2. Section 240-31.C.3.h.2.e.i: The height of the proposed antenna and attaching apparatus should be noted on the plan. The height of the antenna and attaching apparatus shall not exceed 10 feet. The height may be allowed to be increased to 25 feet if the applicant proves that a greater antenna height is required to make it an adequately functioning component of the applicant's system.
3. Section 240-31.C.3.h.2.e.ii: The applicant shall demonstrate to the Township's satisfaction that the proposed location and height are necessary to provide satisfactory coverage and the proposed location will obviate the need for the erection of a communication antenna support structure in another location where the same is permitted.
4. Section 240-31.C.3.h.2.e.iii: The site plan should be revised to depict all buildings and structures located on contiguous properties.
5. Section 240-31.C.3.h.2.e.v: A concrete pad not exceeding 10 feet by 20 feet in area for housing the receiving and transmitting equipment is permissible by conditional use provided that the pad and cabinets are set back from the property line by a minimum of 10 feet, the combined height of the pad and cabinets does not exceed eight feet, and an evergreen landscape buffer screen having a planted height of six feet is installed and maintained. The plans should include a plant list identifying the proposed species, quantity, and size of the evergreen plantings to be installed. It is noted that the existing arborvitae buffer is in poor condition due most likely from deer grazing.
6. Section 240-31.C.3.h.g.ii – When antennae are to be located on an existing structure, the applicant shall provide engineering details showing what steps have been taken to prevent "microwave bonding" to wiring, pipes, or other metals. "Microwave bonding" refers to the coupling or joining of microwave energy to electrical circuits during which process the transfer of energy from one circuit to another occurs.
7. Section 240-31.C.3.h.2.i: The plan should note that the steeple and communications equipment are to be inspected annually by an independent inspector as required by the ANSI/EIA/TIA-222-E Code and a copy of the inspection report is to be submitted to the Township for review.

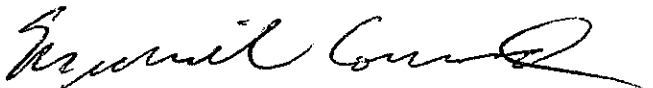
8. Section 240-31.C.3.h.2.n: Where antenna(e) are proposed to be attached to an existing structure, a structural engineer shall certify that both the structure and the antenna(e) and their appurtenances meet minimum industry standards for structural integrity. General note 13 on sheet S-1 states that a structural analysis shall be performed by the owner's agent to certify that the existing / proposed communication structure and its components are structurally adequate. A structural analysis and inspection report should be included with the conditional use application.
9. Section 240-31.C.3.h.2.o and .s: A minimum of two parking spaces shall be provided for fully automated wireless communication facilities. The plans should identify the location of parking spaces available for the facility and demonstrate that vehicular access to the equipment compound will not interfere with parking and vehicular circulation for the Church.
10. Section 240-31.C.3.h.2.q: The plan shall comply with requirements of Chapter 205, Subdivision and Land Development Ordinance as follows:
  - a. Section 205-33.A.3: Signature blocks for approval should be added to the site plan.
  - b. Section 205-33.B.8, 205-35.A & B, & 131-5.B: No topography has been provided on the plan; however a topographic survey of the site does not appear to be necessary. A waiver from these sections should be noted on the plan.
  - c. Section 205-33.B.10: The location of all existing utilities that service the Church should be indicated on the plan.
  - d. Section 205-33.B.17: A certification of ownership and plan acknowledgment shall be added to the site plan and be signed and notarized by the parcel owner.
  - e. Section 205-33. D: Although site disturbance will be minimal, a conservation plan should be provided. The plan should identify the limit of disturbance, provide for erosion and sedimentation control measures, address site restoration, and include a sequence of construction. The plan should note that no trees are to be removed and provide tree protection during construction.
11. Section 240-31.C.3.h.2.t: A description of the anticipated maintenance needs, including frequency of service, personnel needs, equipment needs, and the traffic safety and noise impacts of such maintenance should be provided with the application.

