

**EAST GOSHEN TOWNSHIP
PLANNING COMMISSION**

Agenda

Wednesday, July 1, 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. **June 3, 2009**
- E. Acknowledge Receipt of New Applications
 - 1. **T-Mobile Northeast LLC, N. Chester Rd., (V)**
 - 2. **John Mummert, 1417 Center St (V)**
- 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)**
 - 3. **T-Mobile Northeast LLC, N. Chester Rd., (V)**
 - 4. **John Mummert, 1417 Center St (V)**
- I. Ordinance Amendments
 - 1. **Interest Ordinance**
- J. Old Business
 - 1. **Discussion of the Comp Plan Action items**
- K. New Business
- L. Any Other Matter
 - 1. **Sample Generator Ordinance**
- O. Meetings and Dates of Importance

July 1, 2009	Planning Commission	7:00 PM
July 2, 2009	Park & Recreation - no meeting	
July 4, 2009	Office Closed	
July 7, 2009	Board of Supervisors	7:00 PM
July 8, 2009	Conservancy Board	7:00 PM
July 9, 2009	Historical Commission	7:00 PM
July 13, 2009	Municipal Authority	7:00 PM
July 14, 2009	Board of Supervisors	7:00 PM
July 20, 2009	Deer Committee	7:00 PM
July 21, 2009	Board of Supervisors	7:00 PM
July 23, 2009	Zoning Hearing – T-Mobile	7:30 PM
July 28, 2009	Board of Supervisors	7:00 PM
- P. Correspondence:
 - 1. **CCHD – soil suitability testing**
 - 2. **Pennsylvania Department of Transportation**
- Q. Goals
 - 1. Review the Parking Section of the Zoning Ordinance and make recommendations, if necessary.
- R. Adjournment

EAST GOSHEN TOWNSHIP
PLANNING COMMISSION

Agenda

Wednesday, July 1, 2009

7:00 PM

- **Bold Items indicate that the Planning Commission has new information to review for that application.**

S

REMINDER – Newsletter Article Submission Due Date:

Article Due Date

August 12, 2009

November 10, 2009

Delivery date

October 1, 2009

January 1, 2010

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**EAST GOSHEN TOWNSHIP
PLANNING COMMISSION
APPLICATION HISTORY
Wednesday, July 1, 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
May 26, 2009	DEP – Planning Module for L/D

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

April 30, 2009	Plans
April 20, 2009	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
June 15, 2009	60-day extension ltr
June 18, 2009	Herbert MacCombie, Preliminary/Subdivision

Plans

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
June 15, 2009	Stantec – C/U Plan Review Plans
June 16, 2009	Traffic Impact
June 25, 2009	Draft motion

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
June 4, 2009	Riley Riper Hollin – extension of time
June 19, 2009	Riley Riper Hollin – C/U Plan Review
June 10, 2009	Kenneth R. Foster & Associate – Site Colored map RF Studies LTD – Shared Site Interference analysis Master Locators – Geophysical Study Plans
June 25, 2009	Draft motion

T-Mobile Northeast LLC, West side of North Chester Road, (V)

May 29, 2009	Application Plan Petrikin, Wellamn, Damico – PECO Pole
June 15, 2009	1,000' notification
June 25, 2009	Draft motion

July 1, 2009

John Mummert, 1417 Center St (V)

June 23, 2009

Application

June 25, 2009

Draft motion

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

July 1, 2009

Planning Commission Application Tracking Log

Application Name	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 (957 Cornwallis Drive)	SD	P/F	4/14/09	5/6/09	4/14/09	5/6/09	4/15/09	Y	9/2/09	9/22/09	n/a	10/2/09
Metro PCS	CU	S	4/20/09	4/21/09	4/30/09	n/a	4/30/09	Y	7/1/09	6/16/09	6/16/09	7/21/09
National Bank Of Malvern	CU	S	4/30/09	5/28/09	5/12/09	n/a	4/28/09		7/1/09	7/24/09	7/21/09	7/26/09
T-Mobile	V		6/1/09	6/2/09	n/a	n/a	6/15/09		7/1/09	7/21/09	7/23/09	7/31/09
Mummert (1417 Center St.)	V		6/23/09	6/24/09	n/a	n/a	6/25/09		7/1/09	7/7/09	7/23/09	8/21/09

Bold = New Application or PC action required

B. TRACKING LOG
1pg

EAST GOSHEN TOWNSHIP
PLANNING COMMISSION MEETING
JUNE 3, 2009

DRAFT

The East Goshen Township Planning Commission held their regularly scheduled meeting on June 3, 2009 at the East Goshen Township building. Chairman Senya Isayeff, Vice-Chair George Martynick and members Megann Hedgecock, Albert Zuccarello, Sue Carty and Peter Mylonas were present. Also present were Township Zoning Officer Mark Gordon, Jason Young from the Historical Commission (HC), and Don McConathy and Marty Shane from the Board of Supervisors (BOS).

WORKSHOP SESSION – 7:00pm

Members reviewed and corrected the minutes of May 6, 2009.

Metro PCS engineer comments were discussed as were Yerkes comments about height of antenna once inside the church steeple. Peter commented that there could be a technical issue due to spacing in the steeple could have potential problems with interference.

The National Bank of Malvern 2HB has been approved by the zoning board with a revised plan that includes a variance for only a branch location, no longer including office space. Parking on the side has been moved as well. Sue noticed that there are no sidewalks on the banks plan and questioned whether there should be. Mark answered yes, but with a stipulation that they should appear on the plan but not be put in unless needed.

Richard Miller's request has not been approved; the decision was heavily based on applicant's financial hardship. Al thought that perhaps there is a need to quantify decisions better as some residents point out discrepancies.

Sullivan's Grove-members of the commission did not have time to review Yerkes comments. Mark stated that the MPDS permit has been received. Senya added that the street name is pending. "Sullivan's Circle" is the proposed name of the street. Mark added that this name is pending a review from 911 and the post office. Mark also added that there is no other "Sullivan's Circle" within the township.

Angelini Subdivision- Senya asked if Vincent J. Angelini or representatives plan to attend meeting this evening. Mark responded no, they have been asked to make revisions to the plan following site visit. Cornwallis Drive is a very tight street and it was starting to become a safety issue.

Additional items- Senya noted that the Landscapes 2 meeting will be held in the Chester County Government Services Building from 7:00 pm to 8:30 pm. Please attend if interested.

Mark added that the Board of Supervisors meeting on June 9th will be held at Goshen Fire Hall due to excepted capacity because of deer issue.

FORMAL SESSION

Prior to call to order and the pledge of allegiance Senya welcomed back Megann Hedgecock who had a baby girl named Zoey. New board secretary, Linda Jones was introduced and departing board secretary, Tracie Hill was presented a certificate recognizing her service to the commission.

A. Pledge of Allegiance

Senya called the meeting to order at 7:40pm and Tracie Hill led those present in the Pledge of Allegiance.

B. Public Comment on Non-Agenda Items

Jason Young for the Historical Commission offered the new book on East Goshen Township; the book includes the history of the township and sells for \$23.00. Jason had copies available for those interested.

C. Approval of Minutes

George moved that the minutes of May 6, 2009 be approved as corrected in the workshop. Al seconded the motion. Megann abstained. No further public comment or discussion was heard. The motion passed unanimously.

D. New Applications

Senya announced the receipt of a new application by National Bank of Malvern, 2 West King Street for a variance.

E. Conditional Uses & Variances

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

Attorney, Debra Shulski was present for the applicant, along with John Baptista, engineer from CMX.

Ms. Shulski presented the proposed plan and mentioned that she was in receipt of comments from Yerkes and can comment on each point and noted that there may be a few that may need clarification. Senya mentioned the requested letter from T-Mobile, who will share space within the tower. There is a concern about interference once Metro PCS installs their equipment. Debbie commented that she was not sure why the commission was requesting a letter from T-Mobile for they are a direct competition and Metro PCS has no agreement with them, only an agreement with the building owner. As per the inter-modulation study, there is no interference per the FCC. Per Peter, any issues that arise would fall back to the landlord and technically the church would need to clear up any issues. Debbie continued to review points of letter from Yerkes and mentioned that they will satisfy the request of showing the height of the tower on the plan and also identify plantings to the plan.

The issue of microwave bonding was brought up and per the Metro PCS representatives; they believe that this is not applicable to these types of antennas. Ms. Shulski then introduced John Baptista, an engineer from CMX who explained that he has worked in enclosed equipment in the past and that the skin of the steeple needs to be transparent to allow transmission. Mr. Baptista also mentioned that he is not familiar with microwave bonding. It has never been an issue and he has worked on size constraints tighter than this project. John also mentioned that here is a steeple in Newark, Delaware with 3 carriers in the steeple and there are no issues. Sue mentioned that this is a potential concern and would like background information on microwave bonding.

Peter noted that noise impact could be an issue and the ability to quantify noise. Ms. Shulski agreed that a fence could be installed around the fan and they will add it to the plan. Don added that the need to ensure noise at the property line does not exceed the township ordinance decibel levels for all equipment on site. The applicant needs to address this issue and show analytically or come back with data after in place. Mark noted that existing noise levels can be measured. Ms. Shulski added that they can provide needed detail. Sue questioned if waiver of existing utilities is wise and Mark made note that utilities falls under Land Development and he will talk to the township engineer and thought that as long as there are no major changes to the lot, agrees that there may be no need. Mr. Baptista added that all utilities will be underground in a new trench which will go through PA1 call. The comment has to do with locating all underground facilities versus doing PA1 call for utilities in location of pad only. Peter noted that PA1 call gives an all clear not actual locations. Senya questioned if Mark can update the plan to reflect utility location. Marty thinks Metro needs to comply. 1 call is not reliable enough to put on the plan, need to do utility plan for the property. Ms. Shulski thought that it is irrelevant to locate utilities outside disturbance area. Mark would be satisfied with localized utility area on corner of property where activity will take place. Senya noted that need to see or make a condition at BOS hearing on 6/16. Mr. Baptista added that they can have area utilities located in this area by then if this would be acceptable to BOS. Mr. Baptista will also indicate on sketch plan where location is and they will follow similar path as T-Mobile. Peter felt that this was a reasonable condition to provide utility for proposed quadrant.

Ms. Shulski noted that the plan can easily be updated and that she will address any other issues with the applicant. Marty added if not in receipt of clean letter from Yerkes by then, it is pointless. The PC should see all the same materials as the BOS, not hold testimony until then. Ms. Shulski added that always present all exhibits at time of hearing rather than all exhibits provided information from last month including radio frequency engineer and civil engineer. Marty added that should have resolved Yerkes issues before this meeting. Marty feels that too many applicants are not presenting enough information to the PC and he would prefer to have a clean letter from Yerkes.

Senya questioned how does microwave bonding work and preceded to Google the term and read the description. He also noted that it appears that the applicant did not receive Yerkes letter in a timely manner. Al noted that he is very curious about microwave or chemical bonding. In all probability the issue does not apply because material and space but feels that should still be addresses. Sue motioned to request extension to allow applicant to collect information and return. Ms. Shulski added that she doesn't have the authority to grant an extension tonight. Senya added that this puts us in a difficult position. Mark added that the hearing is scheduled for 6/16, if an extension is not granted, then need to deny. Sue moved that PC deny the application to receipt of extension by applicant by Friday 6/5. Mark added that should be extended at least 30 days. George seconded.

Peter amended reasons: no clean letter from Yerkes, addressing microwave bonding, no evidence of noise level at property line including existing telecommunications equipment, no utility survey and no evidence to indicate technical data of propagation study. Megann seconded amendment. Marty also noted that there was not an appropriate witness. Ms. Shulski noted that is she knew that these items would be wanted she would have never come to this PC meeting. Her experience, having served on PC and BOS before and this was always done differently. Ms. Shulski also noted that she just received the letter and had no time to review and clean up. Megann seconded and Sue accepted. The Board unanimously approved to deny this issue.

Public Comment:

Marty Shane, BOS – Marty also commented that the committee must make sure that the church is aware that the burden falls on them, not the township, if interference was to occur

Don McConathy, BOS – was concerned that there is limited space in the tower and that the landlord provides space with the idea of not infringing on competitor's space within the tower.

Dr. Howard Jones-1048 Kennett Way- mentioned that federal regulations trump any township conditions, incumbent of licensee, not church.

Dr. Howard Jones- agreed with Marty, it is correct that in the BOS position township is trying to help applicants even with inadequate data.

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.

Mr. McKenna and Mr. Olivo returned with different plans for the parcel north of Paoli Pike and east of Airport Road. The amended plan has dropped the office use and is now only for bank use. Side variances have been dropped as well and front yard variance has been kept. Mr. Olivo will speak of the details of the new plan.

Mr. Olivo mentioned that they received Yerkes comments earlier in the day and will need to return for next month's meeting and address the comments at that time. Mr. Olivo also mentioned that they have not conducted a traffic study to date and it was anticipated that the study would be completed in the days to come and will be ready for the next meeting. Mr. Olivo proceeded to review the sketch plan and explained that the plan includes keeping the parking 100 feet along Airport Road, removal of the office building, and moving the bank over to eliminate a variance for the drive thru, as well as a reduction in parking spaces from 138 spaces to 103 spaces

1 that will be used by the YMCA. There will also be a 50 foot buffer from the wetlands and 100 feet from Airport
2 Road. Mr. Olivo mentioned that some points need to be discussed that this meeting and National Bank of
3 Malvern is willing to accept some conditions upon approval.

4
5 The plan now shows one way out on the west side of the lot and all turns on the east side but may convert to one
6 way in and out. Care has been taken to consider conservation concerns on the site. Sue was concerned that if a 24
7 foot entrance is a right turn only, what is the potential for more cars going thru the YMCA lot. Mr. Olivo noted
8 that a "porkchop" could be added to control such an issue. Mr. Olivo asked the commission if a walkway was
9 wanted and Peter felt that essentially the commission would want walkways added to the plan but not be built
10 unless BOS decided at a later date. Mr. Olivo agreed that sidewalks along Paoli Pike will be added to the plan as
11 requested. Mr. Olivo then went on to read through the points of the Yerkes letter and noted that a screen roof top
12 structure would be added to the plan as well as a note of 35 foot height limit. They would also provide a
13 landscape plan, refuse area will be screened or fenced in. As for exits located on Airport Road and Paoli Pike,
14 will provide a traffic study. Will need Penn Dot approval for Paoli access. Believes will be right in/out only,
15 driveway will also be one way, traffic patterns will be shown, sidewalks-reference 3rd sketch plan with potential
16 walkways. Will comply with 18' space. Joint use of parking area. Senya read that parking lot serves both bank
17 and YMCA. Mr. Olivo also noted that Paoli Pike is an arterial highway and they could move the building and
18 parking if necessary, but questions the need. Existing plan is already 4 to 5 feet further back than the neighbors
19 parking, but could push back 10 feet.

20
21 Mr. McKenna noted that they need to confirm right of way but are looking for guidance from the commission.
22 Peter added that he likes the idea of commercial properties with a larger buffer. If it doesn't matter to the
23 applicant, he would like to see this on the plan. Marty added that both properties are non-conforming and he is
24 not sure how it will affect the right of way. Mr. McKenna agreed, but noted that the current plan is already
25 farther back than the applicant wants to be. Mr. Olivo noted that it will be an improvement upon what is there
26 currently. Al noted that there is no interference with the line of sight and that he would like to give applicant
27 some leeway. He stated that it is OK as is. Senya added that he is ok if the bank is in line with existing bank. Mr.
28 Olivo noted that they would need a variance for building and there is not a hardship to support this variance.
29 Parking would line up though. Mr. Olivo also noted that to meet front yard setback, the requirement is met within
30 80 feet of the right of way. This is shown on plan and approved for neighbors. Mr. McKenna noted that
31 applicant would prefer to leave as is. Mark added that if need the 100 feet, setback could need variance or move
32 10 feet back. He interprets the variance applies to "new" lots and does not believe that it applies here.
33 McKenna stated that if the PC agrees with the interpretation, it could be removed.

34
35 Senya noted that there is a structure on the lot currently and it is unsightly. He questioned as to whether the
36 bank would consider donating the structure to the township. Dr. Jones added that if the structure is removable,
37 the tenant could take it with them. Mr. McKenna added that he would need to confirm ownership. Mr. McKenna
38 also noted that it was understood that sidewalk frontage on Paoli Pike is on the plan only, but not installed. He
39 question about inclusion elsewhere on plan. Don added that sidewalk needs to be on plan for a potential need on
40 Airport Road. Mark added that he will get confirmation if corner applicant has walkways on Paoli Pike/Airport
41 Road and wants the bank to match. Peter added that there is no need to add sidewalks for pedestrians in the
42 YMCA lot. Mr. McKenna does not agree to install sidewalks extending up to Y entrance. He does not believe
43 this to be an issue, and does not believe that he's in position to authorize. Senya noted that they cannot have
44 sidewalks until light is improved for pedestrian crossing. Mr. Olivo added that pedestrian crossing will create
45 more traffic jams. He agrees with the safety aspect, but stated that this will increase traffic back-ups. Mr.
46 McKenna asked for feedback the plan can be amended appropriately.

47
48 Dr. Jones noted a possible conflict of interest. He believed that a member or members of the PC may have a
49 conflict over the use of the parking lot and suggested the commission contact the township solicitor. Senya is
50 member of West Chester YMCA board.

51
52 Senya recused himself from Y proceedings but noted that the applicant is National Bank of Malvern and that the
53 YMCA is not represented in this application. Dr. Jones understood but requests the solicitor be asked about it.
54 Mr. McKenna did not believe this to be a conflict. Peter agreed with Mr. McKenna. Marty noted that the solicitor
55 should be asked since the question was raised and Mark will investigate. Dr. Jones feels that the project is a "red

herring” and doubts the bank will ever be built. He suggested that the entrance on Paoli Pike be the only impediment to Paoli Pike until the building is erected. Don based his next statement on the assumption that they got a Conditional Use Permit and moved forward. What could be done to prevent parking in bank spaces? What could be done to restrict this? Marty added that signs may help, but LED sign for corner lot had been denied. Mr. McKenna added that this would be a Land Development issue. Mark noted that it should be part of the C/U as per the ordinance. Senya stated that this issue led to a denial of the plan last month and encouraged Dr. Jones to review prior Y applications process as reflected in PC meeting minutes. He also noted that there should never be any perception of impropriety by PC. Megann added that in terms of not putting driveway in with bank; how will they know if it will create traffic problems. Mr. McKenna mentioned that a traffic study could potentially show new driveways could restrict use and improve traffic flow. Peter suggested that they table the issue until they saw a traffic study.

Senya noted that last month they addressed the bank’s need for parking and Mr. McKenna said that it depended on the definition of need and read May’s meeting minutes. As the property owner, it is their prerogative to use as they see fit. They can lease parking spots as has been done in past. Senya stated that PC cannot limit landowner from engaging in business as that owner sees fit. Dr. Jones mentioned the 2005 tenant approved plan with driveway restrictions. Senya stated that the rationality for these restrictions is different from today’s circumstances and that they need a traffic study to address this issue adequately. He will consider the point made by Dr. Jones. Marty stated that lease parking spots be reduced from 138 spaces to 103 spaces with a delineation about parking actually required by the bank, as well as overflow parking. He suggested limiting parking until bank is constructed or perhaps limiting some construction to allow more Y memberships. Whichever might be more reasonable and appropriate? Mr. McKenna stated that if that was the case and bank parking was to be restricted, it would result in additional traffic onto Airport Road. Marty suggested having driveway only and Senya recused himself from Y discussions.

Mr. Olivo stated that the Y has right of way to get driveway to Paoli Pike (easement). The Y could pave the driveway today even without bank development based on the easement in place for the owner of that property. He did not want to proceed this way, and preferred the bank land development plan be approved, if limiting parking and driveways are possible. Marty seems reasonable to limit parking until bank is developed. Megann stated that there could be both financial and construction reasons to do all paving at same time. Mr. McKenna stated that if there was a condition it is not currently known what the impact would be. Senya agreed that it is more cost effective to do this now rather than later. Mr. McKenna stated that at this time it is unknown by the bank if they will develop/construct the bank. Peter assumed that the tenant will install and Mr. McKenna wondered why this was relevant for the C/U. Mr. McKenna believed that this was not a factor for board consideration for this plan.

Marty wanted to know if the bank’s purpose was to develop for parking and not to construct a bank. Mr. McKenna could not say. Marty stated that the situation is to alleviate Y parking situation. Mr. McKenna stated that no one knows the impact of traffic. Marty conceded that it is unknown, but they need to consider the underlying reason for the development. Mr. McKenna commented that this concerned “access” to parking only and disagreed whether the township knows the intention of the applicant. Senya stated that the applicant has 5 years to construct the bank or they need to return to the PC to seek an extension. Marty understood that this is a business decision to benefit the Y and the bank, however believes that they should limit access to the bank parking spaces. Senya stated that the PC had no right to get in the way of commerce, although Marty disagreed. Senya stated that there are 135 parking spaces total, 32 for bank use and 103 for the Y.) Marty stated that if all 135 spaces are open to the Y he would be ok with the decision. Peter stated that the issue be left of the table for consideration.

F. Old

Discussion of Comp Plan Action Items

Senya mentioned the need to identify the top 10 items and send to the BOS for recommendation.

1. 382 redevelopment.
2. Shared parking strategy.

3. 8E1 work adjacent twp.
4. 3B1 density.
5. 2C1 (top).
6. 2A2-sign corridor.
7. 2C1 (bottom).
8. 2C5

G. Adjournment

Motion to adjourn the meeting was made by Sue and seconded by George. The meeting adjourned at 10:05 p.m.

Respectfully submitted, _____
Linda Jones, Recording Secretary



Pennsylvania Department of Environmental Protection

2 East Main Street
Norristown, PA 19401

MAY 26 2009

Phone: 484-250-5970

Fax: 484-250-5971

Southeast Regional Office

RECEIVED
BY: _____

MAY 28 2009

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

Re: Planning Module for Land Development
Sullivan's Grove Subdivision
DEP Code 1-15919-208-3
Status: ISSUED
APS ID 589826, SITE ID 675681
East Goshen Township
Chester County

Dear Mr. Smith:

Approval is hereby granted by the Department of Environmental Protection (Department) for the above-referenced revision to the East Goshen Township Official Sewage Facilities Plan. In accordance with the Pennsylvania Sewage Facilities Act and Title 25, Chapter 71 of the Department's Rules and Regulations, East Goshen Township is responsible for implementing this revision as per the approved planning module.

This revision provides for adequate sewage facilities planning to permit the development of a 4-lot residential subdivision on 6 acres. This project is located on Green Hill Road in East Goshen Township, Chester County.

This project will be connected to the Green Hill Sewer Association collection system and will generate 1,600 gallons of sewage per day to be treated at the Hershey's Mill Village Wastewater Treatment Facility.

Any person aggrieved by this action may appeal, pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. Section 7514, and the Administrative Agency Law, 2 Pa.C.S. Chapter 5A, to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, 717-787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, 800-654-5984. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in braille or on audiotape from the Secretary to the Board at 717-787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

F. ANGELINI
2.
2pgs

2082

Mr. Louis F. Smith, Jr., Secretary

- 2 -

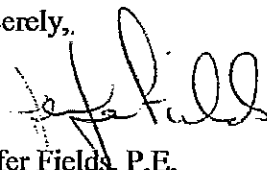
MAY 26 2009

IF YOU WANT TO CHALLENGE THIS ACTION, YOUR APPEAL MUST REACH THE BOARD WITHIN 30 DAYS. YOU DO NOT NEED A LAWYER TO FILE AN APPEAL WITH THE BOARD.

