

**EAST GOSHEN TOWNSHIP
PLANNING COMMISSION
Agenda
Wednesday, November 4, 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. **October 7, 2009**
 - E. Acknowledge Receipt of New Applications
 - 1. **Mark/Helen McGinley, 19 School Lane (V)**
 - F. Subdivision Plans
 - G. Land Development Plans
 - 1. **1661 E. Strasburg Rd, Mullen Property (Lot 2, Ashbridge Farm)**
 - H. Conditional Uses and Variances
 - 1. **Clearwire US LLC, 21 Edgewood Rd. (C/U)**
 - 2. **Mark /Helen McGinley, 19 School Lane (V)**
 - I. Ordinance Amendments
 - J. Old Business
 - 1. Discussion on "Traditions" Ind. Living Fac. project in West Goshen
 - 2. Sample Generator Ordinance
 - K. New Business
 - 1. **Riparian Buffers: consider increasing riparian buffer to 100'**
 - L. Any Other Matter
 - N. Meetings and Dates of Importance
 - November 3, 2009 Election day – no meetings
 - November 4, 2009 Board of Supervisors ws 9:00 AM
 - November 4, 2009 Planning Commission 7:00 PM
 - November 5, 2009 Park & Recreation 7:00 PM
 - November 9, 2009 Municipal Authority 7:00 PM
 - November 10, 2009 Board of Supervisors 7:00PM
 - November 11, 2009 Veterans Day – Office closed
 - November 11, 2009 Conservancy Board 7:00 PM
 - November 12, 2009 Historical Commission 7:00 PM
 - November 16, 2009 Deer Committee 7:00 PM
 - November 17, 2009 Board of Supervisors ws 7:00 PM
 - November 18, 2009 Zoning Hearing - McGinley 7:30 PM
 - November 24, 2009 Board of Supervisors 7:00 PM
 - November 26, 2009 Office closed
 - November 27, 2009 Office closed
 - O. Correspondence
 - P. Goals
- Adjournment
- **Bold Items indicate that the Planning Commission has new information to review for that application.**

REMINDER – Newsletter Article Submission Due Date:

<u>Article Due Date</u>	<u>Delivery date</u>
November 10, 2009	January 1, 2010

**EAST GOSHEN TOWNSHIP
PLANNING COMMISSION
APPLICATION HISTORY
Wednesday, November 4, 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
July 29, 2009	Wooldridge Construction – extension
September 8, 2009	E.B. Walsh – Re-submission #6
September 28, 2009	E.B. Walsh – prelim/final subdivision plans
	Plans
September 28, 2009	Yerkes – Review of Prelim/Final Plan
September 29, 2009	Memo – draft motion

Matthew/Christine Mullen, 1645 E. Strasburg Rd (L/D)

August 18, 2009	application
October 13, 2009	Yerkes – Stormwater Mgt & Erosion Review
October 26, 2009	CCPC – Pre/Final Land Development

2. CONDITIONAL USES/VARIANCES

Clearwire US LLC, 21 Edgewood Rd, (C/U)

August 27, 2009	Application Plans Coverage legends
August 26, 2009	Aco Property Advisors, - C/U permit
August 26, 2009	Aco Property Advisors - narrative
September 25, 2009	Yerkes – C/U Plan Review
September 29, 2009	Draft motions
October 5, 2009	Ramaker & Assoc. responses to Yerkes
October 6, 2009	Plans
October 27, 2009	Yerkes – Conditional Use Plan Review

Mark/Helen McGinley, 19 Schoolhouse Lane (V)

	Plans
January 12, 2005	Zoning decision/property 19 Schoolhouse Ln
October 27, 2009	1,000' notification
October 30, 2009	M. Gordon – Draft motion

3. ORDINANCE AMENDMENTS

4. ANY OTHER MATTER

5. ZONING AMENDMENTS

Planning Commission Application Tracking Log

Application Name	Application (CU, 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
Clearwire US (21 Edgewood Rd.)	CU	P/F	8/28/09	8/28/09	9/11/09	n/a	9/16/09	1	11/4/09	10/20/09	11/18/09	11/26/09
1661 E. Strasburg Rd. (Mullen)	LD	P/F	9/24/09	10/7/09	9/25/09	9/25/09	9/28/09	1	1/13/10	12/22/09	n/a	2/2/10
19 School Ln. (McGinley)	V	P/F	10/9/09	10/10/09	n/a	n/a	10/27/09		11/4/09	11/17/09	11/18/09	12/8/09