Metro PCS  
May 22, 2009  
Page 4 of 4

12. Section 240-31.C.3.h.2.w: The plans should note that any wireless communications facility to be abandoned or its use discontinued for a period of six months shall be demolished or removed from the site within six months at the expense of the owner of the wireless communications facility.
13. Section 240-31.C.3.h.2.x: Proof of notification of all owners within 1,000 feet of the communications site should be provided to the Zoning Officer.
14. Section 240-31.C.3.h.2.y: As described by this section, the plan should include a note regarding the procedure to be followed if the telecommunications facility causes radio or television reception interference.
15. Section 240.C (3) (h) [2] [z]: A note should be placed on the plan that an Annual Report will be submitted in accordance with the provisions of this section.

The plan submission should be revised in accordance with the above comments. Please contact this office if you have any questions concerning this review.

Sincerely,  
Yerkes Associates, Inc.



Michael Conrad, P.E.

Cc: Phillip A. Burtner, P.E., CMX  
Debra Shulski, Riley, Riper, Hollin, & Colagreco

BOARD OF SUPERVISORS  
EAST GOSHEN TOWNSHIP

CHESTER COUNTY  
1580 PAOLI PIKE, WEST CHESTER, PA 19380-6199

H. NAT'L BANK OF  
MALVERN

1 pg

May 6, 2009

Robert Adams, Esquire  
Gawthrop Greenwood PC  
P.O. Box 562  
West Chester, PA 19881-0562

Re: National Bank of Malvern Conditional Use Application

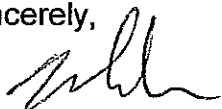
Dear Bob:

I have reviewed the Conditional Use application for National Bank of Malvern and have processed the application, forwarding the plans to the Township Engineer for review.

The review clock can't begin on this application until the Zoning Variances currently being sought for the property have been granted. In the event that the Variance requests are denied, your client is still responsible for any review fees incurred by the Township for the review of the Conditional Use Plan.

Please give me a call at 610-692-7171 or e-mail me at [mgordon@eastgoshen.org](mailto:mgordon@eastgoshen.org) if you have any questions or need additional information.

Sincerely,



Mark A. Gordon  
Township Zoning Officer

CC: Rick Smith; Township Manager  
Planning Commission ✓

H. NAT'L BANK OF  
MALVERN  
1P8



Gawthrop Greenwood

Attorneys At Law

RECEIVED  
BY: \_\_\_\_\_

MAY 30 2009

Robert F. Adams  
610.696.8225 x125  
rfadams@gawthrop.com

May 19, 2009

Mark A. Gordon, Zoning Officer  
East Goshen Township  
1580 Paoli Pike  
West Chester, PA 19380-6199

Re: National Bank of Malvern Conditional Use Application

Dear Mark:

I understand from your letter of May 6, 2009 that the review clock on the conditional use submission cannot begin until the zoning variance relief has been granted. I believe that the Zoning Hearing Board is going to meet before the end of the month to make this decision.

In your letter, you stated that you forwarded plans to the Township engineer for review. In view of the change of the proposed development scheme, I am supplementing the application with the revised sketch plan prepared by Stantec. This shows the single bank building with only the front yard parking on Paoli Pike as the needed variance. This is the same plan that was presented to the Zoning Hearing Board last week. I am enclosing 10 copies of this plan for distribution as you see fit.

As soon as you have any idea of when the conditional use hearing may be scheduled, I would like to get it on my calendar. Thank you for your assistance.

Very truly yours,

Robert F. Adams

RFA/cb

Enclosures

pc: Louis F. Smith, Jr., Township Manager



# FYI

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT  
HARRISBURG, PA 17120

OFFICE OF SECRETARY

April 30, 2009

Dear Fellow Pennsylvanian:

The big topic around the state is the federal stimulus bill (the American Recovery and Reinvestment Act [ARRA])—more specifically, what money is available and how can I or my agency or company participate? We thought it might be helpful to summarize the type and amount of funds coming into or passing through the Department of Community and Economic Development (DCED) so you can determine whether any of those funds could be used by you or your constituents.

DCED will receive, or be responsible for monitoring or disbursing, the following ARRA funds:

**Weatherization** – DCED will be responsible for administering \$252.8 million of weatherization funds pursuant to a state plan based on existing Department of Energy weatherization guidelines. A draft of the state plan has been posted on our web site and is available for comment through May 5. Funds will be allocated initially within the current weatherization network, which consists of local governments and non-profits. Eligible clients are low income (less than or equal to 200 percent of federal poverty income guidelines). It is anticipated that approximately 25,000 residential units may be weatherized throughout Pennsylvania with these funds. If you have any questions about this program or the proposed plan, please contact James Etta Reed (DCED) at (717) 787-1984.