IMPORTANT LEGAL RIGHTS ARE AT STAKE, HOWEVER, SO YOU SHOULD SHOW THIS DOCUMENT TO A LAWYER AT ONCE. IF YOU CANNOT AFFORD A LAWYER, YOU MAY QUALIFY FOR FREE PRO BONO REPRESENTATION. CALL THE SECRETARY TO THE BOARD (717-787-3483) FOR MORE INFORMATION.

If you have any questions, please to contact Ms. Stefanie Yosmanovich of our office at 484-250-5186.

Sincerely,



Jenifer Fields, P.E.
Regional Manager
Water Management

cc: Chester County Planning Commission
Chester County Health Department
Chester County Conservation District
Mr. McFalls - Wooldridge Construction of PA, Inc.
EarthRes
Greenhill Sewer Association
Ms. Yosmanovich
Ms. Moore
Planning Section
Re 30 (joh09wqm)139-1

BOARD OF SUPERVISORS
EAST GOSHEN TOWNSHIP

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

F. ANGELINI

2.

1P9

2009 JUN 18 PM 2 42

Date: June 15, 2009

Plan: Plan of Subdivision for Vincent Angelini Cornwallis Drive

East Goshen Township Board of Supervisors
1580 Paoli Pike
West Chester PA 19380

Re: **Extension of Review Period**

Dear Board of Supervisors,

In regard to the above noted plan I authorize a 60 day extension to the review period. I understand that this extension doesn't mean that the application referenced will be approved within this period; it solely allows East Goshen Township additional time to review the application.

Applicant (Print): Vincent Angelini

Applicant (Sign):

Vincent J Angelini

610-356-9550
FAX 610-356-5032

Herbert E. MacCombie, Jr., P.E.

CONSULTING ENGINEERS & SURVEYORS, INC.

1000 PALMERS MILL ROAD
MEDIA, PA 19063

F. ANGELINI

2
13 pgs

James W. MacCombie, P.E., P.L.S.
Herbert E. MacCombie, III, Technician

REPLY TO:
P.O. BOX 118
BROOMALL, PA 19008-0118

2009 JUN 18 PM 1 48

June 18, 2009

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

RE: Preliminary / Final Subdivision
Vincent J. Angelini
957 Cornwallis Drive
East Goshen Township, Chester County, PA

Dear Mr. Smith:

Pursuant to review comments by the Township Engineer our office has revised the "Plan of Subdivision for Vincent Angelini, Cornwallis Drive." The revisions are summarized below. For your convenience the responses are numerical consistent with the Engineer's comments.

Zoning Ordinance

1. The Zoning Compliance Chart has been revised to indicate a required, existing and proposed maximum building height of thirty (30') feet.

Subdivision and Land Development

Preliminary / Final Plan Requirements

2. The additional landscaping to the rear of lot 3 as well as an area of stone has been added to the plans.
3. There are no revisions required to the plans as a result of the Engineer's comment.

Page 2

Louis F. Smith, Jr., Township Manager

East Goshen Township

June 18, 2009

4. The applicant proposes that proposed lots 1 and 2 are not to be developed in the foreseeable future. The Note #1 on Sheet #1 has been revised to indicate the exact size and location of the proposed dwellings on Lots 1 & 2 are not known at this time. Further the note has been expanded to include that a separate E&S and building permit plan will need to be submitted for review of Lots 1 & 2 at the time these lots are developed. The Applicant proposes to remove the existing house or a portion of the house on Lot 1 so as not to create any non-conformity.
5. There are no revisions required to the plans as a result of the Engineer's comment.

Driveways

- 6a. A copy of a sample maintenance agreement is attached for review and comment by the Township Solicitor.
- 6b. The applicant proposes to provide a cross-access easement for the benefit of Lot 3 and Other lands n/l of Angelini. The Proposed Planter has been removed and the existing driveway will remain. In order to comply with the requirement that no more than two lots may be served by a common driveway, a new drive is now proposed for Lot 2. The plans have been revised to include this driveway.

Conservation Plan, Erosion and Sedimentation Control, Chapter 195, Ord. No. 129-M-03, SDLO 205-35&37, Chapter 131

7. A five foot grading setback has been shown along the common property lines on the grading plan.
8. As noted above, the applicant proposes that proposed lots 1 and 2 are not to be developed in the foreseeable future. The plan has been revised to indicate the proposed disturbance to install the proposed improvements required for Lot 3 as well as the area of disturbance associated with the removal of the existing house on Lot 1 so as not to create any non-conformity. This area is less than the 1 acre minimum required for approval from the Chester County Conservation District and the PA DEP. Note #1 on Sheet #1 has been revised to include that a Letter of adequacy and an NPDES permit may be required at the time these lots are developed.

Page 3
Louis F. Smith, Jr., Township Manager
East Goshen Township
June 18, 2009

Stormwater Management Chapter 195, Ord. 129-M-03, SDLO Sect. 205-37

- 9a. Area A-3 consists of the offsite area draining to the trench drain and Post Development Area A-2, an on-site drainage area to the existing trench drain. The Drainage Area Plan has been revised to show the area A-3 and it has been included in the summary of discharges. Existing conditions have been used to calculate pre-development and post development runoff for the off-site areas. The drainage Area A-3 drains to an existing 25' x 14' x 78" dry well. A calculation for the draw down time by percolation is provided based upon the percolation testing completed for the proposed basin. We believe that it was not prudent to disturb the area around the existing system to prevent possible damage. Calculations for the trench drain and pipe to the basin have also been included for your review.
- 9b. A stormwater easement has been shown on the plans. A Stormwater Access and Maintenance Agreement will be submitted for review by the Township Solicitor.
- 9c. The Calculations demonstrate that for all storms up to and including the 25-Year frequency storm will not exceed the 436.10 invert elevation of the proposed overflow therefore all stormwater will be collected in the basin and there will be no overflow. In addition the calculations for the spread basin do not account for infiltration outflow as required by the Stormwater Ordinance. The discharge for the 50-Year and 100-Year frequency storms is anticipated to be 0.99 C.F.S. and 1.00 C.F.S. respectively. The peak elevation for the 100-year frequency storm is anticipated to be 437.49 which are 0.04' above the existing trench drain grate. As previously noted, the calculations for the spread basin do not account for infiltration outflow. Therefore it appears the trench grate overflow will be diminimus. In addition, we have prepared and submitted a supplemental calculation book that analyzes the A-3 Drainage Area using the average of the three percolation rates from field testing. The supplemental calculations appear to indicate with infiltration the stormwater will not discharge over the existing grate. The plan has also been revised to indicate the outlet should be found and cleaned. We would suggest that a meeting with the Engineer to review this drainage area might help to further clarify these items.
- 9d. A note has been placed on the plans to replace the two existing inlet grates with conventional grates for proper drainage.
- 9e. The plan has been revised to indicate the length, size, slope and inverts for the outlet pipe for Basin B-2 on Lot 1. The Typical Basin Section for Spread Basin A-1 on Lot 3 has been revised as well.

Page 4
Louis F. Smith, Jr., Township Manager
East Goshen Township
June 18, 2009

- 9f. The details for the level spreaders on Sheet 6 have been revised to include all design elevations.
- 9g. The Calculations (page 19) has been revised to be consistent with the Typical Detention Basin Section.
- 9h. Anti-Seep Collar details and Calculations have been provided.
- 9i. The details for the seepage beds have been revised to include overall dimensions.
- 9j. The Drainage Area plans have been revised to indicate the Time of Concentration paths.
- 9k. Calculations have been prepared based upon percolation testing to show that the basins draw down within 24 hours.
- 10. The berm for Basin A-1 has been revised to provide a 10' top width. The top of berm elevation has been added on Sheet 2 as requested.
- 11. Comparative calculations have been provided to demonstrate compliance with the requirements of Section 404.A.1.
- 12. Percolation tests have been completed and are included in the revised calculations. The percolation forms also include test pit descriptions used to determine that no limiting zone were encountered within 2 feet of the bottom of the proposed beds.

Stormwater General Comments

- 13. The level spreader detail has been revised to indicate an exposed layer of river jacks not covered by fill.
- 14. Plan Sheet 6 has been revised to be more readily discernable.
- 15. The pipe invert and catch basin bottom for Spread Basin A-1 has been provided on Sheet 6.
- 16. The pipe invert for Spread Basin B-2 has been revised to be consistent on the plan and detail.
- 17. The pipe size for the 25 LF Perf. HDPE for Spread Basin B-2 has been revised.
- 18. The pipe size for the 60 LF Perf. HDPE for Spread Basin B-1 has been revised.

Page 5
Louis F. Smith, Jr., Township Manager
East Goshen Township
June 18, 2009

19. The pipe size (left side) for the 25 LF Perf. HDPE for Spread Basin A-1 has been revised.
20. A note has been added to the plan to indicate the Owner of Lot 3 will have rights to access the adjacent Lot in order to maintain the drywell grate.

Sanitary Sewage Disposal

21. The applicant has submitted an Exemption from Sewage Facilities Planning Modules mailer to the Township. A capacity approval has been received.

Legal Descriptions

- 22a. The physical centerline of Cornwallis Drive has been shown on the plans and dimensioned to demonstrate the Ultimate Right-of-Way is 25 ft. from the physical centerline.
- 22b. All sub-distances to the Title Line have been added to the Plan.
- 22c. The total distances of 286.85', 270.20' and 169.61' have been added to the Plan for Lot 1.
- 22d. The total distances of 424.17', 286.85' and 40.19' have been added to the Plan for Lot 2.
- 22e. The total distance of 40.19' has been added to the Plan for Lot 3.
- 22f. The Plan has been revised for the Lateral Easement across Lot 2 to be consistent with the legal description.
- 22g. The Plan and Legal Description have been revised for the Driveway Easement for Lot 2 to be consistent.
- 22i. A legal description has been prepared for an access easement across Lot 3 for the adjoining Lands N/L Angelini.
- 22j. A stormwater Easement for access across Lot 3 for the stormwater management area has been added, as requested.

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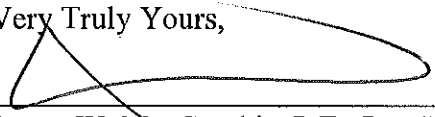
Page 6
Louis F. Smith, Jr., Township Manager
East Goshen Township
June 18, 2009

General Comments

23. There is no alternate lateral proposed across Lot 3. Lot 3 has an existing lateral connection to the sanitary sewer in Cornwallis Drive.

Please feel free to contact Dennis O'Neill, P.E. of our office at 610-356-9550 if you any questions or require additional information.

Very Truly Yours,


James W. MacCombie, P.E., P.L.S.

Copy: Vincent J. Angelini
Michael Conrad, P.E.
Charles E. Jackson, III

703 B

COMMON STORMWATER DECLARATION

THIS COMMON STORMWATER DECLARATION is made this day of _____, 2009 by VINCENT ANGELINI and MICHELE ANGELINI, his wife, hereinafter called "Declarants".

WHEREAS, Declarants are the owners of a certain parcel more fully set forth on a Plan of Subdivision made for Vincent Angelini said plan having been prepared by Herbert E. MacCombie, Jr., Consulting Engineers and Surveyors, Inc, dated January 29, 2009 and last revised June 5, 2009 (the "Plan"). Said Plan has been approved by East Goshen Township and said Plan is being recorded contemporaneously herewith in the Office of the Recorder of Deeds of Chester County; and

WHEREAS, Lot 3 and adjacent property there to as shown on the aforesaid Plan are intended to be served by a stormwater easement (the existing drywell) as shown on the aforesaid Plan within a 24 foot wide easement area, said easement area being on a portion lands owned by Lot 3 and subject to an easement in favor of the adjacent property for ingress and egress within the 24 foot wide easement; and

WHEREAS, the purpose of this DECLARATION is to set forth the terms and conditions by which said stormwater easement shall be used and maintained.

NOW, THEREFORE, Declarants, intending to be legally bound hereby, do hereby make the following DECLARATION:

1. The aforesaid stormwater easement is shown on the aforesaid Plan. The stormwater easement may be used in common by the owners of Lot 3 and adjacent property for a distance of 62 feet± along western boundary of Lot 3 as shown on the Plan. The owners of Lot 3 and adjacent property shall equally share with the maintenance of the stormwater management facilities (413 feet in depth) from Cornwallis Drive northward to the northerly property line of Lot 3.
2. Before any maintenance or improvements are made or done to the said stormwater facilities, the owners of both Lot 3 and adjacent property shall mutually agree on the kind, quality, and type of maintenance or improvements that are to be made as well as the timing of when such work shall be accomplished.
3. Each of the lot owners shall be solely responsible for any injury or damage Cause to or from a third party in connection with the stormwater facilities for the purposes of reaching the respective lots.
4. The stormwater easement as shown on the Plan and in its as-built location shall not be offered for dedication to public use and shall remain a private stormwater easement.
5. East Goshen Township and its officials and agents shall have no responsibility for the construction and/or maintenance of the aforesaid stormwater facilities.
6. If the owners of Lot 3 and adjacent property are unable to mutually agree upon the need, type, and nature of maintenance of the aforesaid stormwater facilities, either lot owner can seek arbitration of the dispute with the American Arbitration Association whose decision shall be binding upon each of the lot owners.
7. This DECLARATION is intended to and shall create a covenant running with the land and be binding upon the owners of Lot 3 and adjacent, their respective heirs, successors, and assigns.

IN WITNESS WHEREOF, Declarants have hereunto set their hands and seals the day and year first above written.

Vincent J. Angelini

Michele Angelini

9/13

COMMON DRIVEWAY DECLARATION

THIS COMMON DRIVEWAY DECLARATION is made this
day of _____, 2009 by VINCENT ANGELINI and MICHELE ANGELINI, his wife,
hereinafter called "Declarants".

WHEREAS, Declarants are the owners of a certain parcel more fully set forth on a
Plan of Subdivision made for Vincent Angelini said plan having been prepared by Herbert E.
MacCombie, Jr., Consulting Engineers and Surveyors, Inc, dated January 29, 2009 and last
revised June 5, 2009 (the "Plan"). Said Plan has been approved by East Goshen Township and said Plan
is being recorded contemporaneously herewith in the Office of the Recorder of Deeds of Chester
County; and

WHEREAS, Lot 3 and the adjacent property there to as shown on the aforesaid Plan are
intended to be served by a common driveway (the existing driveway) as shown on the aforesaid
Plan within a 40 foot wide easement area, said easement area being on a portion lands owned by
Lot 3 and subject to an easement in favor of the adjacent property for ingress and egress within the
40 foot wide easement area to provide ingress and egress through the existing drive: and

WHEREAS, the purpose of this DECLARATION is to set forth the terms and
conditions by which said common driveway shall be used and maintained.

NOW, THEREFORE, Declarants, intending to be legally bound hereby, do
hereby make the following DECLARATION:

1. The aforesaid common driveway is shown on the aforesaid Plan. The common
driveway may be used in common by the owners of Lot 3 and adjacent property for a distance
of 454 feet± along western boundary of Lot 3 as shown on the Plan. The owners of Lot 3 and
adjacent property shall equally share with the use and maintenance of the common driveway (454 feet
in depth) from Cornwallis Drive northward to the northerly property line of Lot 3. The owners of
Lot 3 and adjacent property shall be individually responsible for that portion of their individual
driveways not jointly used but which serve as separate access to the proposed residences and
accessory buildings located on the respective Lots.

2. Before any maintenance or improvements are made or done to the said common
driveway, the owners of both Lot 3 and adjacent property shall mutually agree on the kind,
quality, and type of maintenance or improvements that are to be made as well as the timing
of when such work shall be accomplished.

3. Each of the lot owners shall be solely responsible for any injury or damage
suffered by any invitee or other person using the common driveway for the purposes of
reaching the respective lots. The owner of Lot 3 shall be solely responsible for invitees
and others using the common driveway to reach Lot 3 and the owner of the adjacent property
shall be solely responsible for invitees and others using the said common driveway to reach
the adjacent property.

4. The driveway easement as shown on the Plan and in its as-built location shall
not be offered for dedication to public use and shall remain a private common driveway.

5. East Goshen Township and its officials and agents shall have no responsibility
for the construction and/or maintenance of the aforesaid common driveway.

6. If the owners of Lot 3 and adjacent property are unable to mutually agree upon
the need, type, and nature of maintenance of the aforesaid common driveway, either lot owner
can seek arbitration of the dispute with the American Arbitration Association whose decision
shall be binding upon each of the lot owners.

7. This DECLARATION is intended to and shall create a covenant running with the land and be binding upon the owners of Lot 3 and adjacent property owner, their respective heirs, successors, and assigns.

IN WITNESS WHEREOF, Declarants have hereunto set their hands and seals the day and year first above written.

Vincent J. Angelini

Michele Angelini

610-356-9550
FAX 610-356-5032

Herbert E. MacCombie, Jr., P.E.

CONSULTING ENGINEERS & SURVEYORS, INC.
1000 PALMERS MILL ROAD
MEDIA, PA 19063

James W. MacCombie, P.E., P.L.S.
Herbert E. MacCombie, III, Technician

1123
REPLY TO:
P.O. BOX 118
BROOMALL, PA 19008-0118

June 8, 2009

**DESCRIPTION
OF
STORMWATER INFILTRATION BASIN
SERVICING LANDS OF VINCENT J. ANGELINI SR.
CORNWALLIS DRIVE
EAST GOSHEN TOWNSHIP, CHESTER COUNTY, PA.**

ALL THAT CERTAIN Stormwater Infiltration Basin Easement **SITUATE** in the Township of East Goshen, County of Chester, Commonwealth of Pennsylvania, as shown on that certain "Plan of Subdivision for Vincent Angelini Cornwallis Drive" prepared by Herbert E. MacCombie, Jr., P.E. Consulting Engineers and Surveyors, Inc. Broomall, Pa., Dated January 29, 2009 and last revised June 5, 2009 and being more specifically described as follows to wit:

BEGINNING at an interior point along a line of the land of the now or late Vincent J. Angelini Sr. and a line of the lands of lot 3; said point being measured N 47°27'00"E, a distance of 413.18 feet from a point along the title line of Cornwallis Drive, as widened to twenty five (25) feet Northeast of the centerline along a line of the lands of the now or late Gerald McGrath; thence extending from said point of beginning along the said line of the lands of Angelini Sr. N 47°25'00"E, a distance of 61.63 feet to a point; thence extending from said point and leaving said line of the lands of Angelini Sr. through a portion of lot 3, the following three (3) courses and distances (1) extending S 10°13'49"W, a distance of 39.71 feet to a point; thence (2) extending S 47°25'00"W, a distance of 30.00 feet to a point; and thence (3) extending N 42°35'00"W a distance of 24.00 feet to a point along a line of the lands of Angelini Sr. being the first mentioned point and place of beginning.

Containing: 1,100 S.F. of land more or less.

12 of 13

610-356-9550
FAX 610-356-5032

Herbert E. MacCombie, Jr., P.E.

CONSULTING ENGINEERS & SURVEYORS, INC.
1000 PALMERS MILL ROAD
MEDIA, PA 19063

James W. MacCombie, P.E., P.L.S.
Herbert E. MacCombie, III, Technician

REPLY TO:
P.O. BOX 118
BROOMALL, PA 19008-0118

June 8, 2009

**DESCRIPTION
OF
LOT 3
VINCENT ANGELINI SUBDIVISION
CORNWALLIS DRIVE
EAST GOSHEN TOWNSHIP, CHESTER COUNTY, PA.**

ALL THAT CERTAIN lot or parcel of land with buildings and improvements erected thereon **SITUATE** in the Township of East Goshen, County of Chester, Commonwealth of Pennsylvania, being lot 3 as shown on that certain "Plan of Subdivision for Vincent Angelini Cornwallis Drive" prepared by Herbert E. MacCombie, Jr., P.E. Consulting Engineers and Surveyors, Broomall, Pa. Dated January 29, 2009 and last revised June 5, 2009 and being more specifically described as follows to wit:

BEGINNING at a point along the title line of Cornwallis Drive, as widened to twenty five (25) feet Northeast of the centerline, along a line of the lands of the now or late Gerald McGrath; thence extending from said point and place of beginning along a line of the lands of McGrath, also being a line of the lands of the now or late Vincent J. Angelini Sr. and along the Northwest side of a certain forty (40) feet wide driveway easement serving the lands of Angelini Sr., also along a portion of the Stormwater Infiltration Basin Easement and crossing a private sixteen and one half (16.50) feet right-of-way, N 47°25'00"E, a distance of 652.93 feet to a point along a line of the lands of the now or late Devonshire Village (Formerly Hershey's Mill); thence extending from said point along a line of the lands of Devonshire Village, S 70°42'00"E, a distance of 282.08 feet to a point; thence extending from said point and leaving the said line of the lands of Devonshire Village and re-crossing the aforementioned sixteen and one half (16.50) feet wide private right-of-way along a line of the lands of the now or late Charles W. Porter, S 47°25'00"W, a distance of 276.78 feet to a point; thence extending from said point and leaving the said line of the lands of Porter along a line of the lands of lot 2 and crossing a portion of an existing driveway and driveway easement, N 63°46'39"W, a distance of 223.94 feet to a point; thence extending from said point and crossing an existing driveway serving lot 3 and the lands of Angelini, Sr., along a line of the lands of lot 2 and along the Southeasterly side of the aforementioned forty (40) feet wide driveway easement S 47°25'00"W, a distance of 424.17 feet to a point along the title line of Cornwallis Drive; thence extending from said point along the title line of Cornwallis Drive, N 48°13'04"W, a distance of 40.19 feet to the first mentioned point and place of beginning.

Containing: 1.8607 Acres of land more or less.

610-356-9550
FAX 610-356-5032

Herbert E. MacCombie, Jr., P.E.

CONSULTING ENGINEERS & SURVEYORS, INC.
1000 PALMERS MILL ROAD
MEDIA, PA 19063

James W. MacCombie, P.E., P.L.S.
Herbert E. MacCombie, III, Technician

13 of 13
REPLY TO:
P.O. BOX 118
BROOMALL, PA 19008-0118

June 8, 2009

**DESCRIPTION
OF
DRIVEWAY EASEMENT FOR VINCENT J. ANGELINI JR.
ACROSS LOT 3
VINCENT ANGELINI SUBDIVISION
CORNWALLIS DRIVE
EAST GOSHEN TOWNSHIP, CHESTER COUNTY, PA.**

ALL THAT CERTAIN Driveway Easement **SITUATE** in the Township of East Goshen, County of Chester, Commonwealth of Pennsylvania, as shown on that certain "Plan of Subdivision for Vincent Angelini Cornwallis Drive" prepared by Herbert E. MacCombie, Jr., P.E. Consulting Engineers and Surveyors, Inc., Broomall, Pa. Dated January 29, 2009 and last revised June 5, 2009 and being more specifically described as follows to wit:

BEGINNING at a point along the Northeasterly side of Cornwallis Drive, as widened to twenty five (25) feet wide from the centerline, along a line of the lands of the now or late Gerald McGrath; thence extending from said point along a line of the lands of McGrath also being a line of the lands of the now or late Vincent J. Angelini Sr. and crossing along the Northwesterly side of a certain Stormwater Infiltration Basin Easement, N 47°25'00"E, a distance of 454.44 feet to a point; thence extending from said point and leaving said line of the lands of Angelini, Sr. and passing through a portion of lot 3, the following two (2) courses and distances (1) S 42°35'00"E, a distance of 40.00 feet to a point; and thence (2) S 18°10'04"W and crossing a certain driveway serving lot 3, a distance of 49.99 feet to a point along a line of lot 2; thence extending from said point and passing through a portion of lot 2, the following two (2) courses and distances (1) S 61°04'27"W, a distance of 35.25 feet to a point; and thence (2) extending S 57°47'15"W, a distance of 90.32 feet to a point along a line of the lands of lot 3; thence extending from said point along a line of the lands of lot 3, S 47°25'00"W, a distance of 286.43 feet to a point along the Northeasterly side of Cornwallis Drive, as widened twenty five (25) feet Northeast of the centerline; thence extending from said point along the said Northwesterly side of Cornwallis Drive, N 44°33'05"W, a distance of 40.02 feet to the first mentioned point and place of beginning.