Bold = New Application or PC action required

B. TRACKING LOG
pg 1

EAST GOSHEN TOWNSHIP
PLANNING COMMISSION MEETING
October 7, 2009

The East Goshen Township Planning Commission held their regularly scheduled meeting on October 7, 2009 at the East Goshen Township building. Chairman Senya Isayeff, Vice-Chair George Martynick and members Megann Hedgecock, Albert Zuccarello, and Peter Mylonas were present. Also present were Township Zoning Officer Mark Gordon, Ginny Newlin (Conservancy Board), Marty Shane (BOS), and Don McConathy (BOS), along with Mr. Ed McFalls.

WORKSHOP SESSION – 7:00pm

Senya reviewed the agenda for the evening.

Members reviewed and corrected the minutes of September 2nd 2009. Megann abstained from motion due to her absence from the last meeting. Discussion turned to Sullivan's Grove and Ed McFalls then presented a brief description of the development plan and added that the golf course would be open to the residents of East Goshen. Mr. McFalls mentioned that he is unsure when construction would start, but noted that everything is in place at this time and a conservative start date of construction would be 2011.

FORMAL SESSION

A. Pledge of Allegiance

Senya called the meeting to order at 7:31pm. George led those in attendance in the pledge.

B. Approval of Minutes

George moved that the minutes of September 2nd, 2009 be approved as amended in the workshop session. Senya noted that a motion would not be passed on the September minutes until next month's meeting due to the absence of a few members of the PC.

C. New Applications

Clearwire US LLC- has requested an extension.

Sullivan's Grove subdivision- Senya noted that after 5 years on the books, the PC is ready to make a recommendation to the BOS to approve Sullivan's Grove. Al motioned to recommend and Peter seconded the motion.

1422 Paoli Pike- the potential buyers of this property, Dr. and Mr. Zelinsky were present along with their representative, John Smirga. The potential buyers are proposing to convert the current property into a medical practice with the main building be used as an office/reception area. The existing barn will be razed and the current 3 car garage will stay to provide extra parking to the practice. There is a proposed 1-story addition to be used as patient rooms. Al questioned the history and date of the original home and it is thought to date back to the 1840's. Peter asked if the addition will be of the same motif as the existing property, at which the potential buyers answered yes.

John Smirga noted that this is a non-conforming lot/structure and they will need a conditional use, then a variance. Marty questioned if the potential buyers have worked with the Historic Commission, Mark replied that they have attended a HC meeting and added that the HC is supportive. Senya advised the buyers that the PC is supportive but the code requires the potential buyers to go before the BOS. Senya also added that he encouraged

the use of the property for a medical practice for there are not enough medical practices in East Goshen and the PC appreciates that Dr. Zelensky wants to practice in this area.

D. New Business

Adaptive Re-Use Signage Ordinance Amendment- Peter made a motion to approve the amendment and George seconded the motion. No further public comment or discussion was heard. The motion passed unanimously.

Public Comment:

Senya asked those in attendance if they had any comments that did not appear on the agenda. At this time Ginny Newlin for the Conservancy Board commented on the destruction of the woodlands around the pavilions at the YMCA. A portion of the woodlands have been cleared and wood chips appear over a large area. It was the understanding of the Conservancy Board that the woodlands would not be cleared. Ginny, on behalf of the Conservancy Board wanted to bring this to the attention of the PC. Senya asked if a representative from the YMCA was present during the inspection by the Conservancy Board. Don McConathy asked Mark Gordon to look into this further and report back to the BOS. It was added that this should not be a PC issue and that the BOS would like to look into further. Marty added that it is Mark's responsibility to be sure that the Y is in compliance with its agreement.

E. Adjournment

Motion to adjourn the meeting was made by George and seconded by Al. The meeting adjourned at 8:45 p.m.

Please note that the clean-up day has been tentatively rescheduled to November 14th.