**Community Development Block Grant (CDBG)** - \$46.4 million of ARRA funds have been allocated to "federal entitlement communities," with project approval directly by the U.S. Department of Housing and Urban Development (HUD). \$10.6 million have been allocated to "state entitlement communities" through DCED, and \$1.6 million will be disbursed by DCED on a competitive basis per existing DCED guidelines to non-state entitlement and state entitlement communities with populations under 10,000 if 75 percent of their entitlement funds are being used for the project for which discretionary funds are sought. The uses of these funds include infrastructure, community facilities, rehab of low/moderate income housing, demolition of blighted structures, job training and placement, housing counseling, food pantries, meals-on-wheels and nutrition education. Final guidance from HUD is anticipated by early May. Feel free to contact Donna Enrico (DCED) at (717) 787-5327 for additional information. If you have a specific project proposal, please contact your local municipal officials.

April 30, 2009

Page two

**Neighborhood Stabilization Program** - \$2 billion are to be awarded nationally on a competitive basis. There is no funding guaranteed for Pennsylvania, but we are hopeful of being successful in securing some of these funds through the competitive process. Moreover, it is assumed that the NSP direct allocation communities of Philadelphia, Allentown, Pittsburgh, and Allegheny and York counties will receive NSP allocations. Permitted uses include the purchase, rehabilitation and financing of foreclosed properties. HUD anticipates issuing selection criteria very soon. Please contact Donna Enrico (DCED) at (717) 787-5327 for additional information.

**Homelessness Prevention and Rapid Re-housing Program** - \$66.6 million are to be disbursed to communities receiving a direct allocation from HUD, and \$23.4 million are to be disbursed by DCED pursuant to guidelines that are being developed. The permitted uses for the funds are short and medium-term rental assistance, housing relocation, credit repair, security and utility deposits, homelessness prevention, rapid re-housing assistance for homeless people and data collection/evaluation. Final guidance is anticipated by early May. Please contact Mary J. (M.J.) Smith (DCED) at (717) 787-5327 for additional information.

**Community Services Block Grant** - \$41.5 million have been allocated to the existing Community Action Agency network, with a focus on employment-related services and activities that create and sustain economic growth. ARRA funds also may be used to support the regular CSBG program to provide services and activities addressing employment, education, better use of available income, housing, nutrition, emergency services and/or health to combat the central causes of poverty. For further information, please contact JamesEtta Reed (DCED) at (717) 787-1984.

**Broadband** – Broadband Technology Opportunities Program (BTOP). \$4.7 billion are to be awarded nationally on a competitive basis, with a 20 percent match required. Permitted used include infrastructure deployment and technical assistance, development and maintenance of broadband industry map, construction of broadband infrastructure (shovel-ready), broadband education, and expansion of public computer center capacity.

**Broadband** – Distance Learning, Telemedicine and Broadband Program. \$2.5 billion are to be awarded nationally on a competitive basis. Permitted uses include infrastructure deployment and technical assistance, benefiting areas where at least 75 percent of the area served is rural and lacking sufficient access to high speed broadband service to facilitate rural economic development, as determined by the U.S. Secretary of Agriculture.

The Pennsylvania Office of Administration (OA) is spearheading, with DCED involvement, our state's strategy and federal application for both broadband programs. OA and DCED are in the process of identifying un-served and under-served areas, planning public meetings around the state for input on broadband initiatives, and holding individual meetings with providers and industry association members. You may contact Tony Marsico (DCED) at (717) 214-5828 for additional information.

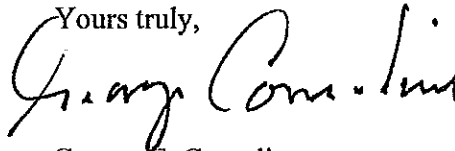
April 30, 2009

Page three

We appreciate the interest in ARRA and will work to provide you with the most current information as we receive it. Please continue to access our website [www.newpa.com](http://www.newpa.com) and the Governor's website at [www.recovery.state.pa.us](http://www.recovery.state.pa.us) for updates. If you have specific questions that do not fall under one of the categories above, please contact DCED's ARRA Coordinator, Bryce Maretzki, at (717) 787-3003.