Containing: 20,100 S.F. of land more or less.

H. METRO RS
1.
1pg.

RILEY
RIPER
&
HOLLIN
COLAGRECO
ATTORNEYS AT LAW

DEBRA A. SHULSKI
Debbie@RRHC.com
Extension 210

Please reply to Exton Office

June 4, 2009

via Email and Facsimile

Mark Gordon, Zoning Officer
East Goshen Township
1580 Paoli Pike
West Chester, PA 19380

Re: Metro PCS Pennsylvania, LLC
Conditional Use Application
Property: 1201 North Chester Road/United Church of Christ
Site No: PH715A

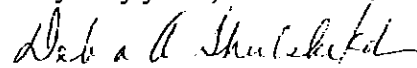
Dear Mark:

This is to confirm that Metro PCS Pennsylvania, LLC agrees to grant an extension of time from which the East Goshen Township Board of Supervisors has to hold a hearing (pursuant to Section 913.2.a, 913.2.b.2 and 908(1.2) of the Pennsylvania Municipalities Planning Code) on the conditional use application filed with the Township on April 18, 2009 to permit the hearing to be continued from June 16, 2009 until July 21, 2009.

As you know, the Planning Commission advised at its meeting last night that they would like the Plans to be revised to address the review letter recently issued by the Township Engineer and resubmitted and that a "clean" review letter be issued prior to them making their recommendation. Although we still believe that the majority of the comments were minor clean up items, which the Applicant agreed to comply with and which could appropriately be made a condition of recommendation, in the spirit of cooperation, we are going to be revising the Plans and resubmitting back to the Township.

Thank you for your attention to this matter.

Very truly yours,



DEBRA A. SHULSKI

DAS/kch
Enclosures

cc: Grady Jones (w/Encl.)(via email only)
Lee Peart (w/o Encl.)(via email only)
Estee Williams (w/o Encl.)(via email only)
Christine Johnson (w/o Encl.)(via email only)

DEBRA A. SHULSKI
Debbie@RRHC.com
Extension 210

RILEY
RIPER &
HOLLIN &
COLAGRECO
ATTORNEYS AT LAW

Please reply to Exton

H. METRO PCS
1.
4pgs

June 19, 2009

Mark Gordon, Zoning Officer
East Goshen Township
1580 Paoli Pike
West Chester, PA 19380

Re: Metro PCS Pennsylvania, LLC
1201 North Chester Road, East Goshen Township
Conditional Use Plan Review
Our File: 5146-175

Dear Mark:

Enclosed please find ten (10) sets of the revised Plans with respect to the above mentioned application. The Plans have been revised per your Township Engineer's Review Letter dated May 22, 2009 ("Review Letter"). The following are our responses to the items in that Review Letter with the number of our response corresponding to the number of the item in the Review Letter:

1. Comment requiring no response.
2. The height of the proposed antenna and attaching apparatus is noted on the drawing. (See Detail 2 / Sheet S-1). As shown on the elevation, the height of the antenna and attaching apparatus does not exceed 10 feet.
3. The Applicant's radio frequency expert prepared a propagation analysis which shows a significant gap in coverage and demonstrates that the proposed location and height are necessary to provide reliable coverage. The propagation plans (consisting of two sheets) have been submitted as part of this revised submission.
4. The Site Plan has been revised to depict all buildings and structures located on contiguous properties. (See Detail 1 / Sheet Z-1)
5. The Plans have been revised to include a Landscaping Buffer and a Plant List identifying the proposed species, quantity and size of the evergreen plantings to be installed. (See Detail 1 / Sheet ES-1)
6. Applicant's civil engineer and radio frequency engineer is not aware of any issue relating to microwave bonding and does not believe that microwave bonding is relevant to the proposed antenna installation. It is our understanding, based on discussions between our engineer, CMX, and the Township Engineer, Mike

Conrad, that the Township Engineer is similarly not familiar with this term and agrees that it is not common in the wireless telecommunications industry for this type of installation.

7. A note has been added to the Plan indicating that the steeple and communication equipment will be inspected annually by an independent inspector as required by the ANSI/EIA/TIA-222-E Code. (See Note No. 12 / Sheet Z-1)
8. Section 240-31.C.3.h.2.n just requires that the structural analysis be a condition of any conditional use approval and is not required at this time. Nonetheless, the Applicant is in the process of preparing the structural analysis and will be submitting it under separate cover if it is finalized before the hearing. If it is not finalized by the time of the hearing, the Applicant will agree to this as a condition of approval, consistent with this ordinance requirement.
9. The Plans have been revised to identify the location of the two parking spaces for the facility and there will be no interference with the existing parking and vehicular circulation for the church. (See Detail 1 / Sheet Z-1)
- 10a. The Plans have been revised to show the appropriate signature blocks. (See Sheet T-1)
- 10b. A note has been added to the plans to indicate that a waiver is being requested from having to provide a topographic survey. (See Note No. 16 on Sheet Z-1)
- 10c. The Plans have been revised to show the location of all existing utilities in the area of disturbance and field verified by Master Locators on June 18, 2009¹ (See Detail 1 / Z-1).
- 10d. The Plans have been revised to show a Certification of Ownership and Plan Acknowledgement which will be signed and notarized by the owner at the appropriate time. (See Sheet Z-1)
- 10e. The Plans have been revised to include the erosion and sedimentation control measures and sequence of construction. In addition, a Note has been added to the Plans indicating that no trees are to be removed and provide tree protection during construction. (See Sheet ES-1 for erosion and sedimentation control details & notes)
11. Applicant included in its Conditional Use Application a description of the anticipated maintenance needs, including frequency of service and personnel

¹ We understand that the Township Engineer is in agreement that it is only necessary to survey the area of proposed disturbance.

needs. The proposed facility is an unmanned facility and will only require one to two monthly maintenance trips. Given the fact that the facility is unmanned and because there are only minimal maintenance trips, there is a *de minimis* impact on traffic, if any. Section 240-31.C.3.h.2.t also requires that the Applicant provide information on any noise impacts related to such maintenance. There will be no noise impact associated with the maintenance other than just the monthly vehicular trips into the site. Although this Section only requires that the Applicant provide details of noise impact related to the maintenance associated with the facility, the Applicant has agreed to undergo a noise study and will be submitting this study under separate cover.

12. The Plans have been revised to provide a Note that any wireless communication facility to be abandoned or discontinued for a period of six months or more shall be removed from the site within six months. (See Note No. 17 on Sheet Z-1)
13. Notification to all property owners within 1000 feet is provided by the Township.
14. The Plans have been revised to include a Note regarding the procedure to be followed if the telecommunications facility causes radio or television reception interference (See Note No. 16 on Sheet S-1). In addition, Applicant had an intermodulation analysis prepared which confirms the proposed facility does not pose any interference with existing carriers at this site or within the area. A copy of the "Shared Site Interference Analysis" has been submitted as part of this revised submission.
15. The Plans have been revised to provide a Note referencing the required annual report. (See Note No. 15 on Sheet Z-1)

I trust that the above has adequately addressed the comments within the Review Letter.

As mentioned herein, this resubmission includes ten (10) copies of the following documents (many of which were not required to be submitted with the Application and are typically presented as an exhibit at the time of the hearing, but our understanding is that the Planning Commission and certain Supervisors wanted to review ahead of time):

1. Ten (10) reduced copies of revised Plans prepared by CMX dated March 9, 2009, last revised June 18, 2009. Full-sized copies of the Plans will be submitted under separate cover;
2. Propagation Plans prepared by Metro's radio frequency expert (consisting of two sheets) showing the existing coverage and proposed coverage with the site;
3. Shared Site Interference Analysis prepared by RF Studies, LTD;

Mark Gordon, Zoning Officer
June 19, 2009
Page 4

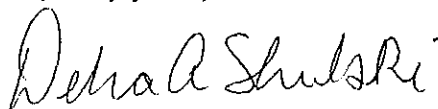
4. Utilities Report; and
5. Electromagnetic Field/RF Emissions Report prepared by Dr. Foster dated June 7, 2009.

Also, as mentioned herein, although not required by the ordinance, the Applicant has agreed to undertake a Noise Study which will be submitted under separate cover;

By copy of this letter, we have provided a set of the revised plan and accompanied documents directly to Mike Conrad, P.E.

If you have any questions or require any additional information, please feel free to give me a call.

Very truly yours,



DEBRA A. SHULSKI

DAS/kch
Enclosures

cc: Mike Conrad, P. E. (w/Encl.)
Grady Jones (w/Encl.)(via email only)
Lee Peart (w/o Encl.)(via email only)
Estee Williams (w/o Encl.)(via email only)
Christine Johnson (w/o Encl.)(via email only)
Philip Vitale (w/o Encl.)(via email only)
John Baptista (w/o Encl.)(via email only)
Christopher H. Schubert, Esquire (w/o Encl.)(via email only)

Kenneth R. Foster & Associates

Electromagnetic Safety Consulting

2009 JUN 19 PM 1 49
June 19, 2009

H. METRO PCS
1
8 pgs

Mr. Lee Peart
MetroPCS
Site Acquisition Manager
510 Virginia Drive
Fort Washington, PA 19034

Re: MetroPCS Site PH0719A (Lionville)

Dear Mr. Peart:

This is in response to your request for an estimate of the levels of radiofrequency (RF) electromagnetic energy associated with a proposed MetroPCS radio installation. The antennas will be mounted on an existing communications tower located at 120 Gordon Dr., Exton PA. I provide an opinion regarding the compliance of the site with FCC limits for human exposure to radiofrequency energy.

Summary of Findings The maximum exposure at any location of public access from the proposed MetroPCS base station will be far below the relevant FCC exposure limit. The site meets FCC regulations related to RF energy exposure as stipulated in Part 24 of the FCC Rules and this site has been evaluated based on methods prescribed by the FCC (as contained in FCC Document OET Bulletin 65). The site remains in compliance considering the combined emissions from the existing and proposed communications antennas on the structure. Antennas for additional low-powered communications systems could be mounted on the structure without exceeding exposure limits.

Technical Data My report is based on plans for the proposed MetroPCS base station that were provided to me on 6/5/09 by Mr. Grady Jones on behalf of MetroPCS, as well as information about the MetroPCS system that I have obtained on several occasions from the company itself.

The proposed MetroPCS system will include six panel antennas (Kathrein 741 990 or equivalent) mounted to the tower with their centers at a height of 130 ft. above grade. The antennas will be grouped into three sectors, with two antennas per sector. I base my analysis on the highest operating level that the company indicates would be considered for the site, with a cumulative ERP of 2500 W in each sector, summed over all radios operating in a sector. Sometimes MetroPCS makes minor changes in the configuration of the antennas, for example by adding additional antennas or by substituting equivalent antennas. Such changes would not affect the conclusions of this report.

Environmental Levels of RF Energy I have calculated the power densities of RF energy from the MetroPCS base station, at ground level and at an elevation of 26 ft, at all distances from the base station.¹ The calculations are based on upper-limit assumptions: that the base station is broadcasting at maximum power, and that there is constructive interference as the wave reflects from the ground. In practice there is also substantial attenuation of the energy as it passes through buildings, which I do not take into account in my calculations. I base my analysis on the antennas being directed at an angle of 5 degrees below the horizon, a conservative value. Therefore, my calculations represent upper-limit values. The actual levels of RF signals near the cell site will be below my calculated values.

¹ Calculations were done in accordance with FCC Bulletin 65, "Evaluating Compliance with FCC Guidelines for Human Exposure to Radiofrequency Electromagnetic Fields", Washington DC 1997.

200B

Mr. Lee Pearl
 June 7, 2009
 Page 2 of 4
 Re: MetroPCS Site PH0719A (Lionville)

The results of my analysis are shown in the table below.

Calculated RF Exposure Levels From the Proposed MetroPCS Base Station Installation

Distance From Base of Tower, ft	Height Above Ground, ft. (Assuming Level Terrain)	Power Density, $\mu\text{W}/\text{cm}^2$ From MetroPCS Base Station
Any distance	Ground level	< 1 (maximum field intensity) (< 0.1 % of FCC limits*)
Any distance	26 ft. above ground (representative of rooftop level of a two story building)	< 1 (maximum field intensity) (< 0.1 % of FCC limits)
More than 300 ft from antennas	Any distance above ground (including in the direct beam of the antenna)	< 10 (< 1 % of FCC limits)

*FCC exposure limits for the general population are $1000 \mu\text{W}/\text{cm}^2$ at PCS frequencies. Signal levels are calculated on the basis of the maximum foreseeable buildout on the site, not on present design information. Limits apply to any member of the population, for any duration of exposure.

Comparison With Standards As shown in the table above, the RF exposure level from the MetroPCS base station will be a small fraction of the relevant FCC and exposure limits at any place of public access.

Co-Location of Multiple Transmitters on a Structure To minimize the visual impact of wireless communications on the community, it has become standard practice to co-locate multiple transmitters on the same structure. When multiple transmitters are present, FCC regulations stipulate that the RF signal levels from each transmitter should be added as a fraction of FCC limits at the respective frequency. If the cumulative exposure is below 100% of the FCC limits, the site is deemed to be in compliance. Given the low power levels at which conventional communications systems operate, a number of other transmitting antennas could be located on the structure without exceeding FCC exposure limits.

The structure in question is a 120 ft. tall monopole, to which an extension will be installed to accommodate the MetroPCS antennas. Antennas for three other wireless carriers (T-Mobile, Sprint Nextel, AT&T (formerly Cingular)) are presently mounted at several elevations at or above 100 ft. above grade. Base stations all of those carriers operate at generally similar power levels and use directional antennas of generally similar design as those of the proposed MetroPCS facility, and their emissions at any place of public access will likewise be far below FCC limits. Consequently, based on my experience and analysis, I can reliably assume that the cumulative signal levels from all existing and proposed communications antennas on the structure will be far below FCC exposure limits at any place of public access.

Mr. Lee Peart
June 7, 2009
Page 3 of 4
Re: MetroPCS Site PH0719A (Lionville)

Discussion The RF signal levels from the proposed MetroPCS base station will be far below FCC exposure limits. To put matters in perspective, base stations from communications systems, including those of MetroPCS, operate at power levels comparable to those from many other low-power communications facilities, such as police, fire, ambulance, and other municipal communications systems. These power levels are far below those used by many commercial TV and radio broadcast transmitters, and the levels of RF signal they produce in publicly accessible areas are characteristically very far below pertinent exposure limits.

The biological effects of RF energy have been extensively studied, and there are several thousand reports in the scientific literature on this subject. These reports have been critically reviewed by numerous independent panels, most recently the IEEE (formerly Institute of Electrical and Electronics Engineers) and the International Commission on Nonionizing Radiation Protection. These groups have affirmed existing health standards, or have developed and proposed health standards for exposure to RF energy, which are broadly similar to the FCC limits cited in the table above.

National Telecommunications Act of 1996 This Act provides that "no state or local government or instrumentality thereof may regulate the placement, construction, and modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the [Federal Communications] commission's regulations concerning such emissions." That is certainly the case with the installation considered here.

For Further Information The Federal Communications Commission (FCC) maintains a World Wide Web site at <http://www.fcc.gov>. A general information sheet about possible health and safety issues regarding radiofrequency energy is at: <http://www.fcc.gov/oet/rfsafety/cellpcs.html>.

Sincerely yours,

Kenneth R. Foster

Kenneth R. Foster, Ph.D., P.E.

Mr. Lee Peart
 June 7, 2009
 Page 4 of 4
 Re: MetroPCS Site PH0719A (Lionville)

SUMMARY RESUME

NAME Kenneth R. Foster

DATE/PLACE OF BIRTH July 21, 1945
 Baltimore, Maryland

NATIONALITY United States Citizen

EDUCATION 1967 B.S.(Honors) Physics
 Michigan State University
 1971 Ph.D. (Physics)
 Indiana University
 Professional Engineer in the State of Pennsylvania
 (Certificate Number: PE-030018-E).

EMPLOYMENT

Lieutenant, Medical Service Corps, USNR 1971-6
 Department of Bioengineering
 University of Pennsylvania 1976-present
 Postdoctoral Fellow (1976-7)
 Assistant Professor (1977-83)
 Associate Professor (1983-present)
 Professor (1999-)
 Consultant, World Health Organization EMF Project, Geneva, Switzerland 2000
 (sabbatical leave from the University of Pennsylvania)

HONORS/DISTINCTIONS

Indiana University Physics Department Award for Excellence in Teaching, 1970.
 Defense Nuclear Agency Certificate of Achievement, 1976.
 Fellow, Institute of Electrical and Electronics Engineers, 1988.
 Fellow, American Institute of Medical and Biological Engineering, 1991

PROFESSIONAL SERVICE

AdCom, IEEE Engineering in Medicine and Biology Society, 1984-6, 1988-
 Associate Editor, IEEE Transactions on Biomedical Engineering, 1985-1989
 Program Chair, 1987 IEEE EMBS Annual Meeting (1200 papers presented)
 Conference Chair, 13th Annual Northeast Bioengineering Conference, 1987
 Chair, IEEE Committee on Man and Radiation 1997-9
 Chair, IEEE EMBS Ethics and Professional Responsibility Committee, 1989-1993
 President, IEEE Society on Social Implications of Technology 1996-8
 President, Philadelphia Society for Risk Analysis 1996-7
 President, IEEE Society on Social Implications of Technology, 1996-8
 Member, IEEE/ANSI C95.1 (sets exposure standards for RF energy) 1998-
 Member, National Council on Radiation Protection and Measurements 2000 - 2004

RESEARCH EXPERIENCE AND DIRECTION

Since receipt of the Ph.D. in 1971, Dr. Foster has been engaged in studies on the interaction of nonionizing radiation and biological systems, with more than 100 papers in peer-reviewed journals on topics including biophysical mechanisms of interaction, electrical properties of biological materials, and medical applications. In addition he has written widely about the public controversy surrounding these issues. He is coauthor or coeditor of two books on risk assessment and the law.

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Kenneth R. Foster & Associates

Electromagnetic Safety Consulting

June 7, 2009

Mr. Lee Peart
MetroPCS
Site Acquisition Manager
510 Virginia Drive
Fort Washington, PA 19034

Re: MetroPCS Site PH0715A (United Church of Christ)

Dear Mr. Peart:

This is in response to your request for an estimate of the levels of radiofrequency (RF) electromagnetic energy associated with a proposed MetroPCS radio installation. The antennas will be mounted within the steeple of the United Church of Christ, 1201 N. Chester Rd., East Goshen PA. I provide an opinion regarding the compliance of the site with FCC limits for human exposure to radiofrequency energy.

Summary of Findings The maximum exposure at any location of public access from the proposed MetroPCS base station will be far below the relevant FCC exposure limit. The site meets FCC regulations related to RF energy exposure as stipulated in Part 24 of the FCC Rules and this site has been evaluated based on methods prescribed by the FCC (as contained in FCC Document OET Bulletin 65). The site remains in compliance considering the combined emissions from the existing and proposed communications antennas inside the steeple. Antennas for additional low-powered communications systems could be mounted on the structure without exceeding exposure limits.

Technical Data My report is based on plans for the proposed MetroPCS base station that were provided to me on 6/5/09 by Mr. Grady Jones on behalf of MetroPCS, as well as information about the MetroPCS system that I have obtained on several occasions from the company itself.

The proposed MetroPCS system will include six panel antennas (Kathrein 742 215 or equivalent) mounted to the tower with their centers at a height of 51 ft. above grade (approximately 20 ft. above the top of the main roof). The antennas will be grouped into three sectors, with two antennas per sector. I base my analysis on the highest operating level that the company indicates would be considered for the site, with a cumulative ERP of 2500 W in each sector, summed over all radios operating in a sector. Sometimes MetroPCS makes minor changes in the configuration of the antennas, for example by adding additional antennas or by substituting equivalent antennas. Such changes would not affect the conclusions of this report.

Environmental Levels of RF Energy

Outside the church. I have calculated the power densities of RF energy from the MetroPCS base station, at ground level and at an elevation of 26 ft, at all distances from the transmitting antennas.¹ The calculations are based on upper-limit assumptions: that the base station is broadcasting at maximum power, and that there is constructive interference as the wave reflects from the ground. In practice there is also substantial attenuation of the energy as it passes through buildings, which I do not take into account in my calculations. I base my analysis on the antennas being directed at an angle of 5 degrees below the horizon, a conservative value. Therefore, my calculations represent upper-limit values. The actual levels of RF signals near the cell site will be below my calculated values.

¹ Calculations were done in accordance with FCC Bulletin 65, "Evaluating Compliance with FCC Guidelines for Human Exposure to Radiofrequency Electromagnetic Fields", Washington DC 1997.

688

Mr. Lee Peart
 June 7, 2009
 Page 2 of 4
 Re: MetroPCS Site PH0715A (United Church of Christ)

The results of my analysis are shown in the table below.

Calculated RF Exposure Levels From the Proposed MetroPCS Base Station Installation

Distance From Base of Tower, ft	Height Above Ground, ft. (Assuming Level Terrain)	Power Density, $\mu\text{W}/\text{cm}^2$ From MetroPCS Base Station
Any distance	Ground level	< 4.5 (maximum field intensity) (< 0.45 % of FCC limits*)
Any distance	26 ft. above ground (representative of rooftop level of a two story building)	< 15 (maximum field intensity) (< 0.15 % of FCC limits)
More than 300 ft from antennas	Any distance above ground (including in the direct beam of the antenna)	< 10 (< 1 % of FCC limits)

*FCC exposure limits for the general population are $1000 \mu\text{W}/\text{cm}^2$ at PCS frequencies. Signal levels are calculated on the basis of the maximum foreseeable buildout on the site, not on present design information. Limits apply to any member of the population, for any duration of exposure.

Inside the church The proposed facility will employ directional antennas mounted within the steeple, facing away from the building. Antennas of this type transmit significant energy only from their front surfaces, and transmit very little energy in the downward or backward directions. Consequently, RF signal levels at any location within the church or on its roof will be very low, and certainly far below FCC limits. Likewise, the RF signal levels at all places inside the steeple itself behind the transmitting antennas will be below FCC limits.

Close approach to the antennas As with any cellular or PCS transmitting antenna, RF field levels might exceed FCC exposure limits within a few feet (typically within 10 ft) directly in front of the transmitting surfaces of the antennas if the exposure is sustained for sufficiently long times (several minutes or more). Because of the location of the antennas, within the steeple and more than head height above the church roof, it would be highly unlikely that personnel would be located in front of the transmitting surfaces of the antennas. That might be possible, however, during certain maintenance operations on the steeple. Appropriate signage or other measure is recommended to ensure that RF exposure levels to personnel working on the steeple are kept below FCC limits.