Respectfully submitted,

Linda Jones, Recording Secretary

2.
6pgs

Yerkes Associates, Inc.

Consulting Engineers / Site Planners / Land Surveyors

October 13, 2009

East Goshen Township
1580 Paoli Pike
West Chester, Pennsylvania 19380

Attn: Mark Gordon, Township Zoning Officer

Re: Matthew J. and Christine Mullen – 1645 East Strasburg Road
Stormwater Management & Erosion and Sediment Control Plan Review

Dear Mark:

The following plans, correspondence and report submitted by Site Engineering Concepts, LLC have been received by our office for review:

Plans, dated 08-13-09, Site Plans by Site Engineering Concepts, LLC & Landscaping Plans & Details by DePallo Design & Planning:

- Sheet 1 of 5: Proposed PCSM Plan / Site Plan
- Sheet 2 of 5: Erosion & Sedimentation Control Plan
- Sheet 3 of 5: Landscape Plan
- Sheet 4 of 5: Rain Garden Landscape plan
- Sheet 5 of 5: Landscape Detail

Correspondence

- Individual NPDES Application, includes PADEP BMP Worksheets 1,2,3,4, 5,10 for Drainage Areas 1 & 2, Worksheet 10 and Criteria & Credits Checklists BMP 5.4.1 & 5.6.1, dated 08-13-09
- Subsurface Permeability Evaluation prepared by Piedmont Environmental Group, Inc., dated 11-08-07

Reports, dated 08-13-09:

- Stormwater Management Analysis, dated 03-03-09
- E&S Plan Calculations

This property had previously been submitted for Land Development plan review by the former owner/applicants Eustace and Suzanne Mita. A review was issued on December 25, 2007. Subsequently, the plan was withdrawn by the Mita's on February 25, 2008. The current plans have been substantially revised and this plan submission is considered a new application by the owner/applicants Mathew J. and Christine Mullen.

The site is located and is accessed from the north side of East Strasburg Road via an overgrown gravel driveway situated between Christine Lane and Wyllpen Circle opposite the

Professional services since 1874

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

Mathew J and Christine Mullen – 1645 East Strasburg Road
October 13, 2009
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intersection with Springhouse Lane. The site is situated within the R-2 Low Density Suburban Residential Zoning District. The parcel is also known as Lot #2 of the Ashbridge Farm Subdivision being 19.74 acres gross. The site is currently undeveloped with meadow, woodland, individual trees. The proposed construction includes a new dwelling with attached garage, driveway, courtyard, patio area, walkways and parking area. Stormwater management is to be provided by a series of five rain gardens and an underground infiltration bed. The new dwelling is to be served by on-site water and on-site sewer.

The plans have been reviewed for compliance with applicable Township Ordinances and per site research. The following comments must be satisfactorily addressed before plan approval is recommended:

Subdivision and Land Development Ordinance

1. Sections 205-(30&33).B (3): The name of the record owner and applicant and the source(s) of title to the land being developed, as shown by the records of the County Recorder of Deeds, should be provided.
 - a. The plan should specifically note that the Mullen's are the owners and/or applicants.
 - b. The deed book and page number refer to in General Note #2 is the previous property owners or the Mita's deed, the current deed book and page number for the Mullen's should be noted on the plan.
2. Sections 205-(30&33).B (7) & 205-65.B: All lot corners should be clearly identified by either a monument or an iron pin. The northwestern corner should have either a "pin found" or a "pin to be set" designation added to the plan.
3. Sections 205-(30&33).B (8) & 205-35.B: Location and elevation of the bench mark to which contour elevations refer should be noted. Where reasonable and practical, datum used shall be United States Geodetic Survey (USGS) from a known, established benchmark. The location and elevation of a benchmark is missing and should be noted on the plan.
4. Sections 205-(30&33).B (10), Section 205-35.C & 304.B.(4&5): The site plan should identify the location and ownership of all existing sewer lines, water lines, fire hydrants, utility transmission lines, culverts, bridges, railroads, watercourses, trees, wetlands, easements, rights-of-way and other significant man-made or natural features within the proposed subdivision and within 50 feet from the boundaries of the proposed subdivision.
 - a. As part of the previous plan submission review, it was observed that Verizon facilities are located in the vicinity of the proposed driveway. All utility lines located in the vicinity of the proposed driveway should be indicated on the site plan.
 - b. The approved subdivision plan indicates that the FEMA 100-yr. floodplain boundary extends onto the northeastern corner of the parcel. FEMA mapping, however, has been revised since subdivision approval. The plan should be revised as necessary to reflect current FEMA mapping.