Our objective is to make the process simple and straight-forward and to disburse ARRA funds into qualified applicants' hands as quickly as possible so that, hopefully, we can jumpstart our economy. If there is any uncertainty in your mind about your eligibility or any other aspect of the programs, please don't hesitate to reach out to us.

Yours truly,

A handwritten signature in black ink, appearing to read "George E. Cornelius". The signature is fluid and cursive, with the first name "George" and last name "Cornelius" clearly distinguishable.

George E. Cornelius  
Acting Secretary



**EAST GOSHEN TOWNSHIP  
PLANNING COMMISSION**  
1580 PAOLI PIKE, WEST CHESTER, PA 19380-6199

May 7, 2009

East Goshen Township  
Board of Supervisors  
1580 Paoli Pike  
West Chester, Pa. 19380

Re: Zoning Variance Application, Richard Miller, 16 Reservoir Rd.  
Use Variance  
TPN: 53-6-79

Dear Board Members:

At our meeting on May 6, 2009 the Planning Commission passed the following motion:

I move that we recommend that the Board of Supervisors oppose the variance application for Richard Miller at 16 Reservoir Rd. The standards for granting a variance have not been met by the applicant, the variance is not needed to enable a reasonable use of the property, no hardship has been presented and the variance, if granted, could alter the essential character of the neighborhood.

Very truly yours,

Senya D. Isayeff  
Chairman

**EAST GOSHEN TOWNSHIP  
PLANNING COMMISSION**  
1580 PAOLI PIKE, WEST CHESTER, PA 19380-6199

May 7, 2009

East Goshen Township  
Board of Supervisors  
1580 Paoli Pike  
West Chester, Pa. 19380

Re: National Bank of Malvern  
Zoning Variance  
53-3-1.9A

Dear Board Members:

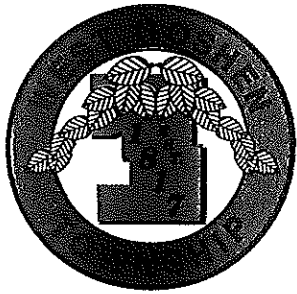
At our meeting on May 6, 2009 the Planning Commission unanimously passed the following motion:

I move that we recommend that the Board of Supervisors oppose the variance request of National Bank of Malvern for the relief sought from §240-21.G and §240-33.B(5)(b). The conditions that create the need for this relief appear to be self-created, and the plan could be modified to meet the ordinance requirements.

Very truly yours,



Senya D. Isayeff  
Chairman



PATRICIA B. MCILVAINE, *Chairman*  
EDWARD G. MEAKIM, JR., *Vice Chairman*  
DR. ROBERT S. WHITE, *Member*

## Board of Supervisors

CASEY LALONDE, *Township Manager*

1025 Paoli Pike • West Chester, PA 19380-4699  
610•696•5266 ~ Fax: 610•429•0616  
twp@westgoshen.org  
www.westgoshen.org

March 4, 2009

RECEIVED  
BY: \_\_\_\_\_

MAR - 6 2009

Rick Smith, Township Manager  
East Goshen Township  
1580 Paoli Pike  
West Chester, PA 19380

Re: National Bank of Malvern  
YMCA Parking Lot

Dear Rick:

Thank you for the recent letter and plans for the National Bank of Malvern Conditional Use application. Township Engineer Rick Craig has reviewed the plans and found that the bank use will have little or no effect on West Goshen Township. However, the proposed parking lot lease from the bank to the YMCA does potentially pose an impact on West Goshen Township.

The proposed parking lot lease may increase traffic to and from the YMCA, causing an impact to the level of service for the traffic signal at the intersection of Paoli Pike and Airport Road. Furthermore, Rick suggests that the intersection improvements discussed during construction of the YMCA be required as a minimum for approval of this Conditional Use and Land Development project. If the traffic impact study indicates that additional improvements may be beneficial, then these too should be required.

Since this is a shared intersection, it would be helpful if we were to have the opportunity to review the traffic study and the proposed intersection improvements prior to approval.

Thank you for the opportunity to comment on this project.

Please contact me if you have any questions or comments.

Sincerely yours,

Casey LaLonde  
Township Manager

CL/skt