Mr. Lee Peart
June 7, 2009
Page 3 of 4
Re: MetroPCS Site PH0715A (United Church of Christ)

Co-Location of Multiple Transmitters on a Structure To minimize the visual impact of wireless communications on the community, it has become standard practice to co-locate multiple transmitters on the same structure. When multiple transmitters are present, FCC regulations stipulate that the RF signal levels from each transmitter should be added as a fraction of FCC limits at the respective frequency. If the cumulative exposure is below 100% of the FCC limits, the site is deemed to be in compliance. Given the low power levels at which conventional communications systems operate, a number of other transmitting antennas could be located on the structure without exceeding FCC exposure limits.

Presently within the steeple are antennas for a T-Mobile base station at 60 ft. above grade. Base stations that carrier operate at generally similar power levels and use directional antennas of generally similar design as those of the proposed MetroPCS facility, and their emissions at any place of public access will likewise be far below FCC limits. Consequently, based on my experience and analysis, I can reliably assume that the cumulative signal levels from both sets of communications antennas on the structure will be far below FCC exposure limits at any place of public access.

Discussion The RF signal levels from the proposed MetroPCS base station will be far below FCC exposure limits at any place of public access. To put matters in perspective, base stations from communications systems, including those of MetroPCS, operate at power levels comparable to those from many other low-power communications facilities, such as police, fire, ambulance, and other municipal communications systems. These power levels are far below those used by many commercial TV and radio broadcast transmitters, and the levels of RF signal they produce in publicly accessible areas are characteristically very far below pertinent exposure limits.

The biological effects of RF energy have been extensively studied, and there are several thousand reports in the scientific literature on this subject. These reports have been critically reviewed by numerous independent panels, most recently the IEEE (formerly Institute of Electrical and Electronics Engineers) and the International Commission on Nonionizing Radiation Protection. These groups have affirmed existing health standards, or have developed and proposed health standards for exposure to RF energy, which are broadly similar to the FCC limits cited in the table above.

National Telecommunications Act of 1996 This Act provides that "no state or local government or instrumentality thereof may regulate the placement, construction, and modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the [Federal Communications] commission's regulations concerning such emissions." That is certainly the case with the installation considered here.

For Further Information The Federal Communications Commission (FCC) maintains a World Wide Web site at <http://www.fcc.gov>. A general information sheet about possible health and safety issues regarding radiofrequency energy is at: <http://www.fcc.gov/oet/rfsafety/cellpcs.html>.

Sincerely yours,

Kenneth R. Foster

Kenneth R. Foster, Ph.D., P.E.

8078

Mr. Lee Pearl
June 7, 2009
Page 4 of 4
Re: MetroPCS Site PH0715A (United Church of Christ)

SUMMARY RESUME

NAME Kenneth R. Foster

DATE/PLACE OF BIRTH July 21, 1945
Baltimore, Maryland

NATIONALITY United States Citizen

EDUCATION 1967 B.S.(Honors) Physics
Michigan State University
1971 Ph.D. (Physics)
Indiana University
Professional Engineer in the State of Pennsylvania
(Certificate Number: PE-030018-E).

EMPLOYMENT

Lieutenant, Medical Service Corps, USNR 1971-6
Department of Bioengineering
University of Pennsylvania 1976-present
Postdoctoral Fellow (1976-7)
Assistant Professor (1977-83)
Associate Professor (1983-present)
Professor (1999-)
Consultant, World Health Organization EMF Project, Geneva, Switzerland 2000
(sabbatical leave from the University of Pennsylvania)

HONORS/DISTINCTIONS

Indiana University Physics Department Award for Excellence in Teaching, 1970.
Defense Nuclear Agency Certificate of Achievement, 1976.
Fellow, Institute of Electrical and Electronics Engineers, 1988.
Fellow, American Institute of Medical and Biological Engineering, 1991

PROFESSIONAL SERVICE

AdCom, IEEE Engineering in Medicine and Biology Society, 1984-6, 1988-
Associate Editor, IEEE Transactions on Biomedical Engineering, 1985-1989
Program Chair, 1987 IEEE EMBS Annual Meeting (1200 papers presented)
Conference Chair, 13th Annual Northeast Bioengineering Conference, 1987
Chair, IEEE Committee on Man and Radiation 1997-9
Chair, IEEE EMBS Ethics and Professional Responsibility Committee, 1989-1993
President, IEEE Society on Social Implications of Technology 1996-8
President, Philadelphia Society for Risk Analysis 1996-7
President, IEEE Society on Social Implications of Technology, 1996-8
Member, IEEE/ANSI C95.1 (sets exposure standards for RF energy) 1998-
Member, National Council on Radiation Protection and Measurements 2000 - 2004

RESEARCH EXPERIENCE AND DIRECTION

Since receipt of the Ph.D. in 1971, Dr. Foster has been engaged in studies on the interaction of nonionizing radiation and biological systems, with more than 100 papers in peer-reviewed journals on topics including biophysical mechanisms of interaction, electrical properties of biological materials, and medical applications. In addition he has written widely about the public controversy surrounding these issues. He is coauthor or coeditor of two books on risk assessment and the law.



U. METRO PCS
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2 pgs

Utility Surveys
& Locating

2426 E. Helms Manor · Boothwyn, PA 19061
(610) 358-0172 FAX: (610) 358-0175
Fed I.D. Number 47-0919469

Leak Locating

June 18, 2009

CMX Telecommunications
Attn: Philip Vitale
1555 Bustard Road, Suite 100
Lansdale, PA 19446

RE: Geophysical Study performed at United Church of Christ

Dear Mr. Vitale,

On June 17th, 2009 Master Locators performed a geophysical survey at the United Church of Christ located at 1201 North Chester Road in West Chester, PA. The survey was performed with Ground Penetrating Radar (GPR) and Electromagnetic (EM) scanning equipment and techniques. The purpose of the survey was to identify the horizontal locations of underground utilities and commodities within the proposed route of underground work as shown on "Site Plan" drawing sheet Z-1 Revision 1.

The results of the geophysical study are shown on the plan markup in Figure 1.

The following equipment was utilized in the survey:

- RD 4000 Digital Locator manufactured by Radio Detection (EM)
- A6 Split Box Tracer manufactured by Aquatronics (EM)
- Noggin GPR SmartCart with 250 MHz antenna manufactured by Sensors and Software (GPR)

Electromagnetic scanning was first performed to trace all conductive utilities which were visually evident. This included both active and inactive methods of locating with the RD 4000 digital locator. Master Locators marked out underground water, fiber optic (via tracer wire), telephone and electric lines using these methods of EM tracing.

Inductive split-box scans were then performed with the A6 tracer. The proposed path was scanned using a 10' interval spacing to 10' on either side of the trench in a grid pattern. These split-box EM scans were performed to identify any potential metallic objects or utilities that may be underground which were not detected with the active methods of tracing. An unknown line in the rear of the Church was detected with this method and was marked as an unknown on-site and as shown in Figure 1. The underground septic tank as shown in Figure 1 was also located with the EM splitbox scan.

GPR scans were then performed on the proposed route on 10' centers to 10' on either side. Approximately 500 linear feet of GPR scanning was completed along the proposed route. During the scanning process, the GPR operator continuously monitored the imaging results displayed on the monitor for indications of any anomalies within the soil below the ground surface. Two additional unknown lines were located along the proposed path with GPR. The sanitary sewer lateral from the building to the septic tank was also located during the GPR scans. The GPR survey also confirmed the locations of the underground utilities which were identified and delineated via EM methods.



Utility Surveys
& Locating

2426 E. Helms Manor · Boothwyn, PA 19061
(610) 358-0172 FAX: (610) 358-0175
Fed I.D. Number 47-0919469

Leak Locating

CMX Telecommunications
Attn: Philip Vitale
Re: Geophysical Study performed at United Church of Christ
Page 2 of 2

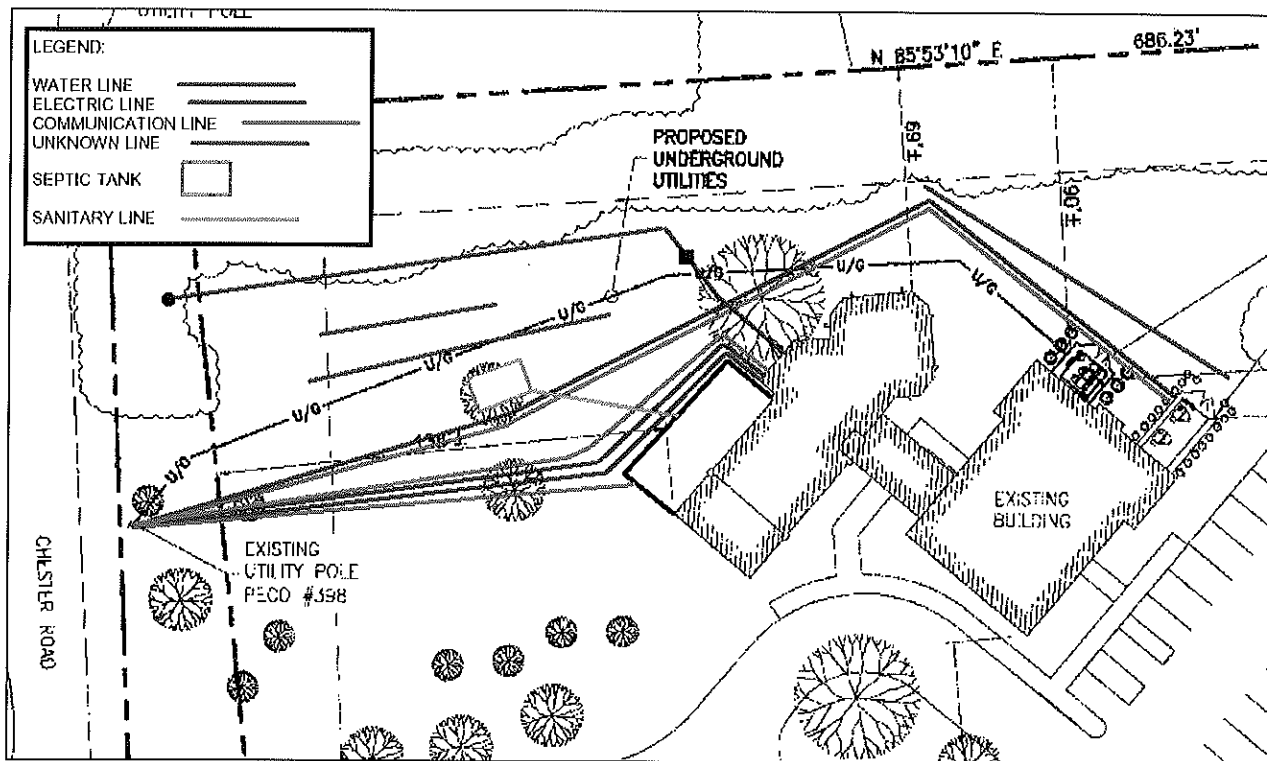


Figure 1: Utility Mark-up showing horizontal locations of utilities field located

All underground utilities identified using the geophysical equipment and methods as described in this report were marked on-site with paint and flags by Master Locators.

Sincerely,

Kyle Sareyka, MSME
Master Locators, Inc.

CC: File GU-06438-09P

H. METRO PCS
1.
2pgs

MEMO

East Goshen Township

1580 Paoli Pike

West Chester, PA 19380

Voice 610-692-7171

Fax 610-692-8950

E-mail mgordon@eastgoshen.org

Date: June 25, 2009

To: Planning Commission

From: Mark Gordon, Township Zoning Officer

Re: Draft Motions

- Metro PCS (CU)
- National Bank of Malvern (CU)
- T-Mobile (V)
- Mummert – 1417 Center Street (V)

Dear Commissioners,

We have a fairly tight agenda for your meeting this month so to help facilitate the process I have drafted some draft motions for your use. I have left room for you to jot down any thought or suggested conditions while you review the application materials and visit the properties.

Metro PCS (CU)

I move that we recommend that the Board of Supervisors approve the Conditional Use Application for Metro PCS for the installation of a new Wireless Communications Facility within the United Church of Christ steeple, located at 1201 North Chester Rd. being TPN 53-2-41.1, as indicated on the plans and as outlined in §240-31.C.(3.)(h.) of the Township Zoning Ordinance, property at 1304 Goshen Parkway with the following conditions:

1. The proposed plantings for screening be approved by the Conservancy Board.
2. The installation will be carried out with strict conformity to the plan unless revisions are resubmitted for review and approval by the Township.
3. The applicant will follow all applicable federal, State and Local ordinances and secure all proper permits prior to installation of the facility.
4. The applicant shall provide the township with a Pre and Post installation noise study to determine the impact of the noise from mechanical equipment in accordance with the township noise ordinance standards.

National Bank of Malvern – 1305 Paoli Pike (CU):

I move that we recommend that the Board of Supervisors approve the Conditional Use Application for the National Bank of Malvern to construct a Bank use with additional shared parking in accordance with §240-31 of the Township Zoning Ordinance, with the following conditions:

1. Pedestrian walkways shall be provide on the plan, to be installed at later date if determined necessary by the Township.
2. The shared parking agreement between the YMCA and the Applicant shall be reviewed and approved by the Twp. Solicitor prior to land development approval.
3. If the shared and or leased parking areas are scheduled to be constructed prior to the bank building, there shall be no access to Paoli Pike from the shared parking area until the completion of the Bank Building.

T-Mobile (V):

I move that we recommend that the Board of Supervisors support the Zoning Variance Application for T-Mobile, who is seeking relief from the Zoning Ordinance to erect a Wireless Communication Facility on a utility pole within the right of way along N. Chester Rd. just north of the Boot Road and N. Chester Road adjacent to the New Kent Apartment community, with the following conditions:

- 1.

Mummert – 1417 Center Street (V)

I move that we recommend that the Board of Supervisors support the Zoning Variance application of John Mummert, who is requesting relief of 7 feet from the required 30 foot rear yard setback requirement set forth in §240-10.G. of the Township Zoning Ordinance, with the following conditions:

1. The applicant agrees to move the existing shed to conform with the rear yard setback of 30 feet. (this may not be a reasonable request, take a look at the property and decide for yourself.)



Stantec

Stantec Consulting Services Inc.
425 McFarlan Road Suite 205
Kennett Square PA 19348-2412
Tel: (610) 444-6522
Fax: (610) 444-1698

2009 JUN 16 AM 10 16

H. NAT'L BANK of
MALVERN
2.
2 pgs

June 15, 2009
File: 174810049

East Goshen Township
1580 Paoli Pike
West Chester, PA 19380

Attention: Planning Commission

Dear Commission Members:

**Reference: National Bank of Malvern - Paoli Pike
Conditional Use Plan Review**

Enclosed please find the following for your review:

- Eleven (11) copies of the Revised Sketch Plan, Sheet 1 of 1, dated June 10, 2009. (*)
- Eleven (11) copies of the Traffic Impact Study dated June 2009. (*)

(*) Please note one copy of the Sketch Plan and one copy of the Traffic Impact Study has been sent directly to Dean Kaiser at Orth Rodgers.

The plans have been revised per Yerkes Associates, Inc. review letter dated June 3, 2009. Our responses to each of the comments contained therein are as follow:

Zoning Ordinance

1. A Conditional Use Hearing is schedule for July 21, 2009. The conditions of the Conditional Use Approval will be incorporated into the Land Development Plans.
2. Architectural renderings for screening of any rooftop structures will be presented to the Township during Land Development.
3. The proposed bank building height has been added to the plan.
4. The location of the Paoli Pike future right-of-way has been shown on the plans. The setbacks, however are shown from the existing right-of-way line was discussed with the Planning Commission.
5. A note has been added to the plan to address the preservation of existing trees and a detailed landscaping plan will be provided during Land Development.
6. The location of the refuse storage area has been added to the plans.
7. A traffic study has been provided. Access to Paoli Pike is limited to right-in/right-out only.
8. Traffic circulation has been identified on the plan.

2032

Stantec

June 15, 2009
Planning Commission
Page 2 of 2

**Reference: National Bank of Malvern - Paoli Pike
Conditional Use Plan Review**

9. Pathways and walkways have been shown on the plan but limited to sidewalk along Airport Road as discussed with the Planning Commission.
10. A variance has been granted and noted on the plan.
11. The plan has been revised to show a 300' line from the edge of the existing building to the parking area. Although the line reaches the parking area it does not include all spaces. Since this is not required parking for the YMCA, but overflow parking, we do not believe all spaces must be within 300' of the building.
12. A minimum planting strip width of 10 feet has been provided between the access way to the drive-thru window and the adjoining last row of parking spaces as well as reducing the length of spaces abutting the landscape areas to 18 feet.

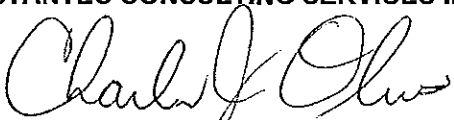
Ordinance 129-M-03

13. The approximate location of the riparian buffer area has been provided. The location of the Paoli Pike driveway entrance has not been adjusted to avoid encroachment into the riparian buffer as discussed with the Planning Commission and a request for a waiver has been added to the plans.

If you have any questions or require further information, please contact me.

Sincerely,

STANTEC CONSULTING SERVICES INC.



Charles J. Olivo, PE
Principal
Tel: (610) 444-6522
Fax: (610) 444-1698
charles.olivo@stantec.com

c. Robert Adams
Gary Green
Dean Kaiser, Orth Rodgers (w/enclosures)

MEMO

**East Goshen Township
1580 Paoli Pike
West Chester, PA 19380**

Voice 610-692-7171

Fax 610-692-8950

E-mail mgordon@eastgoshen.org

Date: June 25, 2009

To: Planning Commission

From: Mark Gordon, Township Zoning Officer

Re: Draft Motions

- o Metro PCS (CU)
- o National Bank of Malvern (CU)
- o T-Mobile (V)
- o Mummert – 1417 Center Street (V)

Dear Commissioners,

We have a fairly tight agenda for your meeting this month so to help facilitate the process I have drafted some draft motions for your use. I have left room for you to jot down any thought or suggested conditions while you review the application materials and visit the properties.

Metro PCS (CU)

I move that we recommend that the Board of Supervisors approve the Conditional Use Application for Metro PCS for the installation of a new Wireless Communications Facility within the United Church of Christ steeple, located at 1201 North Chester Rd. being TPN 53-2-41.1, as indicated on the plans and as outlined in §240-31.C.(3.)(h.) of the Township Zoning Ordinance, property at 1304 Goshen Parkway with the following conditions:

1. The proposed plantings for screening be approved by the Conservancy Board.
2. The installation will be carried out with strict conformity to the plan unless revisions are resubmitted for review and approval by the Township.
3. The applicant will follow all applicable federal, State and Local ordinances and secure all proper permits prior to installation of the facility.
4. The applicant shall provide the township with a Pre and Post installation noise study to determine the impact of the noise from mechanical equipment in accordance with the township noise ordinance standards.

National Bank of Malvern – 1305 Paoli Pike (CU):

I move that we recommend that the Board of Supervisors approve the Conditional Use Application for the National Bank of Malvern to construct a Bank use with additional shared parking in accordance with §240-31 of the Township Zoning Ordinance, with the following conditions:

1. Pedestrian walkways shall be provide on the plan, to be installed at later date if determined necessary by the Township.
2. The shared parking agreement between the YMCA and the Applicant shall be reviewed and approved by the Twp. Solicitor prior to land development approval.
3. If the shared and or leased parking areas are scheduled to be constructed prior to the bank building, there shall be no access to Paoli Pike from the shared parking area until the completion of the Bank Building.

T-Mobile (V):

I move that we recommend that the Board of Supervisors support the Zoning Variance Application for T-Mobile, who is seeking relief from the Zoning Ordinance to erect a Wireless Communication Facility on a utility pole within the right of way along N. Chester Rd. just north of the Boot Road and N. Chester Road adjacent to the New Kent Apartment community, with the following conditions:

- 1.

Mummert – 1417 Center Street (V)

I move that we recommend that the Board of Supervisors support the Zoning Variance application of John Mummert, who is requesting relief of 7 feet from the required 30 foot rear yard setback requirement set forth in §240-10.G. of the Township Zoning Ordinance, with the following conditions:

1. The applicant agrees to move the existing shed to conform with the rear yard setback of 30 feet. (this may not be a reasonable request, take a look at the property and decide for yourself.)

H. T-MOBILE
3.
5 pgs

**EAST GOSHEN TOWNSHIP
ZONING AND HEARING BOARD APPLICATION**

1580 PAOLI PIKE WEST CHESTER, PA 19380-6199
PHONE (610)-692-7171 FAX (610)-692-8950

Name of Applicant: T-Mobile Northeast LLC

Applicant Address: c/o Donald T. Petrosa, Esq., 109 Chesley Drive
Media, PA 19063

Telephone Number: 610-892-1858 Fax Number: 610-565-0178

Email Address: dp@petrikin.com

Property Address: West side of North Chester Road, North of Boot Road
West Chester, PA 19380

Tax Parcel Number: 53-004-0076-0000 Zoning District: R5-Urban Residential District Acreage: N/A Right-of-Way:

Purpose of Application (check one)

- ☒ Variance
☐ Special Exception
☐ Appeal decision of the Zoning Officer
☐ Other _____

Sections of Zoning Ordinance in which relief is sought:

§240-31.C(3)(h)[2][e][i], [v], & [vii]
§240-12.B, C, & G

Description of the Zoning Relief requested and the future use of the property:

Applicant proposes to replace existing 24' ± tall PECO Utility Pole with a 65' ± tall wood pole with 3 proposed T-Mobile antennas, covering coax, 3 proposed microcell equipment cabinets, telco box and distribution panel, all painted to match the utility pole. The utility pole will continue to be used as a utility pole. The telecommunications antennas and equipment will be located on the utility pole, with no equipment being located on the ground.

The Township Zoning Ordinance at §240-31.C(3)(h)[2][e] provides that when approved as a conditional use, in all zoning districts antenna(s) may be attached to an existing structure such as a smokestack, utility pole, water tower, commercial or industrial building or any similar tall structure provided that certain conditions are met. The applicant has a significant gap in its wireless coverage which it is attempting to fill by the proposed installation. Previously, the Zoning Hearing Board granted a variance from §240-31.C(3)(h)[2][e][v] which limits the number of cabinets which may be placed on a utility pole to one cabinet so that the applicant could have 3 cabinets on PECO Utility Pole #187 located on North Chester Road, South of Eldridge Drive.

2075

**EAST GOSHEN TOWNSHIP
ZONING AND HEARING BOARD APPLICATION**

1580 PAOLI PIKE WEST CHESTER, PA 19380-6199
PHONE (610)-692-7171 FAX (610)-692-8950

The Board of Supervisors was about to grant conditional use approval to allow the proposed T-Mobile installation on PECO Utility Pole #187 when PECO advised T-Mobile that that particular pole could not be used because the voltage running through the lines attached to the pole was too high to permit safe access to the antennas. PECO suggested that T-Mobile locate on a guy pole to avoid potential conflicts with the power lines.

The PECO Pole which is to be replaced is a guy pole, however, at 24' in height, it is not tall enough to allow the antennas to function satisfactorily in T-Mobile's system to fill the existing gap in coverage. Accordingly, T-Mobile proposes to replace the existing 24' tall pole with a 65' tall wood pole.

(See attached)

We hereby acknowledge that we have read this application and state that the above is correct and agree to comply with all provisions of the East Goshen Township Zoning Ordinance applicable to this project and property.