Mathew J and Christine Mullen – 1645 East Strasburg Road
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5. Sections 205-(30&33).B (12): The cartway width for East Strasburg Road should be noted on the site plan.
6. Section 205-33.B (19): The site plan should note that the parcel is also known as Lot #2 of the approved Ashbridge Farm Subdivision.
7. Section 205-33.B (21) (e): All easements or rights-of-way, public or private, and any limitations on such easements or rights-of-way shall be shown and accurately identified on the plan. The site plan indicates a trail easement along the northern and eastern property lines. The plan should include a note to identify the easement beneficiary or owner and list any restrictions, limitations, and responsibilities associated with the trail easement.
8. Sections 205-33.B (22) (a), 205-68.D & E - The applicant shall comply with all requirements of the Chester County Health Department and the Pennsylvania Department of Environmental Protection and shall so certify prior to final plan approval.
9. Section 205-30.C.1.g - The plans indicates that the PennDot Minimum Use Driveway Highway Occupancy Permit had been filed as part of the original Ashbridge Farm Subdivision in 2002. Typically these permits are valid for one year from date of issuance. Evidence or notification from PADOT should be provided to the Township confirming that a highway occupancy permit has been extended and will be issued prior to plan approval. Otherwise a new HOP will need to be obtained.
10. Section 205-57.D (1): The driveway grades should be noted on the plan. The driveway grade within the right-of-way should be no greater than 5% and no more than 10% for 25 ft. from the right-of-way. All other driveway grades should be noted. Additionally, the driveway highpoint should be indicated.
11. Section 205-57.D (2): A detail should be placed on the plan for the driveway paving specifications per this section. A driveway construction detail for the remainder of the driveway should also be provided.
12. Section 205-57.D (3): The driveway width within the limits of the Strasburg Road right-of-way should be noted to be no less than 12 feet. The driveway width for the remainder of the driveway should also be noted.
13. Section 205-66.E - All proposed on-site residential water supply systems shall have a permit certified by the Chester County Health Department. The proposed type of water supply should be added to the plan and proposed well locations and/or public water tie-in locations should also be shown.

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

Mathew J and Christine Mullen – 1645 East Strasburg Road
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14. Section 205-35.E: An inconsistency exists between the seed mix specifications on Sheet 2 and the meadow and lawn seed specifications on Sheet 5. Either one set of seed specifications should be provided for the site or the locations where the different seed mixes are to be applied should be more clearly indicated.
15. Section 205-35.F: The site plan should include notations indicating all trees or portions of tree masses to be cleared.
16. Sections 304.C.2 & 407.A: In accordance with Chapter 102, a NPDES permit is required if the area of disturbance is more than 1 acre. The plan proposes an area of disturbance of 3.1 acres and, therefore, an NPDES Permit is required. An application has been made to the Chester County Conservation District for an NPDES Individual Permit. Approval and issuance of an NPDES Individual Permit will be required for plan approval.

Stormwater Management Chapter 195, Ord. No. 129-M-03 & SDLO 205-37

17. Section 304.D.1 & 304.D.3: All stormwater management facilities are to be located on the plan and described in detail and all design calculations, assumptions and criteria should be provided.
 - a. The standpipe for the Rain Garden #1 is modeled in the calculations with a 2 ft. diameter opening, but the plan indicates a 1.5 ft. diameter opening. Either the calculations and/or the Rain Garden design should be adjusted for consistency.
 - b. Rain Garden #1 detail on Sheet 1 should be addressed as follows:
 - i. The location, size, invert and material of the inlet pipe should be shown and noted.
 - ii. The size, invert and material of the outlet pipe should be noted.
 - iii. The 440.4' elevation should be indicated.
 - iv. The location, size, invert, and material of the inlet pipe and rip-rap should be shown and noted on the detail for Rain Garden #3 and #4.
 - c. The location of the infiltration testing should be shown on the plan.
 - d. All berm and spillway locations should be labeled on the plan.
 - e. A detail for all the BMP "Snouts" should be provided.
 - f. The slope or grade requirements for the drainage swales should be noted on the swale detail on Sheet 1.
18. Section 304.B.19: A statement, to be signed by the landowner, acknowledging the stormwater management system to be a permanent fixture that can only be altered or removed only after approval of a revised plan by the Township should be added to the plan.
19. Section 304.B.20: The following certification to be completed by the design engineer should be added to the site plan: "(Design Engineer), on this date (date of signature), has reviewed and hereby certifies that the drainage plan meets all design standards and criteria of the East Goshen Township Stormwater Management Ordinance".

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Landscaping Plan

20. Section 205-36.C: Floodplain areas within and adjacent to the tract should be identified. The floodplain boundary location should be identified as noted by comment #4.
21. Section 205-36.F: The location and type of all proposed landscaping and/or ground cover in buffer areas, common open space, and entrances should be appropriately identified.
 - a. There is an unlabeled evergreen tree along the existing gravel drive which should be identified on Sheet 3.
 - b. Notes for all Rain Gardens incorrectly refer to Sheet 5, but should note Sheet 4 for the planting schedule and enlarged details.
 - c. Soil amendments noted in the rain garden details on Sheet 1 are typical generic quantities as required by the PADEP Manual, but specifications for the type of soil amendments should be noted on the plans. It is recommended that soil tests be conducted prior to finalizing soil amendments that will reveal any nutrient deficiencies.
22. Section 205-36.G: The landscape plan should include a full plantings list showing the proper botanical and common name along with the size and grade.
 - a. Spacing for IRIS VERSICOLOR in Rain Garden #1 has not been specified on Sheet 4.
 - b. The following should be addressed for Rain Gardens #2 through 5 on sheet 4:
 - i. The incorrect quantity specified for ACER RUBRUM.
 - ii. Grasses/Perennials/Groundcovers – Substituting plugs for trees as shrubs as recommended by PA BMP manual is acceptable, however the proposed spacing for the plugs should be revised to a minimum of 12" O.C. The current proposed spacing is not suitable for the survival rate and maturation rate of the plugs.
 - iii. 50% or more of the plug species proposed are designated "wetland" species. Due to Rain Garden #3 having to endure both wet and dry conditions it is recommended that the following species be reconsidered:
 - Asclepias incarnate
 - Calamagrostis Canadensis
 - Hibiscus moscheutos
 - Iris versicolor
 - Juncus effuses
 - Scirpus cyperinus
 - Carex stricta
 - Verbena hastata
 - c. The following items should be addressed on Sheet 5:
 - i. An incorrect quantity is specified for CERCIS CANADENSIS.
 - ii. FRAXINUS (ASH) species have a high susceptibility of disease, another species should be selected.

Mathew J and Christine Mullen – 1645 East Strasburg Road

October 13, 2009

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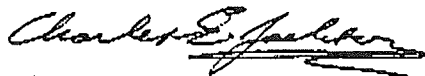
23. General Landscaping Comment: Plugs should be included in the guarantee period in note Number 17, Sheet 5.

General Comments

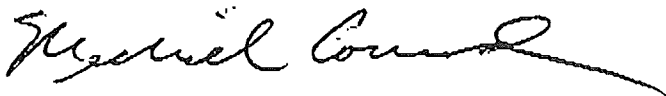
25. Signature blocks for approval and an owner's plan acknowledgment statement should be added to the site plan if the plan is to be recorded.
26. The erosion and sediment control plan should include protective measures to prevent disturbance to the primary and replacement septic system absorption areas.
27. The site plan should note the amount of future impervious coverage that may be installed based upon the stormwater management design.
28. The zoning schedule on sheet 1 should note the height of the proposed house.

The plans should be revised in accordance with the above comments. Please do not hesitate to call if you have any questions concerning this review.

Sincerely,
YERKES ASSOCIATES, INC.



Charles E. Jackson III



Michael Conrad, P.E.