T-Mobile Northeast, LLC

BY: Donald T. Petrosin

Signature of Applicant's Attorney

05/29/2009

Date

Attest: _____

***Please review the formal Planning Commission review procedure on page three.**

EAST GOSHEN TOWNSHIP
ZONING AND HEARING BOARD APPLICATION

**Description of the Zoning Relief requested and the future use of the property
(continued):**

Since replacement of an existing utility pole is proposed and then attaching antenna(s) to the replacement utility pole, rather than attaching antenna(s) to a utility pole which was in existence prior to April 7, 1998, a variance from §240-31.C(3)(h)[2][e][vii] is requested. In addition, a variance from §240-31.C(3)(h)[2][e][i] is requested, if required, because the height of the replacement pole and antennas will exceed the height of the original utility pole by more than 25 feet. Also, since applicant proposes more than one equipment cabinet on the replacement utility pole, a variance from §240-31.C(3)(h)[2][e][v] is requested. If the relief requested is granted, Applicant will seek conditional use approval from the Board of Supervisors.

In the alternative, Applicant seeks variances from §240-12.B, C & G which relate to uses permitted by right, permitted conditional uses and lot area, width, building coverage, height and yard regulations in the R-5 Urban Residential District.

Applicant requests any other relief necessary to develop and use the facilities as proposed.

4 of 5

EAST GOSHEN TOWNSHIP ZONING AND HEARING BOARD APPLICATION

1580 PAOLI PIKE WEST CHESTER, PA 19380-6199
PHONE (610)-692-7171 FAX (610)-692-8950

This checklist outlines the steps and items needed to insure completeness of the application and to insure the application follows the process and conforms to the timeframe outlined by the state of Pennsylvania and East Goshen Township. This checklist is broken into two parts, the Application process and the Review Process. The application process must be completed in its entirety prior to the applications advancement into the Review Process.

Applicant Name: T-Mobile Northeast, LLC

Application Process Checklist (Administration use only):

<u>Item</u>	<u>Date Complete</u>
1. Completed Township Application Form:	_____
2. All related materials submitted:	_____
3. Township application and review fees paid:	_____

Application accepted on _____ by _____

Official Signature _____ Title _____

Review Process Checklist

<u>Item</u>	<u>Date</u>
1. Start date:	_____
2. Date of first formal Planning Commission Meeting following complete application:	_____
3. Date sent to CCPC:	_____
4. Date sent to Township Engineer:	_____
5. Date presented to Planning Commission:	_____
6. Date sent to CB:	_____
7. Date sent To MA:	_____
8. Date sent to HC:	_____
9. Date sent to PRB:	_____
10. Date sent to TAB:	_____
11. Date by which the PC must act:	_____
12. Date by which Board of Supervisors must act:	_____
13. Drop Dead Date; (Day 60):	_____
14. Zoning Hearing Date:	_____
15. Dates of public advertisement:.....	_____ & _____

East Goshen Township Planning Commission

595

EAST GOSHEN TOWNSHIP ZONING AND HEARING BOARD APPLICATION

1580 PAOLI PIKE WEST CHESTER, PA 19380-6199
PHONE (610)-692-7171 FAX (610)-692-8950

Procedure for processing Subdivision, Land Development, Conditional Use, Variance, and Special Exception Applications

August 19, 2002

2nd Revision: March 2, 2006

1. In order for any application to be considered by the Planning Commission it must be submitted to the Township with all required documentation as per the Township Code and with all applicable fees paid. The Township will use a checklist to verify all required documentation has been submitted. Until the application is complete the application will not be considered "filed" by the Township staff. The Planning Commission will acknowledge receipt of the application at their next regularly scheduled meeting.
2. All materials to be considered at the next regular meeting of the Planning Commission must be submitted with at least eleven (11) copies to the Township Staff by not later than close of business the previous Tuesday. Any materials submitted after that time will be held for the following meeting and not provided to the Commission at the upcoming meeting.
3. The application review cycle for Subdivision and Land Development Applications shall begin with the next regular meeting of the Commission after the complete application is filed. The application review cycle for Conditional Use, Variance, and Special Exception Applications shall begin the day a complete application is filed with the Township.
4. Applicants should not distribute material to the Commission during a meeting unless it is directly related to the initial presentation of the application. All materials for the Planning Commission, including any material to be used at a meeting, must be delivered to the Township Staff not later than close of business the previous Tuesday.
5. The burden of supplying necessary materials to the Planning Commission in a timely manner is on the applicant. Late delivery of material may require an extension on the part of the applicant or a recommendation for denial of the application by the Planning Commission.
6. Formal application presentations to the Planning Commission will only be made at the regular meeting after the complete application is submitted and accepted by the Township staff.
7. The application will remain on the Planning Commission's agenda until such time as the Commission has made its recommendation to the Board of Supervisors and or Zoning Hearing Board.
8. Applicants are encouraged to attend each Planning Commission meeting in order to answer questions or address issues concerning their application.
9. Applications will be voted on only during the regular Planning Commission meetings.
10. The Chairman, in his sole discretion, may waive or modify any of this procedure.

H. T-MOBILE
3.
2 pgs

PETRIKIN, WELLMAN, DAMICO, BROWN & PETROSA
A PROFESSIONAL CORPORATION
ATTORNEYS AND COUNSELORS AT LAW

THE WILLIAM PENN BUILDING
109 CHESLEY DRIVE
MEDIA, PA 19063

JOSEPH A. DAMICO, JR.
STEVEN G. BROWN
JOHN W. NILON, JR.*
DONALD T. PETROSA
STEVEN A. COHEN
DENIS M. DUNN*
MARK D. DAMICO
KENNETH D. KYNETT*
H. FINTAN McHUGH*
CHARLES G. MILLER*

RECEIVED
BY: _____
MAY 29 2009

MALCOLM B. PETRIKIN
(1934-1995)

JOHN W. WELLMAN
(1951-2002)

610-565-2670
FAX 610-565-0178

*ALSO MEMBER NEW JERSEY BAR
*ALSO MEMBER NY BAR and INTERNATIONAL TRADE COURT

May 29, 2009

Direct Dial: 610-892-1858
e-mail: dp@petrikin.com

VIA FEDERAL EXPRESS

Louis (Rick) Smith, Township Manager
East Goshen Township
1580 Paoli Pike
West Chester, PA 19380-6199

**RE: T-Mobile Site #1CH6551N
PECO Pole at New Kent Apartments
West Side of North Chester Road, North of Boot Road
West Chester, PA 19380
Our File No.: 000115-113**

Dear Mr. Smith:

You may recall that I represent T-Mobile Northeast LLC, which previously proposed to locate a telecommunications microcell installation on PECO Utility Pole #187 on the east side of North Chester Road. We had received relief from the Zoning Hearing Board to allow three (3) equipment cabinets on the pole, rather than one (1) permitted by the Ordinance. We had pretty much gone through the conditional use process and a draft Resolution of Conditional Use Approval had been prepared when T-Mobile was advised by PECO Energy Company that T-Mobile would not be permitted to locate its antennas and equipment on PECO Pole #187 for safety reasons related to the overhead electric lines. At that point, T-Mobile withdrew its application.

T-Mobile still has the same coverage gap which it needs to fill in the area. PECO suggested that T-Mobile use a guy pole which would not have the overhead electric lines attached to it. Accordingly, T-Mobile is seeking any relief necessary to replace an existing 24' tall PECO Utility Pole located at or near the New Kent Apartments on the west side of North Chester Road, north of Boot Road, with a 65' tall wood pole with T-Mobile antennas and equipment cabinets to be located on the replacement utility pole.

2072

PETRIKIN, WELLMAN, DAMICO, BROWN & PETROSA

VIA FEDERAL EXPRESS

Louis (Rick) Smith, Township Manager
East Goshen Township
May 29, 2009
Page -2-

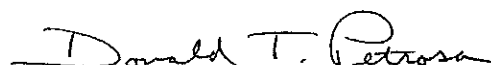
Enclosed herewith are eleven (11) copies of an Application to the Zoning Hearing Board, along with eleven (11) full size sets of the plans and one (1) half-size set of the plans, as well as our check in the amount of \$350.00, made payable to East Goshen Township representing the zoning application fee.

It is my understanding that zoning applications in East Goshen Township are initially reviewed by the Planning Commission prior to the hearing before the Zoning Hearing Board. At your convenience, please let me know the date and time of the Planning Commission meeting at which this application will be reviewed and the date and time of the Zoning Hearing Board meeting at which this application will be heard.

If you need anything further from me or if you have any questions or comments about the application, please do not hesitate to contact me.

Thank you very much for your kind assistance.

Very truly yours,



DONALD T. PETROSA

DTP/dmo
Enclosures:

cc: Douglas C. Cowan (Via Email)
Philip Burtner, P.E. (Via Email)
Eric Ritter (Via Email)
Bassem Iskander (Via Email)
Danny LaPella (Via Email)

BOARD OF SUPERVISORS
EAST GOSHEN TOWNSHIP

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

H. T-MOBILE
3.
1pg

June 15, 2009

Dear Property Owner:

The purpose of this letter is to inform you that T-Mobile Northeast LLC has submitted a Zoning Variance application requesting relief from several sections of the Zoning Ordinance. T-Mobile proposes to install a telecommunications facility on top of a utility pole within the road right of way on the west side of North Chester Rd. just north of the Boot Rd. and North Chester Road intersection. The proposed utility pole location is adjacent to the New Kent Apartments property, 1218 Rexton Rd., West Chester, PA 19380, TPN: 53-4-76.

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

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

July 1, 2009 - Planning Commission meeting (workshop at 7 pm, formal meeting @ 7:30 pm)

July 7, 2009 - Board of Supervisors meeting (workshop at 7 pm, formal meeting @ 8:00 pm)

July 23, 2009 - Zoning Hearing Board (**Zoning Hearing**, Begins at 7:30 PM)

All meetings are held at the Township Administration 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 if you have any questions or need additional information.

Sincerely,



Mark A. Gordon
Township Zoning Officer

Cc: All Township Authorities, Boards and Commissions

H. T.MOBILE
3.
2pg

MEMO

**East Goshen Township
1580 Paoli Pike
West Chester, PA 19380**

Voice 610-692-7171

Fax 610-692-8950

E-mail mgordon@eastgoshen.org

Date: June 25, 2009

To: Planning Commission

From: Mark Gordon, Township Zoning Officer

Re: Draft Motions

- o Metro PCS (CU)
- o National Bank of Malvern (CU)
- o T-Mobile (V)
- o Mummert – 1417 Center Street (V)

Dear Commissioners,

We have a fairly tight agenda for your meeting this month so to help facilitate the process I have drafted some draft motions for your use. I have left room for you to jot down any thought or suggested conditions while you review the application materials and visit the properties.

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I move that we recommend that the Board of Supervisors approve the Conditional Use Application for Metro PCS for the installation of a new Wireless Communications Facility within the United Church of Christ steeple, located at 1201 North Chester Rd. being TPN 53-2-41.1, as indicated on the plans and as outlined in §240-31.C.(3.)(h.) of the Township Zoning Ordinance, property at 1304 Goshen Parkway with the following conditions:

1. The proposed plantings for screening be approved by the Conservancy Board.
2. The installation will be carried out with strict conformity to the plan unless revisions are resubmitted for review and approval by the Township.
3. The applicant will follow all applicable federal, State and Local ordinances and secure all proper permits prior to installation of the facility.
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National Bank of Malvern – 1305 Paoli Pike (CU):

I move that we recommend that the Board of Supervisors approve the Conditional Use Application for the National Bank of Malvern to construct a Bank use with additional shared parking in accordance with §240-31 of the Township Zoning Ordinance, with the following conditions:

1. Pedestrian walkways shall be provide on the plan, to be installed at later date if determined necessary by the Township.
2. The shared parking agreement between the YMCA and the Applicant shall be reviewed and approved by the Twp. Solicitor prior to land development approval.
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T-Mobile (V):

I move that we recommend that the Board of Supervisors support the Zoning Variance Application for T-Mobile, who is seeking relief from the Zoning Ordinance to erect a Wireless Communication Facility on a utility pole within the right of way along N. Chester Rd. just north of the Boot Road and N. Chester Road adjacent to the New Kent Apartment community, with the following conditions:

- 1.

Mummert – 1417 Center Street (V)

I move that we recommend that the Board of Supervisors support the Zoning Variance application of John Mummert, who is requesting relief of 7 feet from the required 30 foot rear yard setback requirement set forth in §240-10.G. of the Township Zoning Ordinance, with the following conditions:

1. The applicant agrees to move the existing shed to conform with the rear yard setback of 30 feet. (this may not be a reasonable request, take a look at the property and decide for yourself.)

H. JOYD MUMMERT
4.
4pgs

EAST GOSHEN TOWNSHIP
ZONING AND HEARING BOARD APPLICATION
1580 PAOLI PIKE WEST CHESTER, PA 19380-6199
PHONE (610)-692-7171 FAX (610)-692-8950

Name of Applicant: John Mummert
Applicant Address: 1417 Con Ter St.
West Chester PA- 19382
Telephone Number: 484 571 6077 Fax Number: _____
Email Address: _____
Property Address: Same
Tax Parcel Number: 53-6F-20 Zoning District: R-3 Acreage: .33

Purpose of Application (check one)

- ☒ Variance (Type: ☐ Use Variance ☒ Dimensional Variance)
☐ Special Exception
☐ Appeal determination of the Zoning Officer
☐ Other _____

Sections of Zoning Ordinance in which relief is sought:

240-10. REAR YARD SETBACK

Description of the Zoning Relief requested and the future use of the property:

Requested Rear yard set BACK of 23 Feet
(7 Feet of Relief of Township Ordinance)

We hereby acknowledge that we have read this application and state that the above is correct and agree to comply with all provisions of the East Goshen Township Zoning Ordinance applicable to this project and property.

[Signature]
Signature of Applicant

6/23/09
Date

Attest: _____

***Please review the formal Planning Commission review procedure on page three.**

EAST GOSHEN TOWNSHIP ZONING AND HEARING BOARD APPLICATION

1580 PAOLI PIKE WEST CHESTER, PA 19380-6199

PHONE (610)-692-7171 FAX (610)-692-8950

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Applicant Name: John Mummert

Application Process Checklist (Administration use only):

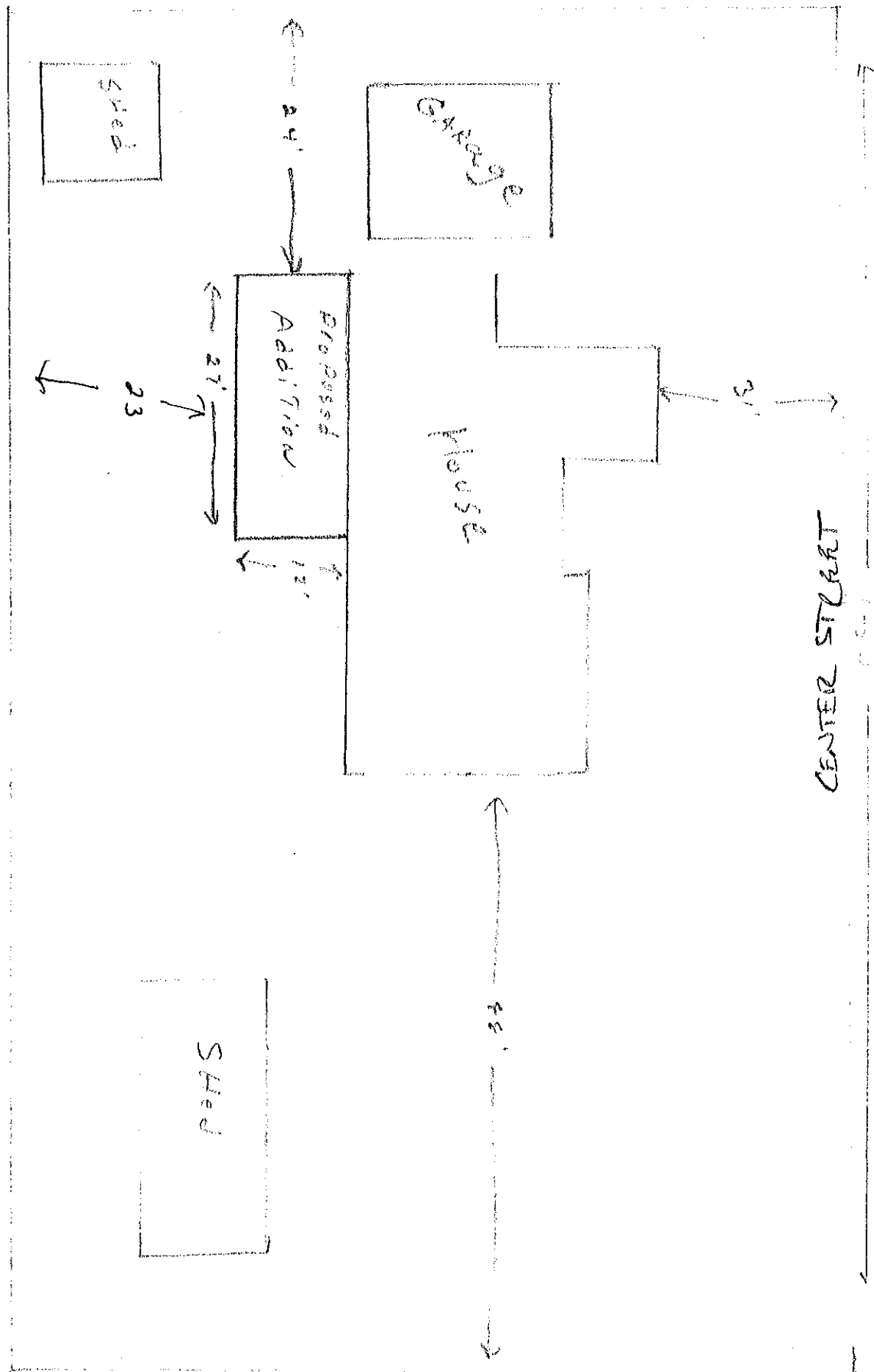
<u>Item</u>	<u>Date Complete</u>
1. Completed Township Application Form:	<u>6-23-09</u>
2. All related materials submitted:	<u>6-23-09</u>
3. Township application and review fees paid:	<u>6-23-09</u>

Application accepted on 6-23-09 by Mark Gordon

Official Signature [Signature] Title Zoning Officer

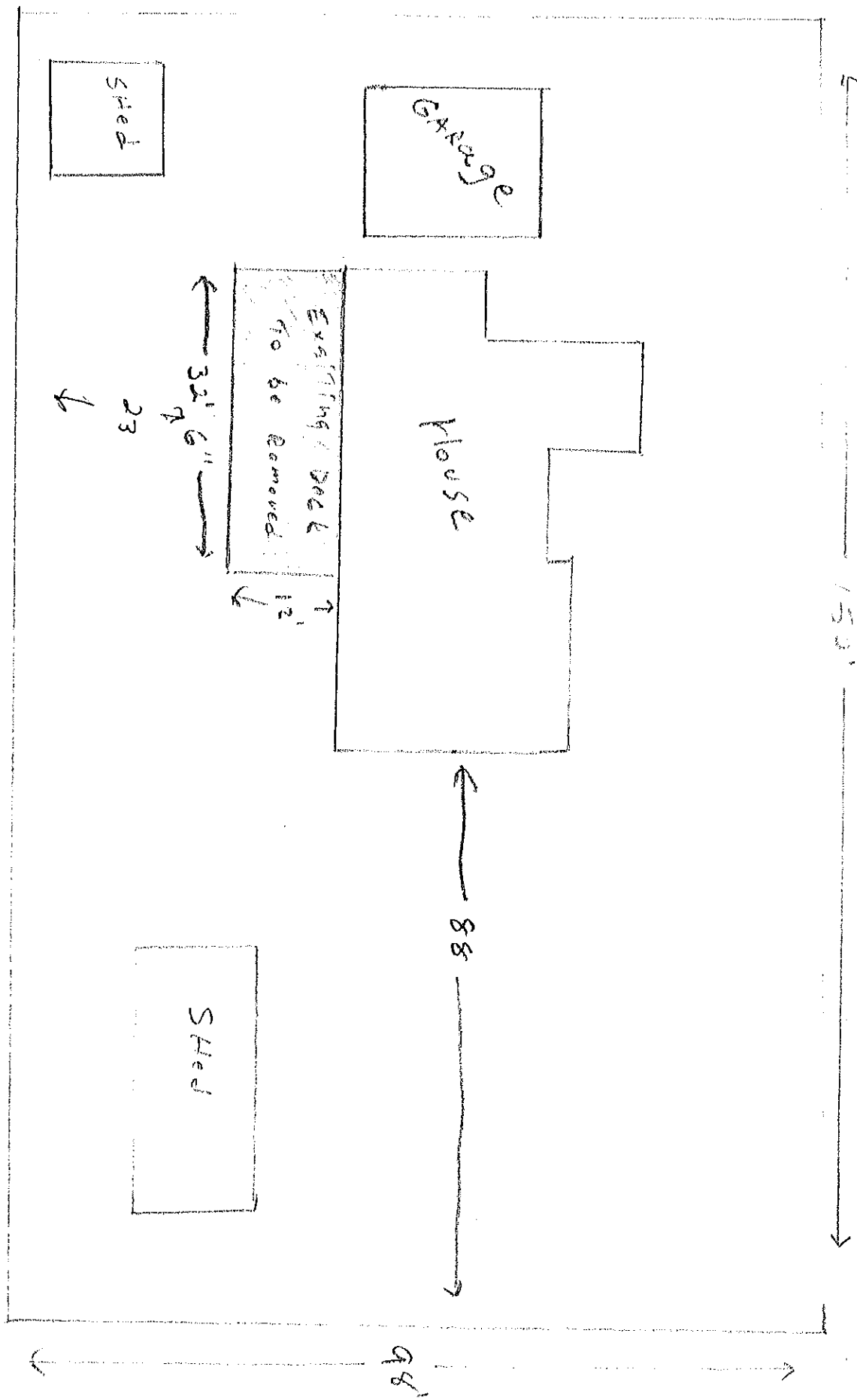
Review Process Checklist

<u>Item</u>	<u>Date</u>
1. Start date:	<u>6-24-09</u>
2. Date of first formal Planning Commission Meeting following complete application:	<u>7-1</u>
3. Date sent to CCPC:	<u>-</u>
4. Date sent to Township Engineer:	<u>-</u>
5. Date presented to Planning Commission:	<u>7-1</u>
6. Date sent to CB:	<u>6-25</u>
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8. Date sent to HC:	<u>"</u>
9. Date sent to PRB:	<u>"</u>
10. Date sent to TAB:	<u>"</u>
11. Date by which the PC must act:	<u>7-1</u>
12. Date by which Board of Supervisors must act:	<u>7-7</u>
13. Drop Dead Date; (Day 60):	<u>8-21</u>
14. Zoning Hearing Date:	<u>7-23</u>
15. Dates of public advertisement:	<u>&</u>



CENTER STREET

BROAD ST



H. MUMMERT
4
2pgs

MEMO

**East Goshen Township
1580 Paoli Pike
West Chester, PA 19380**

Voice 610-692-7171

Fax 610-692-8950

E-mail mgordon@eastgoshen.org

Date: June 25, 2009

To: Planning Commission

From: Mark Gordon, Township Zoning Officer

Re: Draft Motions

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- o National Bank of Malvern (CU)
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I. ORDINANCE
1
10/13

Memo
East Goshen Township
1580 Paoli Pike
West Chester, PA 19380

Voice (610) 692-7171

Fax (610) 425-8950

E-mail rsmith@eastgoshen.org

Date: April 15, 2009

To: Ron Bailey, Executive Director
Senya Isayeff, Chairman

From: Rick Smith, Township Manager

Re: Ordinance Amendment

PS

Gentleman

The Board of Supervisors has made some grammatical changes to the version of the Interest Ordinance that you previously reviewed. Please review this version. I appreciate your efforts.
Thanks.