CC: SITE Engineering Concepts, LLC, Robert Lambert, P.E.



THE COUNTY OF CHESTER

COMMISSIONERS

Terence Farrell
Carol Aichele
Kathi Cozzone

RONALD T. BAILEY, AICP
Executive Director

PLANNING COMMISSION

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



October 26, 2009

RECEIVED
BY: _____

OCT 28 2009

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

Re: Preliminary/Final Land Development – Matthew J. & Christine Mullen
11063-5 – East Goshen Township

Dear Mr. Smith:

A preliminary/final land development plan entitled “Matthew J. & Christine Mullen,” prepared by Site Engineering Concepts, LLC, and dated August 13, 2009, was received by this office on September 28, 2009. The land development is situated on the north side of Strasburg Road (State Route 2010) at its intersection with Springhouse Lane and involves the construction of a single-family residence on a 19.74 acre site (UPI #53-4-134.2). Vehicular access will be provided from an existing driveway entrance on Strasburg Road. The project site, which will be served by on-site water and sewer, is located in the R-2 Residential zoning district.

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

BACKGROUND:

1. The Chester County Planning Commission has previously reviewed a subdivision and a land development proposal involving this site. CCPC# 11063-2 (“Ashbridge Farm”), dated February 6, 2002, addressed the creation of 10 lots from a 187 acre site, was approved by the Township on March 19, 2002. This proposal involves the construction of a single-family residence on Lot 2 of the previously approved subdivision plan.

The County Planning Commission previously reviewed an earlier version of this land development submission on January 4, 2008 (CCPC# 11063-4). According to our records, this previous land development submission has not been approved by the Township.

LANDSCAPES:

2. The 1996 Chester County Comprehensive Plan, *Landscapes*, designates the area of the proposed land development as a **Suburban Landscape**. **Suburban Landscapes** include areas where infrastructure and public services have been, or should be, extended to accommodate residential

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October 26, 2009

Re: Preliminary/Final Land Development – Matthew J. & Christine Mullen

11063-5 – East Goshen Township

development and shopping and employment centers. *Landscapes* encourages design flexibility and a mix of density and uses, either through revitalization or infill, within the **Suburban Landscape**. The location of this land development proposal is consistent with the **Suburban Landscape** as shown on the *Livable Landscapes Map*, as last amended October 14, 2003.

PRIMARY ISSUES:

3. The plan and 2005 aerial photography indicate that a portion of the site is wooded. If development is to occur within the woodlands, the removal of trees should be limited to the minimum area needed for the dwelling and support facilities and the limit of tree removal should be shown on the plan. Any grading within the area of the dripline (the perimeter of the tree's branches) of the trees to be preserved increases the possibility of tree damage.
4. The site is located in an area designated by the Pennsylvania Department of Environmental Protection (DEP) as a Special Protection Watershed. Special Protection Watersheds are important because Chester County's High Quality and Exceptional Value Watersheds may be especially sensitive to degradation and pollution that could result from development. The DEP may impose stricter limitations on proposed wastewater discharges in these watersheds, and DEP also encourages that special care be exercised in the design and construction of stormwater control facilities in these areas.

The DEP suggests that "Best Management Practices" (BMPs) be used for stormwater control, as recommended in *The Pennsylvania Stormwater Best Management Practices Manual*. This document is available from the Chester County Conservation District or directly from DEP via the web at: <http://www.depweb.state.pa.us/watershedmgmt/cwp/view.asp?a=1437&q=518682>, then select Best Management Practices (BMP) Manual. Toolbox # 32-1, in the *Landscapes Community Planning Handbook Volume I*, (CCPC, 1997) also contains an explanation of BMPs as well as a sample BMP ordinance. BMPs can be used to recreate pre-development conditions on all construction projects through the use of natural and manmade features such as retention and infiltration basins, pervious pavement, biofilters, grass swales, curbless streets, and other environmentally-sensitive design techniques. Project engineers are encouraged to examine these, as well as other BMPs. Addressing these issues in the initial plan submission should assist in expediting plan approval.