Rick

F:\Data\Shared Data\Admin\Dept\Townshipcode\Interest 2009\Memo to CCPC & EGTPC 041509.doc

6-15-09

PS CCPC Review Letters (3) ARE ATTACHED

PS

2013

EAST GOSHEN TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA

ORDINANCE NO. ____ - ____ - 09

AN ORDINANCE OF EAST GOSHEN TOWNSHIP, CHESTER COUNTY, PENNSYLVANIA, AMENDING CHAPTER 100 OF THE CODE OF EAST GOSHEN, TITLED, "BUILDING CONSTRUCTION"; CHAPTER 124 OF THE CODE, TITLED "CONTRACTORS"; CHAPTER 128 OF THE CODE, TITLED "ELECTRICAL CODE"; CHAPTER 131 OF THE CODE, TITLED, "EROSION AND SEDIMENT CONTROL"; CHAPTER 133 OF THE CODE, TITLED "EXISTING BUILDING CODE"; CHAPTER 145 OF THE CODE, TITLED "FUEL GAS CODE"; CHAPTER 150 OF THE CODE, TITLED, "MECHANICAL STANDARDS"; CHAPTER 160 OF THE CODE, TITLED "ONE- AND TWO-FAMILY DWELLINGS"; CHAPTER 175 OF THE CODE, TITLED "PLUMBING"; CHAPTER 205 OF THE CODE, TITLED "SUBDIVISION AND LAND DEVELOPMENT"; AND CHAPTER 240 OF THE CODE, TITLED "ZONING" TO AUTHORIZE THE TOWNSHIP TO COLLECT INTEREST IF VARIOUS FEES IMPOSED BY THE CODE ARE NOT PAID WITHIN 30 DAYS FROM THE DATE OF BILLING.

BE IT ENACTED AND ORDAINED by the Board of Supervisors of East Goshen Township that the East Goshen Township Code is amended as follows:

SECTION 1. Chapter 100, titled "Building Construction," Section 100-2, titled "Additions, insertions and changes to standards," Subsection C, shall be amended as follows:

"C. Section 108.2 is amended to read as follows:

Section 108.2 Fee Schedule. The Board of Supervisors shall, by resolution, adopt a schedule of fees and collection procedure which shall be kept on file by the Township Secretary and shall be reviewed and revised as necessary by the Board of Supervisors. All fees shall be paid upon billing from the Township but in no case later than 30 days from the date of billing. When the 30th day from the date of billing falls on either a weekend or a holiday on which the Township building is closed, payments that are received before the close of business the next business day immediately following the 30th day shall be deemed to be paid on time and no interest shall be applied. If the fee is not paid within 30 days of

billing, the Township shall charge and be entitled to collect interest equal to $\frac{3}{4}$ of 1% of the unpaid balance per month, or fraction thereof, until paid."

SECTION II. Chapter 124, titled "Contractors," Section 124-3, titled "Fees," shall be amended by the addition of the following subparagraph C:

"C. All registration fees shall be paid upon billing from the Township but in no case later than 30 days from the date of billing. When the 30th day from the date of billing falls on either a weekend or a holiday on which the Township building is closed, payments that are received before the close of business the next business day immediately following the 30th day shall be deemed to be paid on time and no interest shall be applied. If the registration fee is not paid within 30 days of the date of billing, the Township shall charge and be entitled to collect interest equal to $\frac{3}{4}$ of 1% of the unpaid balance per month, or fraction thereof, until paid."

SECTION III. Chapter 128, titled "Electrical Code," Section 128-2, titled "Additions, deletions and modifications to Code," Subsection D, shall be deleted and replaced with the following:

"D. Section 404.2 shall be amended to state as follows:

Section 404.2. Permit Fees. The Board of Supervisors shall, by resolution, adopt a schedule of fees and collection procedure which shall be kept on file by the Township Secretary and shall be reviewed and revised as necessary by the Board of Supervisors. All fees shall be paid upon billing by the Township but in no case later than 30 days from the date of billing. When the 30th day from the date of billing falls on either a weekend or a holiday on which the Township building is closed, payments that are received before the close of business the next business day immediately following the 30th day shall be deemed to be paid on time and no interest shall be applied. If the fee is not paid within 30 days of the date of billing, the Township shall charge and be entitled to collect interest equal to $\frac{3}{4}$ of 1% of the unpaid balance per month, or fraction thereof, until paid."

SECTION IV. Chapter 131, titled "Erosion and Sediment Control," Section 131-10, titled "Fees," shall be deleted and replaced with the following:

"§ 131-10. Fees.

- A. The Board of Supervisors shall, by resolution, adopt a schedule of fees and collection procedure which shall be kept on file by the Township Secretary and shall be reviewed and revised as necessary by the Board of Supervisors. The fee is required upon initial submission of an application under this chapter except as provided by § 131-3F. Cost of inspections will be billed to the applicant as inspections are completed. Payments shall be made within 30 days of the receipt of a bill and no occupancy permit will be issued until all payments have been made. If the applicant has paid a fee under another Township ordinance which is applicable to the requirements of this Chapter, such as Chapter 205, Subdivision and Land

Development, the Zoning Officer may waive any or all of the fees under this Chapter as he determines to be equitable. If an application involves less than one acre, no fee will be required. The permittee shall also be responsible for reimbursement to the Township of the cost of review of the plans and application charged to the Township by the Township Engineer.

B. All fees outlined in Subsection A of this §131-10 shall be paid within 30 days of billing by the Township. When the 30th day from the date of billing falls on either a weekend or a holiday on which the Township building is closed, payments that are received before the close of business the next business day immediately following the 30th day shall be deemed to be paid on time and no interest shall be applied. If the fee is not paid within 30 days of the date of billing, the Township shall charge and be entitled to collect interest equal to $\frac{3}{4}$ of 1% of the unpaid balance per month, or fraction thereof, until paid."

SECTION V. Chapter 133, titled "Existing Building Code," Section 133-2, titled "Additions, insertions and changes to standards," Subsection D, shall be deleted and replaced with the following:

"D. Section 108.2 shall be amended to state as follows:

108.2 Fee Schedule. The Board of Supervisors shall, by resolution, adopt a schedule of fees and collection procedure which shall be kept on file by the Township Secretary and shall be reviewed and revised as necessary by the Board of Supervisors. All fees shall be paid upon billing by the Township but in no case later than 30 days from the date of billing. When the 30th day from the date of billing falls on either a weekend or a holiday on which the Township building is closed, payments that are received before the close of business the next business day immediately following the 30th day shall be deemed to be paid on time and no interest shall be applied. If the fee is not paid within 30 days of the date of billing, the Township shall charge and be entitled to collect interest equal to $\frac{3}{4}$ of 1% of the unpaid balance per month, or fraction thereof, until paid."

SECTION VI. Chapter 145, titled "Fuel Gas Code," Section 145-2, titled "Additions, insertions and changes to standards," Subsection D, shall be deleted and replaced with the following:

"D. Section 106.5.2. shall be deleted and replaced with the following:

Section 106.5.2. Fee Schedule. The Board of Supervisors shall, by resolution, adopt a schedule of fees and collection procedure which shall be kept on file by the Township Secretary and shall be reviewed and revised as necessary by the Board of Supervisors. All such fees shall be paid upon billing by the Township but no later than the 30th day from the date of billing. When the 30th day from the date of billing falls on either a weekend or a holiday on which the Township building is closed, payments that are received before the close of business the next business day immediately following the 30th day shall be deemed to be paid on time and no interest shall be applied. If the fee is not paid within 30 days of

the date of billing, the Township shall charge and be entitled to collect interest equal to $\frac{3}{4}$ of 1% of the unpaid balance per month, or fraction thereof, until paid."

SECTION VII. Chapter 150, titled "Mechanical Standards," Section 150-3, titled "Additions, insertions and changes to standards," Subsection E, is deleted and replaced with the following:

"E. Section 106.5.2 shall be deleted and replaced with the following:

Section 106.5.2. Fees and Inspections/reinspections. The Board of Supervisors shall, by resolution, adopt a schedule of fees and collection procedure which shall be kept on file in the Department of Code Enforcement and revised as necessary by the Board of Supervisors. All such fees shall be paid upon billing by the Township but no later than the 30th day from the date of billing. When the 30th day from the date of billing falls on either a weekend or a holiday on which the Township building is closed, payments that are received before the close of business the next business day immediately following the 30th day shall be deemed to be paid on time and no interest shall be applied. If the fee is not paid within 30 days of the date of billing, the Township shall charge and be entitled to collect interest equal to $\frac{3}{4}$ of 1% of the unpaid balance per month, or fraction thereof, until paid."

SECTION VIII. Chapter 160, titled "One- and Two-Family Dwellings," Section 160-3, titled "Additions, deletions and modifications to code," Subsection D, is hereby deleted and replaced with the following:

"D. Section R108.2 shall be amended to state as follows:

R108.2. Fee Schedule. The Board of Supervisors shall, by resolution, adopt a schedule of fees and collection procedure which shall be kept on file in the Office of the Secretary of East Goshen Township and revised as necessary by the Board of Supervisors. All fees under this Chapter shall be paid upon billing by the Township but no later than the 30th day from the date of billing. When the 30th day from the date of billing falls on either a weekend or a holiday on which the Township building is closed, payments that are received before the close of business the next business day immediately following the 30th day shall be deemed to be paid on time and no interest shall be applied. If the fee is not paid within 30 days of the date of billing, the Township shall charge and be entitled to collect interest equal to $\frac{3}{4}$ of 1% of the unpaid balance per month, or fraction thereof, until paid."

SECTION IX. Chapter 175, titled "Plumbing," Section 175-3, titled "Additions, insertions and changes to standards," Subsection F, is deleted and replaced with the following:

F. Section 106.6.2. shall be deleted in its entirety and replaced with the following:

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106.6.2. Fee Schedule. The Board of Supervisors shall, by resolution, adopt a schedule of fees and collection procedure which shall be kept on file with the Township Secretary and revised as necessary by the Board of Supervisors. All fees under this Chapter shall be paid upon billing by the Township but no later than the 30th day from the date of billing. When the 30th day from the date of billing falls on either a weekend or a holiday on which the Township building is closed, payments that are received before the close of business the next business day immediately following the 30th day shall be deemed to be paid on time and no interest shall be applied. If the fee is not paid within 30 days of the date of billing, the Township shall charge and be entitled to collect interest equal to $\frac{3}{4}$ of 1% of the unpaid balance per month, or fraction thereof, until paid."

SECTION X. Chapter 205, titled "Subdivision and Land Development," Section 105-15, titled "Fees," is hereby deleted and replaced with the following:

"§ 205-15. Fees.

A. Applicants for subdivision or land development approval shall pay a filing fee to cover the administrative cost for the Township's review of plans and a fee to be placed in escrow to cover the Township's professional consultants' costs relating to the review of the application and any supporting documents and materials, and report to the Township on the same. The term "professional consultants" shall include any persons who provide expert or professional advice, including but not limited to, architects, attorneys, certified public accountants, engineers, geologists, land surveyors, landscape architects or planners. The Board of Supervisors shall by resolution establish the filing fee and the amount to be escrowed.

The escrowed money shall be placed in an account held by the Township and monies shall be disbursed from this account to pay the actual costs of the professional consultants. The Township shall provide the applicant with a breakdown of all monies disbursed from the account. If the account balance goes below an amount specified by the Board of Supervisors the applicant shall deposit additional monies sufficient to bring the account balance back up to the original amount within 30 days of notification. Upon approval or denial of the land development or subdivision application and payment of the final invoices from the professional consultants the balance of funds in the account shall be returned to the applicant.

B. Applicants who receive subdivision and land development approval shall, if applicable, reimburse the Township for the costs incurred by the Township for the inspection of improvements depicted on the approved plan. The applicant shall be billed by the Township on a monthly basis for such inspections, and applicant shall pay the amount due within 30 days of such billing.

C. When the 30th day from the date of billing for the Township's professional consultants' review and inspection costs falls on either a weekend or a holiday on which the Township building is closed, payments that are received before the close of business the next business day immediately following the 30th day shall

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be deemed to be paid on time and no interest shall be applied. If the fee is not paid within 30 days of the date of billing, the Township shall charge and be entitled to collect interest equal to $\frac{3}{4}$ of 1% of the unpaid balance per month, or fraction thereof, until paid."

SECTION XI. Chapter 240, titled "Zoning," Section 240-53, titled "Filing fees and costs," shall be deleted in its entirety and replaced with the following:

"§ 240-53. Fee schedule.

The Board of Supervisors shall adopt, by resolution, a schedule of fees and a collection procedure relating to all applications filed pertaining to this Chapter. No application shall be considered until all fees are paid. All fees shall be paid upon billing by the Township but no later than the 30th day from the date of billing. When the 30th day from the date of billing falls on either a weekend or a holiday on which the Township building is closed, payments that are received before the close of business the next business day immediately following the 30th day shall be deemed to be paid on time and no interest shall be applied. If the fee is not paid within 30 days of the date of billing, the Township shall charge and be entitled to collect interest equal to $\frac{3}{4}$ of 1% of the unpaid balance per month, or fraction thereof, until paid."

SECTION XII. Severability. If any sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts hereof. It is hereby declared as the intent of the Board of Supervisors that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

SECTION XIII. Repealer. All ordinances or parts of ordinances conflicting with any provision of this Ordinance are hereby repealed insofar as the same affects this Ordinance.

SECTION XIV. Effective Date. This Ordinance shall become effective in five days from the date of adoption.

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ENACTED AND ORDAINED this ____ day of _____, 2009.

ATTEST:

EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS

Secretary

E. Martin Shane, Chairman

Carmen R. Battavio, Vice-Chairman

Joseph M. McDonough, Member

Donald R. McConathy, Member

Thom Clapper, Ph.D., Member

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THE COUNTY OF CHESTER



COMMISSIONERS

Terence Farrell
Carol Aichele
Kathi Cozzone

RONALD T. BAILEY, AICP
Executive Director

Louis F. Smith, Jr., Manager
East Goshen Township
1680 Paoli Pike
West Chester, PA 19380-6199

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

May 14, 2009

RECEIVED
BY: _____

Re: Proposed Ordinance Amendments:
Municipal Fees and Procedures for Late
Payments, Construction Regulations
M-185 - East Goshen Township

Dear Mr. Smith:

The Chester County Planning Commission has reviewed proposed amendments to various East Goshen Township ordinances. We received this referral for review on April 16, 2009. We offer the following comments to assist in your review of the proposed ordinance amendments:

DESCRIPTION OF THE AMENDMENTS:


The amendments include provisions for the charging fees and of penalties when Township invoices are unpaid after a specified date (i.e., an additional three-quarters of one percent of the unpaid balance is to be paid after 30 days after the billing date). The amendments also include changes to Township ordinances related to erosion and sedimentation control, contractors, the electrical code, the fuel gas code, the existing building code, mechanical standards, one-and two-family dwellings, and plumbing (i.e., primarily relating to the Pennsylvania State Construction Code as modified by the Township). The Chester County Planning Commission previously received an earlier version of these amendments, and our comments on the initial submission were forwarded to the Township in a letter dated February 25, 2009 (refer to CCPC # M-178).

In addition, the Chester County Planning Commission concurrently received an amendment to the Township Zoning Ordinance relating to provisions for the charging of, and payment of, municipal fees and procedures for addressing the late payment of such fees. Our review of that Zoning Ordinance amendment will be forwarded to the Township in a separate letter (refer to CCPC # 4526, dated May 14, 2009). The submission was also accompanied with a related amendment to the Township Subdivision and Land Development Ordinance relating to fees. Our review of that amendment will be forwarded to the Township in a separate letter (refer to CCPC # 900, dated May 14, 2009).

COMMENT:

These amendments are not proposed to be adopted under the provisions of the Pennsylvania Municipalities Planning Code (MPC), and we have no official recommendations. However, we suggest that the Township Building Codes Official review and comment on the amendments.

Sincerely,

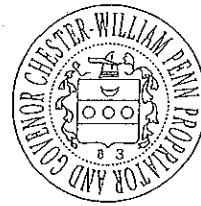

Ronald T. Bailey, AICP
Secretary

RTB/WSB

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THE COUNTY OF CHESTER



COMMISSIONERS

Terence Farrell
Carol Aichele
Kathi Cozzone

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

RONALD T. BAILEY, AICP
Executive Director

May 14, 2009

RECEIVED
BY: _____

Louis F. Smith, Jr., Manager
East Goshen Township
1680 Paoli Pike
West Chester, PA 19380-6199

Re: Proposed Subdivision and Land Development
Ordinance Amendment: Municipal Review
Fees and Procedures for Late Payments
900 - East Goshen Township

Dear Mr. Smith:

The Chester County Planning Commission has reviewed a proposed amendment to the East Goshen Township Subdivision and Land Development Ordinance, submitted pursuant to the provisions of the Pennsylvania Municipalities Planning Code (MPC), Section 505(a). We received this referral for review on April 16, 2009. We offer the following comments to assist in your review of the proposed East Goshen Township Subdivision and Land Development Ordinance amendment:

DESCRIPTION OF THE AMENDMENT:

The amendment includes provisions for reimbursing the Township for expenses relating to its review of subdivision and land development plans, and the charging of, and payment of, municipal fees and procedures for addressing the late payment of such fees. The Chester County Planning Commission reviewed an earlier version of this amendment and our comments on the initial submission were forwarded to the Township in a letter dated February 25, 2009 (refer to CCPC # 889).

In addition, the Chester County Planning Commission concurrently received a related amendment to the Township Zoning Ordinance, which also addressed fees. Our review of that amendment will be forwarded to the Township in a separate letter (refer to CCPC # 4526, dated May 14, 2009).

The submission was also accompanied with associated amendments to Township ordinances pertaining to erosion and sedimentation control, building construction, cable television, the electrical code, the existing building code, the fuel gas code, mechanical standards, one-and two-family dwellings, plumbing, and sewers (i.e., primarily relating to the Pennsylvania State Construction Code as modified by the Township). Our review of those amendments will be forwarded to the Township in a separate letter (refer to CCPC # M-185, dated May 14, 2009).

COMMENT:

The East Goshen Township Subdivision and Land Development Ordinance amendment includes provisions for the charging of permit fees and for the charging of additional fees if payment is delayed (i.e., an additional three-quarters of one percent of the unpaid balance is to be charged starting 30 days after the billing date). The Township's current amendment is similar to the previous submission that was reviewed by the Chester County Planning Commission (CCPC # 889, dated February 25, 2009), but language relating to the charging of additional interest upon unpaid balances is clarified. The Planning Commission has no further comments on this amendment.

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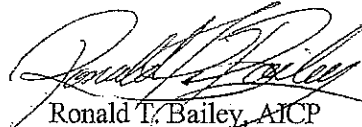
May 14, 2009

Re: Proposed Subdivision and Land Development Ordinance Amendment:
Municipal Review Fees and Procedures for Late Payments
900 - East Goshen Township

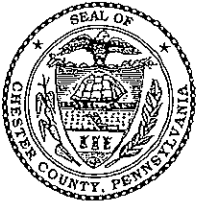
RECOMMENDATION: The Chester County Planning Commission recommends that the Township adopt the proposed amendment.

We request an official copy of the adopted ordinance be sent to the County Planning Commission as required by Section 505(b) of the Pennsylvania Municipalities Planning Code. This will allow us to maintain a current file copy of your ordinance.

Sincerely,


Ronald T. Bailey, AICP
Secretary

RTB/WSB



THE COUNTY OF CHESTER

COMMISSIONERS

Terence Farrell
Carol Aichele
Kathi Cozzone

RONALD T. BAILEY, AICP
Executive Director

PLANNING COMMISSION

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P.O. Box 2747
West Chester, PA 19380-0990
(610) 344-6285 Fax: (610) 344-6515



May 14, 2009

RECEIVED
BY

Louis F. Smith, Jr., Manager
East Goshen Township
1680 Paoli Pike
West Chester, PA 19380-6199

Re: Proposed Zoning Ordinance Amendment:
Municipal Fees and Procedures for Late
Payments
4526 - East Goshen Township

Dear Mr. Smith:

The Chester County Planning Commission has reviewed a proposed amendment to the East Goshen Township Zoning Ordinance, submitted pursuant to the provisions of the Pennsylvania Municipalities Planning Code (MPC), Section 609(e). We received this referral for review on April 16, 2009. We offer the following comments to assist in your review of the proposed East Goshen Township Zoning Ordinance amendment:

DESCRIPTION OF THE AMENDMENT:

The amendment includes provisions for the charging of, and payment of, municipal fees and procedures for addressing the late payment of such fees. The Chester County Planning Commission initially reviewed an earlier version of this amendment and our comments were submitted to the Township in a letter dated February 25, 2009 (refer to CCPC # 4489).

The submission was accompanied with related amendments to the East Goshen Township Subdivision and Land Development Ordinance. Our review of those amendments will be forwarded to the Township in a separate letter (refer to CCPC # 900, dated May 14, 2009).

Additionally, the submission was accompanied with related amendments to East Goshen Township ordinances pertaining to erosion and sedimentation control, contractors, building construction, the electrical code, the existing building code, the fuel gas code, mechanical standards, one-and two-family dwellings, and plumbing (i.e., primarily relating to the Pennsylvania State Construction Code). Our review of those amendments will be forwarded to the Township in a separate letter (refer to CCPC # M-185, dated May 14, 2009).

COMMENT:

This East Goshen Township Zoning Ordinance amendment includes provisions for the charging of permit fees and for the charging of additional fees if payment is delayed (i.e., an additional three-quarters of one percent of the unpaid balance is to be paid after 30 days after the billing date). The Township's current submission is similar to a previous submission (CCPC # 4489, dated February 25, 2009) except for grammatical changes. The Chester County Planning Commission has no further comments on this amendment.

RECOMMENDATION: The Chester County Planning Commission recommends that the Township adopt the proposed amendment.

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May 14, 2009

Re: Proposed Zoning Ordinance Amendment:
Municipal Fees and Procedures for Late Payments
4526 - East Goshen Township

We request an official copy of the adopted ordinance be sent to the County Planning Commission as required by Section 609(g) of the Pennsylvania Municipalities Planning Code. This will allow us to maintain a current file copy of your ordinance.

Sincerely,


Ronald T. Bailey, AICP
Secretary

RTB/WSB

TOWN OF PALM BEACH

NOTICE TO GENERATOR PERMIT APPLICANTS

A general contractor is required for poured slabs. An electrical contractor can be the primary contractor if using a pre-cast slab. All contractors are responsible for a notice of commencement if a general contractor does not pull a master permit.

All contractors will be required to submit the complete generator installation package with their permit application. Complete slab, electrical and gas information is required with the proper permit applications.

PLEASE PROVIDE ONE COPY OF THE PERMIT APPLICATIONS AND TWO COPIES OF THE FOLLOWING WITH EACH GENERATOR PERMIT APPLICATION:

- 1 PERMIT APPLICATIONS FOR ELECTRICAL AND GAS PIPING (AND BUILDING IF REQUIRED)**
- 2 CURRENT SURVEY OR SITE PLAN SHOWING PROPOSED GENERATOR LOCATION AND INDICATING DISTANCES TO PROPERTY LINES. SHOW ANY SCREENING REQUIRED BY TOWN CODE 134-1729. A SURVEY SHOWING ALL EASEMENTS MAY BE REQUIRED.**
- 3 SIGNED AND SEALED DRAWINGS FOR PRECAST OR CAST-IN-PLACE SLABS SHOWING GENERATOR ATTACHMENT. SIGNED AND SEALED DRAWINGS FOR ALL WALLS.**
- 4 COMPLETE ELECTRICAL DRAWINGS AND SPECIFICATIONS INCLUDING LOAD CALCULATIONS**
- 5 COMPLETE GAS DRAWINGS AND SPECIFICATIONS. ENGINEERING FOR ANTI-BOUYANCY REQUIRED FOR ALL UNDERGROUND TANKS**

MUST MEET REQUIREMENTS OF ZONING ORDINANCE 5-07
INCOMPLETE APPLICATIONS WILL BE RETURNED

L. ANY OTHER MATTER
1.
13 pgs

ORDINANCE NO. 5-07

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 134, ZONING, OF THE CODE OF ORDINANCES AS FOLLOWS: SECTION 134-1729 BY MODIFYING AND ADDING REGULATIONS FOR THE SIZE AND PLACEMENT OF GENERATORS IN ALL OF THE TOWN'S ZONING DISTRICTS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREOF; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, after public hearing pursuant to notice as required by law, the Town Council does hereby find, determine, and declare that the public health, safety, morals and general welfare of the citizens of the Town of Palm Beach require that the aforesaid Chapter 134, Zoning, of the Code of Ordinances, be amended as hereinafter set forth.

NOW THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, as follows:

Section 1. Eliminate the first paragraph in Sec. 134-1729. Generators and swimming pool equipment, in its entirety and replace with the following language:

Sec. 134-1729. Generators and swimming pool equipment.

Except for generators serving a public purpose and owned and operated by the Town, and which are therefore exempt from these regulations, portable or permanent generators temporarily or permanently placed on the ground, on a stand or on a trailer, shall not be placed in the required front, street side or street rear yard setbacks; provided, however, not more than one such generator shall be placed in any given required side or rear yard setback.

- (a) One portable or permanent generator with an output of not more than 60 KW shall be allowed in a required side or rear yard setback provided said generator meets the following conditions.
1. The generator is set back a minimum of five feet from the property line.
 2. The generator shall not, at any time or for any purpose, exceed the maximum decibels allowed at the property line as set forth in Sec. 42-228.
 3. The highest point on the generator shall not exceed a maximum of seven feet above the neighboring property owner's grade or zero datum as defined in the appropriate definition of building height in Sec. 134-2.

4. The generator is screened from the neighboring property owners by a wing wall (three-sided wall), at least four feet high or the same height as the generator (including the height of the exhaust muffler), whichever is greater.
 5. The generator's exhaust is, as much as practically feasible, vented upwards or directed away from neighboring properties.
 6. The generator shall be used only during periods of power outages or for periodic testing and necessary maintenance operation and shall not be used to sell power back to a power company or for use by power customers during periods of peak demand.
 7. The generator shall be operated for routine testing and maintenance purposes not more than one time in any seven-day period and no test shall exceed 30 minutes. Testing of emergency generators is permitted Monday through Thursday only (excluding holidays), between the hours of 11:00 a.m. and 12:00 p.m. or 2:00 p.m. and 3:00 p.m.
 8. Testing may be conducted when the unit is being repaired, provided that such testing period shall not exceed 30 minutes and shall be conducted only between the hours of 10:00 a.m. and 5:00 p.m. Monday through Saturday, excluding holidays.
- (b) A portable or permanent generator may be permanently or temporarily placed on the ground, on a stand, or on a trailer outside of required yard setback areas; provided, however, said generator meets the following conditions.
1. If the generator's output capability is greater than 60KW, it shall be placed on the property only in conformance with the setback requirements applicable to a principal structure.
 2. The generator shall not, at any time or for any purpose, exceed the maximum decibels allowed at the property line as set forth in Sec. 42-228.
 3. If the generator's output capacity is greater than 100 KW, it shall be subject to site plan review as defined in Sec. 134-326 through 134-330 and shall be housed in an enclosed building with landscaping as approved by the Architectural Commission or Landmarks Preservation Commission, whichever is appropriate.
 4. If the generator is greater than 60KW and is 100KW or less, and is visible from a street or public way, it shall be screened from the neighboring properties by a wing wall (three-sided wall), at least four feet high or the same height as the generator (including the height of the exhaust muffler), whichever is greater.

5. If the generator is 60KW or less and is visible from a street or public way, its location shall be subject to approval by the Architectural Commission or Landmarks Preservation Commission, as applicable. Intervening landscape material shall not be considered when determining a generator's visibility.
 6. The generator's exhaust is, as much as practically feasible, vented upwards or directed away from neighboring properties.
 7. The generator shall be used only during periods of power outages, periods of power reductions resulting from the exercise of utility load control programs or for periodic testing and necessary maintenance operation and shall not be used to sell power back to a power company.
 8. The generator shall be operated for routine testing and maintenance purposes not more than one time in any seven-day period and no test shall exceed 30 minutes. Testing of emergency generators is permitted Monday through Thursday only (excluding holidays), between the hours of 11:00 a.m. and 12:00 p.m. or 2:00 p.m. and 3:00 p.m.
 9. Testing may be conducted when the unit is being repaired, provided that such testing period shall not exceed 30 minutes and shall be conducted only between the hours of 10:00 a.m. and 5:00 p.m. Monday through Saturday, excluding holidays.
- (c) Notwithstanding paragraph (a) of this Section 134-1729, the Director or designee may grant a waiver allowing a generator with an output capability in excess of 60KW to be located within a required side or rear yard setback, provided the applicant submits to the Town a site plan and evidence or testimony substantiating each of the following conditions:
1. The output of a 60 KW or less generator is incapable of providing enough electricity for the basic necessity of occupying a building and/or protecting interiors or possessions in a building from the damaging effects of prolonged loss of power.
 2. The proposed location is not merely for the convenience or preference of the applicant, but that there is no other location outside of the required setbacks that will provide for safe placement of the generator.
 3. The proposed location represents the minimum intrusion into the required setback(s) necessary to safely accommodate the generator.
- (d) If an administrative waiver is not granted pursuant to section (c) above the applicant may appeal the administrative decision to the Town Council pursuant to Sec. 134-131 through 134-145.

Section 2. Severability

If any provision of this ordinance or the application thereof is held invalid, such invalidity shall not affect the other provisions or applications of this ordinance which can be given effect without the invalid provisions or application, and to this end the provisions of this ordinance are hereby declared severable.

Section 3. Repeal of Ordinance in Conflict.

All other ordinances of the Town of Palm Beach, Florida, or portions thereof which conflict with this or any part of this ordinance are hereby repealed.


Section 4. Codification

This ordinance shall be codified and made a part of the official Code of Ordinances of the Town of Palm Beach.

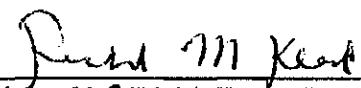
Section 5. Effective date

This ordinance shall take effect 31 days subsequent to its enactment on second and final reading and approval, as provided by law.

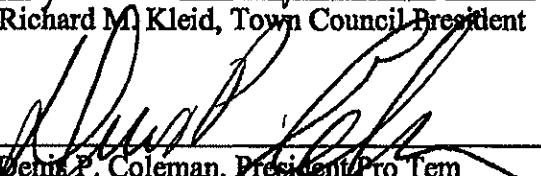
PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach on first reading this 13th day of March 2007, for second and reading on this 10th day of April 2007, and for third and final reading on this 8th day of May 2007.



Jack McDonald, Mayor



Richard M. Kleid, Town Council President



Dennis P. Coleman, President Pro Tem



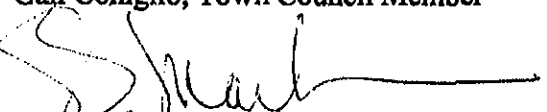
William J. Brooks, Town Council Member



Gail Coniglio, Town Council Member

ATTEST:

Susan A. Eichhorn, Town Clerk



Susan Markin, Town Council Member

**CITY OF HALLANDALE BEACH
GENERATOR CHECKLIST**



DEVELOPMENT SERVICES - BUILDING DIVISION/ZONING DEPARTMENT

|| **SITE PLAN: BUILDING/ZONING**

Indicate generator and fuel tank locations.

Indicate location of all operable windows and operable doors near generator exhaust. Generator spacing from the building shall meet minimum applicable code requirements as well as manufacturer's specifications from all openings and operable doors including those in the neighbor's house. The location of the generator shall conform to local zoning requirements.

If you have any questions regarding the required property setback, screening and allowable sounds levels, please contact the Zoning Office at 954-457-1381.

Note: Some generators are very loud and may significantly affect the well being of your neighbors. This issue should be considered when choosing a generator and deciding where it will be located on your property.

|| **SITE PLAN WITH PROPOSED LOCATIONS FOR ALL ELECTRICAL EQUIPMENT AND GENERATOR.**

Electrical equipment / generator shall be located as close as practical to equipment served and at a safe location near-by. The equipment shall not block or impair the means of egress.

|| **SITE PLAN PLUMBING/GAS**

If a propane or Natural Gas tank will be utilized, its size (in gallons) and location must be shown on the marked up survey or site plan. The fuel tank must be separated from the building and adjacent property lines as required by the applicable building and fire codes (see lists of codes below).

|| **MINIMUM DESIGN PLAN SUBMITTALS
BUILDING/STRUCTURAL OVERVIEW**

1. Elevation of top of slab for generator, bottom of switchgear and electrical service panels shall meet minimum base flood elevation pursuant to NFIP- National Flood Insurance Program, City Ordinances requirements in "X" Zones and Title 44 Code of Federal Regulations (CFR), Sections 59 and 60.
2. Support for generator- structural drawings and structural calculations.
3. Anchoring Details, wind load calculations.

Generator Checklist
Rev. 7/13/08

4. Floor plan and exterior elevations of building showing all openings and distance to generator/exhaust system.
 5. Provide structural and fire protection requirements for enclosures where applicable.
- || Building permit application for all structural components including poured foundation slab
 - || Generators that are exposed to wind shall be installed to resist the wind pressures according to (American Society of Civil Engineers) ASCE 7-2002.
Exception: Ground mounted generators for R3 occupancies including single family and two family dwelling units can be installed according to the Florida Mechanical Code 2004- Sec 301.13.1.
 - || Generators exhaust shall be located so as not to create a nuisance. Exhaust termination shall be a minimum of 10 feet from any operable openings doors, windows, vents, air intakes, etc.
 - || Generators shall be listed and labeled. Generators shall be installed according to the manufacturer's recommendations and by the terms of their approval in accordance with the conditions of the listing. Where conflicts between the code and the conditions of listing or the manufacturer's installations occur, the provisions of the code shall apply. Where a code provision is less restrictive than the conditions of the listing of the generator or the manufacturer's installation instructions, the conditions of the listing and the manufacturer's installation instructions shall apply.
 - || All new multifamily residential buildings equipped with and elevator shall be required to submit a written emergency operations plan prior to obtaining a Final Inspection

Where applicable, the following standards shall apply: NFPA 54- National Fuel Gas Code, NFPA 58- Liquefied Petroleum Gas Code, NFPA 37- Stationary Combustion Engines and Gas Turbines, NFPA 30- Flammable and Combustible Liquids Code, ANSI/ASME B31.3 Process Piping, 1999, Florida Fuel Gas Code, Florida Fire Prevention Code and Florida Building Code current edition in effect when application is submitted.

Call 954-457-3002 if you wish to discuss the electrical installation with the Chief Structural Inspector.

ELECTRICAL OVERVIEW

Generator Checklist
Rev. 7/13/08

1. Electrical Hook-up installation only: connected loads, wiring sizes, specifications of generator and service panels.
2. Permanent generator installations: refer to requirements listed below

|| **ELECTRICAL PERMIT APPLICATION FROM A QUALIFIED INDIVIDUAL OR FIRM F.B.C. 105.2.5**

FBC 2004-105.6.1.2 Master Electrician certified by the state of Florida or registered electrician who is licensed to work in Broward County.

|| **SITE PLAN WITH PROPOSED LOCATIONS FOR ALL ELECTRICAL EQUIPMENT AND PORTABLE GENERATOR.**

|| **SCALED PLAN FOR ACTUAL EQUIPMENT LOCATIONS (1/4" =1 FT. GENERAL AREAS) (1/2" = 1 FT. FOR ALL ELECTRICAL EQUIPMENT/METER ROOMS) FBC 2004 -106.3.10**

Shall be provided to verify required clear access space to all electrical equipment NEC (National Electrical Code) 110.26 and generator exhaust clearance from all building openings. *Location shall be shown on scaled plans.

|| **ELECTRICAL RISER DIAGRAM (SCHEMATIC) FOR CONDUITS AND WIRING INTERCONNECTIONS FROM ALL PANELS AND EQUIPMENT WHICH WILL BE SUPPLIED BY EMERGENCY STAND BY POWER GENERATOR**

Shall include wire size and type, conduct size and type and over current protection size and type (fuse/breaker)

*Electrical plans shall only be accepted from qualified individuals. FBC 2004-106.2.7

|| **ELECTRICAL LOAD SCHEDULE AND PANEL CALCULATIONS FOR ALL EQUIPMENT CONNECTED TO EMERGENCY STAND-BY POWER SYSTEM, INCLUDING BUT NOT LIMITED TO**

A) Gasoline Stations (City Ordinance # 2006-02)

- 1) Pumps
- 2) Shunt trip controls
- 3) Lighting
- 4) Sales register

B) Multi-family buildings (City Ordinance # 2007-06)

- 1) Elevator
- 2) Emergency lights for hallways/stairways.
- 3) Domestic/Fire line water pumps.

C) Single family- To be selected by owner. NEC 702.5

|| **MANUFACTURER'S SPECIFICATION SHEETS AND INSTALLATION INSTRUCTIONS MANUALS FOR ALL EMERGENCY STAND-BY POWER PANELS, MANUAL/AUTOMATIC TRANSFER SWITCHES**

9/8/13

Generator Checklist
Rev. 7/13/08

AND ALL ASSOCIATED PORTABLE CONNECTION DEVICES USED TO CONNECT BUILDING WIRING SYSTEM TO THE PORTABLE STAND BY POWER SUPPLY GENERATOR.

(Rated plugs and cam-loc connectors) All equipment shall be listed and labeled for its intended use NEC 90.7, 110.3 (B)

Call 954-457-1387 if you wish to discuss the electrical installation with the Chief Electrical Inspector.

PLUMBING APPLICATION FBC 2004- 105.2.4

1. Provide details/ specifications pertinent to gas/fuel lines and fuel type.
2. An isometric drawing showing the fuel piping and connections to the proposed fuel source. Specifications and installation instructions for all tanks and piping required for installation. This drawing is usually supplied by your plumbing contractor.

Call 954-457-1388 if you wish to discuss the plumbing installation with the Chief Plumbing Inspector.

MECHANICAL APPLICATION

1. Exhaust system details
2. Enclosure requirements-ventilation and exhaust
3. Fuel tank specifications and installation details.
4. Fuel type

Call 954-457-1302 if you wish to discuss the mechanical installation with the Chief Mechanical Inspector.

ALL BUSINESSES WHICH COMPLETE A GENERATOR OR PRE-CONNECT INSTALLTION MAY BE ISSUED DECALS WHICH IDENTIFY WHICH FACILITIES ARE LIKELY TO BE OPEN AFTER A HURRICANE HAS PASSED. THE "HURRICANE READY" DECALS ARE AVAILABLE AT THE BROWARD COUNTY OR HALLANDALE BEACH BUILDING DEPARTMENTS.

10/8/12

PROPOSED ORDINANCE NO. 2008-11

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PEMBROKE PINES, FLORIDA, AMENDING CHAPTER 155, ENTITLED "ZONING CODE", SECTION 155.047, ENTITLED, "YARDS TO BE OPEN AND UNOBSTRUCTED; ENCROACHMENT SPECIFICATIONS", OF THE CITY OF PEMBROKE PINES CODE OF ORDINANCES, TO PROVIDE FOR THE ABILITY TO INSTALL EMERGENCY GENERATORS WITHIN THE SIDE YARD SETBACKS ADJACENT TO SINGLE FAMILY RESIDENCES WITHIN SINGLE FAMILY RESIDENTIAL ZONING DISTRICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission finds that owners of single family residential parcels have a need to install emergency generators that are intended to provide temporary emergency electrical power to the residence in the event of a man-made or natural disaster; and

WHEREAS, the City's existing land development regulations do not provide for the ability of all homeowners to install an emergency generator within the side yard setback adjacent to a single family home in a single family residential zoning district; and

WHEREAS, in many instances where a homeowner would like to install an emergency generator, they must file an application for a variance with the City's Board of Adjustment; and

WHEREAS, the City Commission finds that owners of single family residences who desire to install emergency generators should not be required to

10 8 12

PROPOSED ORDINANCE NO. 2008-11
ORDINANCE NO. _____

submit an application for a variance in order to obtain authorization to install an emergency generator for their own personal use; and

WHEREAS, the City Commission finds that current emergency generators are installed in such a manner so as to minimize any impact to neighboring properties, and the ability to install emergency generators in a side yard setbacks is in the best interest of all property owners; and

WHEREAS, City Commission finds it to be in the best interest of the health, safety, and welfare of the citizens and residents of the City of Pembroke Pines to provide for an exemption from side yard setbacks in single family residential zoning districts in order to permit the installation of emergency generators.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA THAT:

SECTION 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

SECTION 2. Chapter 155, entitled "Zoning Code", Section 155.047, entitled, "Yards to be Open and Unobstructed Encroachment Specifications", of the City of Pembroke Pines Code of Ordinances is hereby amended to read as follows:

CODING: Words in ~~strike-through~~ type are deletions from existing law;
Words in underlined type are additions.

PROPOSED ORDINANCE NO. 2008-11
ORDINANCE NO. _____

**§ 155.047 YARDS TO BE OPEN AND UNOBSTRUCTED;
ENCROACHMENT SPECIFICATIONS.**

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Every part of every required yard shall be open and unobstructed from the ground to the sky, except as hereinafter provided or as otherwise permitted in this chapter.

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(L) An Emergency generator may be installed within the required side yard setback adjacent to a single family residence located in single family residential zoning districts.

SECTION 3. It is the intention of the City Commission of the City of Pembroke Pines that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Pembroke Pines, Florida, and that the Sections of this Ordinance may be renumbered, re-lettered and the word "Ordinance" may be changed to "Section," "Article", or such other word or phrase in order to accomplish such intention.

SECTION 4. If any clause, section, or other part or application of this Ordinance shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part or application shall be considered as eliminated and so not affecting the remaining portions or applications remaining in full force and effect.

CODING: Words in ~~strike-through~~ type are deletions from existing law;
Words in underlined type are additions.

PROPOSED ORDINANCE NO. 2008-11
ORDINANCE NO. _____

SECTION 5. All Ordinances or parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith be and the same are hereby repealed to the extent of such conflict.

SECTION 6. This Ordinance shall become effective immediately upon its passage and adoption.

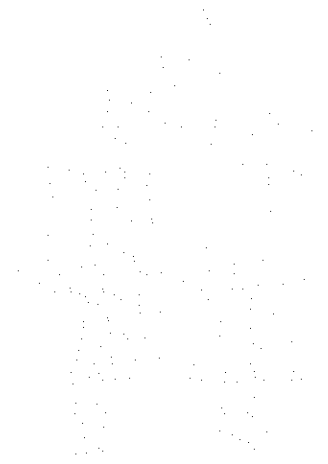
PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, ON THE FIRST READING, THIS ____ DAY OF _____, 2008.

PASSED ADOPTED BY THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, ON THE SECOND AND FINAL READING, THIS ____ DAY OF _____, 2008.

CITY OF PEMBROKE PINES, FLORIDA

ATTEST:	By: _____	
	MAYOR FRANK C. ORTIS	
_____ JUDITH A. NEUGENT, CITY CLERK	ORTIS	_____
	CASTILLO	_____
APPROVED AS TO FORM:	McCLUSKEY	_____
	SHECHTER	_____
_____ OFFICE OF THE CITY ATTORNEY	SIPLE	_____

CODING: Words in ~~strike-through~~ type are deletions from existing law;
Words in underlined type are additions.





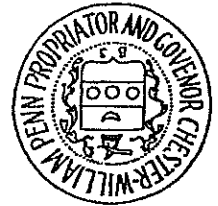
THE COUNTY OF CHESTER

COMMISSIONERS

Terence Farrell
Carol Aichele
Kathi Cozzone

MARGARET C. RIVELLO, M.B.A.
County Health Director

CHESTER COUNTY HEALTH DEPARTMENT
Chester County Government Services Center
601 Westtown Road, Suite 290
West Chester, PA 19380-0990
610-344-6225 FAX: 610-344-6727
www.chesco.org/health



RECEIVED
BY: _____
JUN 9 2009

June 8, 2009

Dear Municipal Officials:

The Chester County Health Department (CCHD) is engaging in a multi-municipal effort to communicate the importance of ensuring that municipalities require soil suitability testing whenever any subdivision of land occurs involving an existing structure utilizing an on-lot sewage disposal system. The definition of a subdivision is: "The division or redivision of a lot, tract, or other parcel of land into two or more lots, tracts, parcels or other divisions of land, including changes in existing lot lines."

The intent of this letter is to stress the importance of soils suitability testing whenever an existing structure using an on-lot sewage disposal system is proposed to be subdivided from a larger parcel or tract of land, or to have the lot area reduced due to a lot line change. The CCHD has historically reviewed these types of proposals, at the request of municipalities. Our review is intended to ensure that there will be the ability to provide sufficient long-term sewage facilities for the existing structure(s), as required when utilizing the Pa DEP "Request for Planning Waiver & Non-Building Declaration" Form (NB Waiver). This form is typically the planning mechanism used for subdividing parcels when no new building or development is being proposed. Since municipalities requested our review of these proposals, CCHD has had the opportunity to require additional soils suitability testing, wherever deemed necessary, to ensure that the long-term on-lot sewage facilities needs of a site or building can be met.

CCHD would like to bring to your attention that PA DEP has been granting waivers from Sewage Facilities Planning requirements for these types of proposals. As a result of these planning waivers, CCHD no longer has the opportunity to review and comment on these proposals for the benefit of the municipality. The impact on the municipality is that parcels or lots may be created without the ability to provide for future replacement of the existing on-lot sewage disposal system in the event it becomes necessary. Problems associated with lots created this way could require municipal involvement and expense. In addition, as part of the NB Waiver process, CCHD is required to conduct a site inspection to verify that there are no violations of the Sewage Facilities Act. If the entire planning process is waived, unless the municipality requires our involvement, we lose the ability to act in the best interest of the municipality for these proposals.

Property owners could also be adversely affected as a result of PA DEP waiving the Sewage Facilities Planning process in a subdivision context. Lots or parcels created without review or comment from CCHD, pertaining to existing sewage disposal systems and future replacement of on-lot sewage facilities, could present situations where the native soils may not be suitable for the installation of a sewage disposal system. Property values may be affected without adequate sewage facilities. Lots or parcels with inadequate sewage facilities may be difficult to market and become a financial burden to property owners and ultimately the Municipality.

The CCHD strongly recommends that municipalities require property owners to obtain CCHD review of any subdivisions or lot line change involving existing structures using on-lot sewage disposal systems to ensure that a lot or parcel is not created or modified without verifying that the long-term sewage facilities needs of that lot can be met. The requirement that any subdivision or lot line change involve CCHD will greatly benefit the municipality. According to Pa DEP Regulations, municipalities are ultimately responsible to assure the proper operation and maintenance of sewage facilities within their borders. CCHD knows that your municipality will be best served by requiring these proposals to be submitted to our Department for review and comment.

Please feel free to contact your CCHD Sewage Enforcement Officer to discuss this matter further.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ralph E. DeFazio".

Ralph E. DeFazio
Environmental Health Supervisor
Chester County Health Department

CC: All CCHD SEOs
file



April 17, 2009

RECEIVED
BY: _____
JUN 17 2009

Dear Municipal Official:

Economic development is important to communities and for economic recovery. In this challenging economic time, timely, meaningful communication and coordination between municipalities and the Department of Transportation (PennDOT) is more critical than ever before. During the Highway Occupancy Permit (HOP) process, municipalities are invited and encouraged to participate in the review of HOP applications within their jurisdictions. Your simultaneous review with PennDOT will provide opportunity to address land use context and the selection of appropriate roadway designs and traffic mitigation strategies as well as other alternatives such as access management plans, multi-modal plans, etc. through the HOP process.

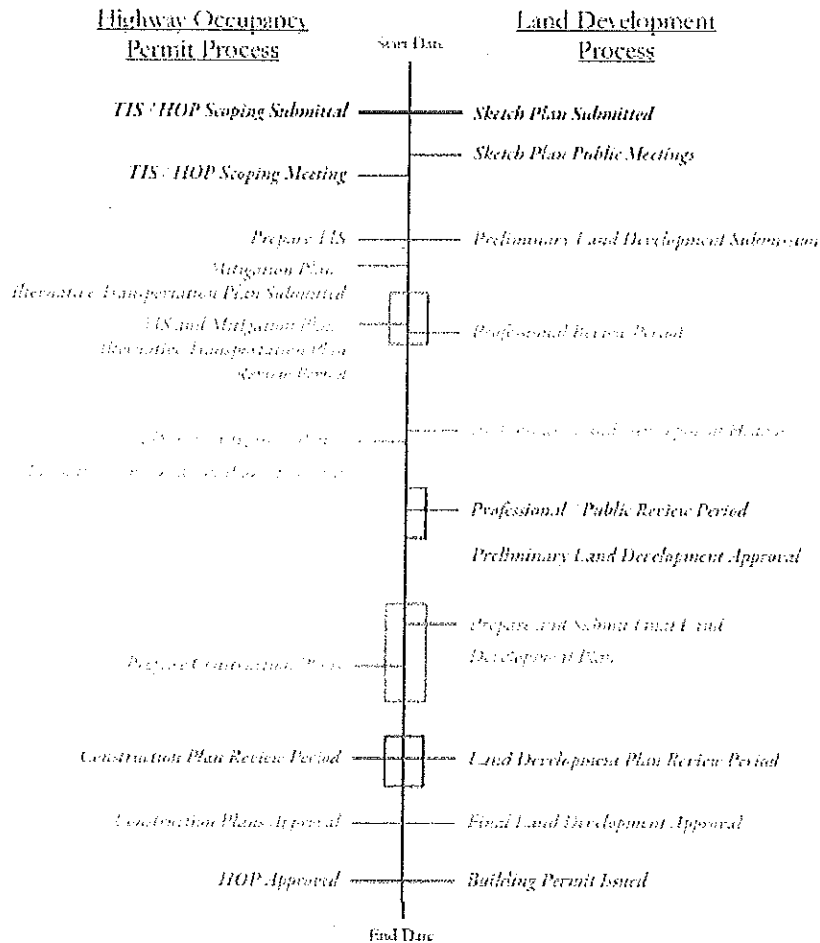
We firmly believe that early, frequent communication between municipalities, developers and PennDOT will be to everyone's benefit in developing and implementing successful land development projects.

Municipalities are asked to coordinate subdivision and land development approvals that impact state highways with the PennDOT District Permit Office *as early in the municipal review process as possible*. More effective coordination of the land development and HOP processes between PennDOT and municipalities will help to avoid commonly occurring problems like:

- Developers completing the municipal review process without discussing their project with PennDOT.
- Unintentional conflicts between municipal agreements with a developer and PennDOT's obligation to manage access to the state highway system in a safe and efficient manner, and in accordance with PennDOT regulations, standards or policies.
- Time consuming and often costly "disconnects" in the land development and HOP processes.

PennDOT has recently published new policies and procedures for Transportation Impact Studies (TIS). The new TIS policies and procedures suggest the model on the following page for the effective coordination of the land development and HOP processes:

Linking the Land Development Process with the Highway Occupancy Permit Process



Note: *Nature and regulatory review times listed, however, preparation and review times vary.*

You may access the new *Policies and Procedures for Transportation Impact Studies* through the PennDOT's website, www.dot.state.pa.us, under More Links>Highway Occupancy Permits (HOP).

PennDOT's intention is to improve the overall development process for all involved by communicating on major issues "up front". Your cooperation is critical. We encourage your feedback by contacting Mike Dzurko, Central Permit Manager, by email mdzurko@state.pa.us or by phone at (717) 783-6080, or Bob Garrett, who works in my office, at rgarrett@state.pa.us or by telephone at (717) 705-1331.

Sincerely,

R. Craig Reed, P.E., Director
Bureau of Municipal Services

PennDOT's Technical Training Calendar

Access to PennDOT's many classes, statewide meetings and self-study materials is just a few mouse clicks away at www.dot.state.pa.us/tc

The screenshot shows the PennDOT's Technical Training Calendar website. The header includes the PennDOT logo and the title "PennDOT's Technical Training Calendar". The main content area is titled "Welcome to the Training Calendar" and lists several features: "Instructor-led Classes/Meetings", "Course Notifications & Wait List Emails", "Self-study Materials", "Prerequisite Testing", and "Non-PennDOT Registrations". There is a "Current Calendar" link and a "Non-PennDOT / Business Partners" section with options to sign up for course notification emails, see an overview for how to register, open a calendar of offerings, and check registration availability. A "PennDOT Locations" section shows the Central Office, Keystone Building, 400 North St., Harrisburg PA 17120, with a phone number (717) 625-5778. There are links for "Fact Sheet", "Map", and "Forecast". A "Bulletin Board" section features a "Bridge Safety Inspection Forum" with a "New" icon and a description of a mandatory partial day forum. Below the bulletin board is a "Title Searching" section with a search bar and a result snippet: "Before the title to real estate is conveyed, a proper examination of the public records should be conducted to". The footer includes contact information for the website sponsor, PennDOT IRDS, and a note about browser compatibility.

The PennDOT Technical Training Calendar is a full-service website for employees, business partners and presenters. It provides "24/7" information and functionality, such as...

- * course summaries, target audience and learning outcomes
- * facilities, maps and directions
- * continuing education hours and units
- * online testing to determine training suitability
- * ...and much, much more!

The Calendar allows users to view current, future and past offerings in a variety of ways including: by sponsoring bureau, functional area, location and date. Users can also request to be automatically notified of upcoming offerings via email.

For our business partners, both private companies and public agencies, the Calendar provides a *self-registration* feature. Such users can sign up for attendance or be added to a wait list when classes are full. Using their unique confirmation number, they can even check payment status for their records.

Save www.dot.state.pa.us/tc as a favorite to stay up-to-date on all of PennDOT's training!



Smart Transportation Quarterly



www.smart-transportation.com

- Case studies
- News & upcoming events
- Resources for municipalities
- Ways to get involved
- And much more!



Have Questions or Ideas about Smart Transportation?

Send them to us at
smarttransportation@state.pa.us



What's Inside?

- Letter from Secretary Biehler
- Updating the HOP Process
- Smart Chat with Natasha
- Pennsylvania Community Transportation Initiative (PCTI)



Coming Next Quarter

The next edition of *Smart Transportation Quarterly* will include information on selected PCTI projects and Smart Transportation Award winners.

Welcome to Smart Transportation Quarterly

Welcome to the first edition of *Smart Transportation Quarterly*, a new newsletter from the Pennsylvania Department of Transportation (PennDOT). This publication will keep you updated on the latest news and events related to PennDOT's adoption of Smart Transportation. In this edition, you'll find a wealth of information about the principles of Smart Transportation, some of the primary changes that are happening at PennDOT, an update on the Pennsylvania Community Transportation Initiative (PCTI), and much more.

Future editions will spotlight the selected PCTI projects and Smart Transportation award winners, as well as other examples where Smart Transportation themes are being applied in communities throughout Pennsylvania.

Have ideas for future articles? Send them to us at smarttransportation@state.pa.us! We look forward to receiving your feedback about how to ensure this newsletter remains informative and interesting.

What is Smart Transportation?

A number of trends are rapidly changing the needs and demands of our transportation system. The current recession is restricting revenue sources, yet construction costs are still higher than average. Energy costs have fluctuated wildly over the past year, affecting travel preferences and behaviors. Concerns about climate change and the loss of farmland to development have increased.

To adapt to this changing world, PennDOT is changing the way they do business by embracing a concept called "Smart Transportation."

Smart Transportation requires embracing the evolving financial, environmental, technological, and community contexts when approaching the next generation of transportation challenges. It is about consistently applying the most innovative tools and ideas to meet these new challenges. Smart Transportation also means more flexibility and less design constraints; more listening and less conflicts; more community-building and less sprawl. Fundamentally, Smart Transportation is about two things: building partnerships, and coordinating land use and transportation decisions.



A Message from Al Biehler, Secretary of PennDOT

This is a very exciting time for PennDOT as we seek to find new and innovative ways to tackle the complex challenges confronting the transportation industry.

The department has already completed a number of important steps in making Smart Transportation the way we do business. We have published the *Smart Transportation Guidebook*, and have adjusted our policies to make the *Guidebook* a central component of our design documents. We have started spreading the message of Smart Transportation within and outside of the department, and have evolved the program based on the feedback we received from our staff and our partners.

Through the Pennsylvania Communities Transportation Initiative (PCTI), we have dedicated \$60 million to kick-start several Smart Transportation pilot projects that will serve as examples for communities throughout Pennsylvania. Additionally, we will be focusing the "stimulus" money we receive from the federal government on rehabilitating our existing infrastructure, which is a core tenet of Smart Transportation.

But we know there's still a lot more to do. We are working on a number of critical initiatives to further integrate Smart Transportation into our department's way of doing business. We are revising our Highway Occupancy Permit process and our design manuals. Perhaps most importantly, we are beginning the process of revising the main part of our business—the process for how innovative solutions to our transportation problems are planned, designed and built. The new process will have a much greater emphasis on effective planning up front, which should help streamline the later stages of a project. Smart Transportation themes will be woven directly into the fabric of this new process.

Although we are making a lot of progress, PennDOT understands that there is simply no way to make Smart Transportation "real" without effective partnerships with local governments, planners, advocacy groups and, of course, the public. As we continue our journey on this effort, we will continually reach out to all of our partners and seek ways to better communicate and implement Smart Transportation. We look forward to your help in making Pennsylvania's communities safer, stronger and more sustainable through better transportation systems.

Allen D. Biehler

Smart Transportation in Action

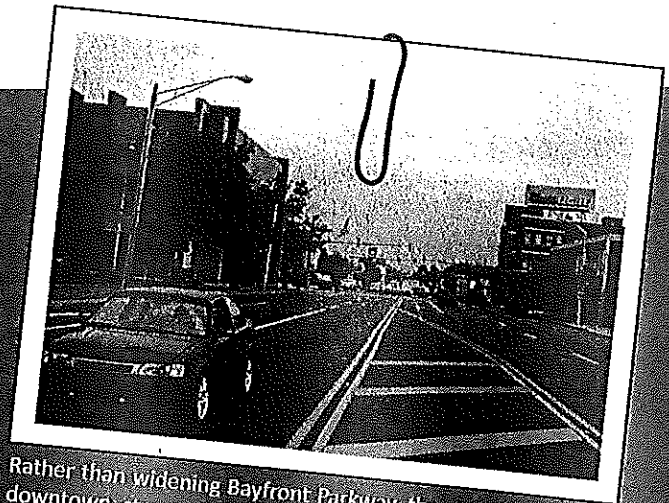
The Bayfront Parkway in Erie, Pa.

The Bayfront Parkway in Erie follows the shoreline of Lake Erie. The road was experiencing congestion problems, and some in the community wanted to see the Parkway widened. However, a road widening would be very expensive on this corridor, and could lead to detrimental impacts on current and future development opportunities.

Additionally, there was more than enough capacity in downtown Erie's grid of streets to handle the traffic demand in the area. A traffic study found that there needed to be about 7 to 9 east-west lanes in downtown Erie, but 15 lanes already existed. Instead of widening the Parkway, a much cheaper and simpler solution was designed to more efficiently utilize those 15 lanes.

The solution included new signage, signal coordination, streetscaping and other measures. To evaluate the effectiveness of this set of approaches, the team looked at performance measures such as travel times, safety improvements, potential for economic development and quality-of-life gauges—not just level-of-service (LOS).

A separate but related project was undertaken to look at parking and transit in downtown Erie. The study explored solutions to Bayfront Parkway's congestion through coordinated transit and land use measures.



Rather than widening Bayfront Parkway, the capacity on other downtown streets, such as 12th Street, was better utilized through simple and inexpensive solutions such as new signage, streetscaping and signal coordination.



Brian Hare, a Division Chief at PennDOT, and Barry Seymour, Executive Director of DVRPC, accepted the Award of Excellence on June 16, 2008 in Baltimore, Maryland.

The Smart Transportation Guidebook

In the spring of 2008, PennDOT partnered with the New Jersey Department of Transportation (NJDOT) and the Delaware Valley Regional Planning Commission (DVRPC) to develop the *Smart Transportation Guidebook*. The Federal Highway Administration (FHWA) also played an important advisory role in the project.

The *Guidebook* was a critical first step to implementing the themes of Smart Transportation on real-world projects. The *Guidebook* helps agencies, local governments, developers and others plan and design roadways that fit within the context of the communities through which they pass. Detailed design parameters that address both the land use and transportation contexts are provided in a straightforward tabular format, making it easy for planners and engineers to determine the best solutions for the problems they are trying to solve.

The *Guidebook* recently received the prestigious Award of Excellence from FHWA and the Federal Transit Administration.

Integrating Smart Transportation at the Department

For Smart Transportation to be successful, PennDOT must reform their policies and procedures to be aligned with this way of doing business. The Department is currently focusing on several important initiatives to do just that:

New Decision-Making Process: The current project delivery process is lengthy, and does not always result in the construction of projects that have gone through an adequate planning effort. The new process will involve stronger coordination among local governments, counties, Metropolitan Planning Organizations/Rural Planning Organizations and PennDOT, and will include a greater focus on planning and connecting transportation improvements to land use decisions. The process will also more tightly link the Transportation Improvement Programs (TIPs) with the Long Range Transportation Plans (L RTPs) and the State Mobility Plan.

Revisions to Design Manuals: PennDOT's design manuals, which guide the department's engineers and project managers as they design new projects, are being revised to incorporate the themes of Smart Transportation. This means that they will allow more flexibility for various contexts, rather than taking a one-size-fits-all approach.

Other Efforts: A number of other initiatives related to Smart Transportation are also underway. The department is beginning an extensive outreach effort to engage our partners throughout the commonwealth in this effort, as well as working with other state agencies to better leverage all of our programs to achieve more sustainable growth patterns.

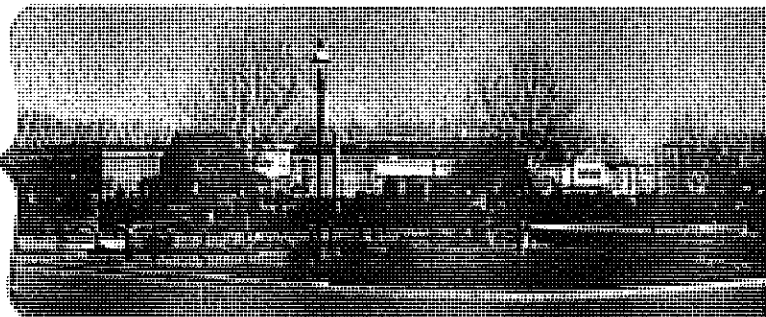
Revising the Highway Occupancy Permit Process

PennDOT has developed a new set of Transportation Impact Study (TIS) Guidelines for the Highway Occupancy Permit (HOP) process, which replaced the February 2004 Traffic Impact Study Guidelines. Property owners, both residential and commercial, who require driveway access onto a State Route, must obtain an HOP from PennDOT. Managing access by this process is a significant responsibility, with local and regional transportation system impacts on the line. If a development will have an adverse impact on the efficiency of the state road, those impacts must be mitigated by the developer. The extent of impacts and mitigation remedies are determined by conducting a TIS.

The goals of the new guidelines are to:

- streamline the overall process to ensure clearer and more predictable review times for PennDOT, local governments, and developers;
- engage PennDOT much earlier in the process, rather than after other approvals have been obtained by the developer; and
- allow for more flexible mitigation options, to ensure that transportation improvements fit within the local land use context.

The new TIS guidance can be downloaded from www.smart-transportation.com.



The HOP process is an opportunity for developers, municipalities and PennDOT to work together and ensure that transportation changes related to new developments support a community's goals.

Pennsylvania Community Transportation Initiative

The Pennsylvania Community Transportation Initiative (PCTI) was launched in October 2008, with the goal of supporting projects that exemplify the Smart Transportation themes. The PCTI program provides \$60 million in funds over two years; applicants applied for grants that could be used either for planning or for construction projects.

PennDOT received over 400 applications requesting a combined total of over \$600 million in funding. The department is carefully reviewing each application to select the projects that will best help spread the message about Smart Transportation, and will be announcing the results later this Spring. Future editions of this newsletter will highlight the selected projects and provide examples that you can use in your communities. Also check for updates at www.smart-transportation.com.

The overwhelming interest in the program confirms that places across Pennsylvania are excited about the prospect of using Smart Transportation to help maintain great communities.

Who Are The Partners In Smart Transportation?

Local Governments: Land use is a local government function, so Pennsylvania's municipalities and counties will be integral to the success of the effort.

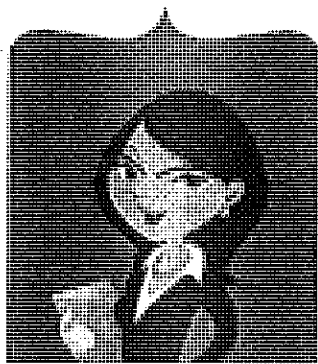
Pennsylvania Residents and Businesses: As PennDOT's main customers, their involvement in influencing future land use patterns and transportation activities is critical to ensuring a continued high quality of life.

Planners and Engineers: From conception to implementation, planners and engineers must think creatively and push for more effective ways of solving the state's complex transportation problems.

Transit Providers and Other Transportation Partners: Pennsylvanians should have the widest and most efficient range of transportation choices possible. The engagement of transit providers, ports, airports and other entities is needed to help fulfill this goal.

Economic Development Organizations: Expanding the state's economic development opportunities, especially during recessionary times, is vital to Pennsylvania's continued prosperity. Transportation plays a major role in facilitating economic development.

Smart Chat



Welcome to Smart Chat with Natasha! This section will be a regular, interactive feature of *Smart Transportation Quarterly*. Send your questions and comments to Natasha at smarttransportation@state.pa.us, and we will select several to be printed in each edition of this newsletter.

Today's question comes from Amelia Nico in Hershey, Pa. Amelia asks, "I'm not a transportation professional, a planner, or an elected official. What does Smart Transportation have to do with me?"

We're glad you asked, Ms. Nico. Smart Transportation involves everyone in Pennsylvania. At its core, Smart Transportation is really just about ensuring that transportation projects have a positive impact on your quality of life and the character of your community. To make this happen, we need you to voice your ideas about the future of your community.

Do you want to be able to walk and bicycle more? Do you want to see your downtown or village center strengthened? Do you want economic development to occur in a specific place? Almost all community visions involve transportation, so it is vital to the success of Smart Transportation that you take an active role in defining this vision. Attend your township/borough's planning commission meetings, participate in public meetings for transportation projects, and voice your suggestions about new developments happening in your community.

We look forward to responding to more of your questions in the next edition of *Smart Transportation Quarterly*!

Natasha

For more information, please visit:

www.smart-transportation.com

BOARD OF SUPERVISORS
EAST GOSHEN TOWNSHIP
CHESTER COUNTY
1580 PAOLI PIKE, WEST CHESTER, PA 19380-6199

June 25, 2009

Dear Property Owner:

The purpose of this letter is to inform you that Mr. John Mummert has submitted a Zoning Hearing Board application requesting a Zoning Variance for his property located at 1417 Center Street, West Chester PA, 19380. The applicant proposes to construct an addition to the rear of his home and cannot meet the 30-foot rear yard setback requirement. The applicant is seeking relief from §240-10.G in order to construct a 12' X 27' home addition.

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

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

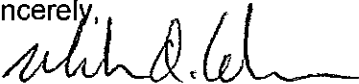
July 1, 2009 - Planning Commission meeting (workshop at 7 pm, formal meeting @ 7:30 pm)

July 7, 2009 - Board of Supervisors meeting (workshop at 7:00 pm, formal meeting @ 8:00 pm)

July 23, 2009 - Zoning Hearing Board (meeting @ 7:30 pm) **(Zoning Hearing)**

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 if you have any questions or need additional information.

Sincerely,



Mark A. Gordon
Township Zoning Officer

Cc: All Township Authorities, Boards and Commissions
Ross Unruh, Esq. Zoning Hearing Board Solicitor

BOARD OF SUPERVISORS

EAST GOSHEN TOWNSHIP

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

June 19, 2009

Dear Property Owner:

The purpose of this letter is to inform you that East Goshen Township has been notified that the Christ Memorial Church at 89 Line Road in Willistown Township has applied for relief from the Zoning Ordinance. The Willistown Township Zoning Hearing Board will hear the application on June 24, 2009.

Pursuant to East Goshen Township policy, property owners and residents within 1000 feet of the subject property are informed of these applications. I have copied the notice on the back of this letter for your information and use. For more information contact Willistown Township at 610-647-5300.

Sincerely,



Mark A. Gordon
Township Zoning Officer

Cc: All East Goshen Township Authorities, Boards and Commissions
Hugh J. Murray, Sr., Township Manager, Willistown Township

BOARD OF SUPERVISORS
EAST GOSHEN TOWNSHIP

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

May 29, 2009

Dear Property Owner:

The purpose of this letter is to inform you that the National Bank of Malvern has submitted a Conditional Use application requesting approval to develop their property located at 1305 Paoli Pike, West Chester PA, 19380. The applicant proposes to construct a bank branch and parking on the property. Parking proposed on the North side of this property will be leased to the YMCA.

The property is Zoned Business Park (BP); where a bank use is a permitted Conditional Use. A subsequent Land Development Application and Plan will follow this application, should the Conditional Use be approved for the property.

Pursuant to Township policy, property owners and residents within 1000 feet of the properties seeking zoning relief; are notified of Zoning Variance applications.

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

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

July 1, 2009 - Planning Commission meeting (workshop at 7 pm, formal meeting @ 7:30 pm)

July 21, 2009 - Board of Supervisors meeting (workshop at 7:00 pm, formal meeting @ 8:00 pm)

All meetings are held at the Township Administration Building and are open to the public. The application and 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 if you have any questions or need additional information.

Sincerely,

Mark A. Gordon
Township Zoning Officer

Cc: All Township Authorities, Boards and Commissions
Ross Unruh, Esq. Zoning Hearing Board Solicitor
Rick Craig, P.E., Township Engineer, West Goshen Township