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

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

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October 26, 2009

Re: Preliminary/Final Land Development – Matthew J. & Christine Mullen

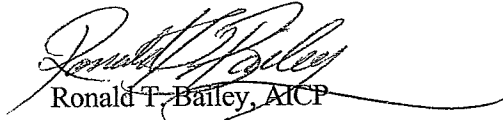
11063-5 – East Goshen Township

ADMINISTRATIVE NOTES:

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

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

Sincerely,


Ronald T. Bailey, AICP
Secretary

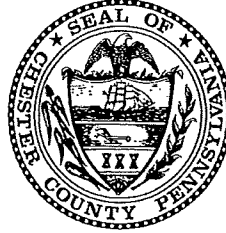
RTB/PF

Attachment

cc: Matthew J. and Christine A. Mullen
Site Engineering Concepts, LLC
Albert J. Giannantonio, P.E., Township Engineer
Chester County Health Department
Chester County Conservation District

THE COUNTY OF CHESTER

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



Board of
County Commissioners
Chester County, Pennsylvania

MUNICIPALITY East Goshen Township

CCPC FILE # 11063-5

DATE October 26, 2009

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

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

H. CLEARWIRE
1.
5pgs



RAMAKER
& ASSOCIATES, INC.
Consulting Engineers

October 5, 2009

East Goshen Township
1580 Paoli Pike
West Chester, PA 19380
Telephone: (601) 692-7171
ATTN: Mark Gordon, Township Zoning Officer

SUBJECT: Drawing Review Response

PROJECT: Edgewood Road Water Tank (Clearwire site #PA-PHL0699)
21 Edgewood Road, West Chester, PA 19382
Ramaker & Associates Project # 15672

Dear Mr. Gordon:

This letter is in response to the September 25, 2009 drawing review performed by Yerkes Associates, Inc. (Yerkes), on behalf of the East Goshen Township, for Clear Wireless, LLC (Clearwire) site number PA-PHL0699. This proposed Clearwire telecommunications site is a co-location with an existing Sprint site on the water tank located at 21 Edgewood Road in West Chester, Pennsylvania.

Per the comments of Yerkes, Ramaker & Associates, Inc. (Ramaker) has modified the drawings for the proposed construction project. Our written responses regarding the action(s) taken for each relevant line item comment are as follows:

- 3) Overall site plan, sheet S-1, added to drawing set.
- 4) General note added to drawing set, sheets A-1 and A-2, "All proposed antenna, coax, mounts, etc. on tank shall be painted to match tank exterior. Final color to be approved by municipality".
- 5) General note added to drawing set, sheets A-1 and A-2.
- 7) Available parking areas have been identified on sheets S-1 and A-1.
- 8) a. Signature block added to sheet S-1.
b. A boundary survey was not available or performed at this existing telecommunications site and thus abutting parcel owner information was not available.
c. Parcel boundary and distances per the original Nextel lease added to sheet S-1.
e. Location of existing above ground utilities added to sheets S-1 and A-1.
f. Certification statement and signature lines added to sheet S-1.
- 10) General note added to drawing set, sheets A-1 and A-2.
- 12) General note added to drawing set, sheets A-1 and A-2.
- 13) General note added to drawing set, sheets A-1 and A-2.

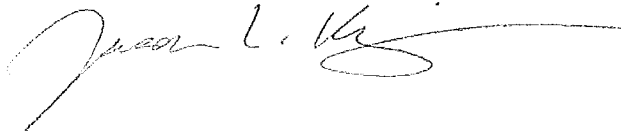
285

October 6, 2009
Page 2 of 2

Revised design drawings prepared by Ramaker, revision 6 dated 10/06/09, shall be submitted in conjunction with this response letter. If you have any questions or comments, please feel free to contact me at our office, (608) 643-4100.

Sincerely,

RAMAKER & ASSOCIATES, INC.

A handwritten signature in black ink, appearing to read "Jason L. Frazier", with a long horizontal flourish extending to the right.

Jason L. Frazier
Project Manager



October 5, 2009

East Goshen Township
1580 Paoli Pike
West Chester, PA 19380
Telephone: (601) 692-7171
ATTN: Mark Gordon, Township Zoning Officer

SUBJECT: Drawing Review Response

**PROJECT: Edgewood Road Water Tank (Clearwire site #PA-PHL0699)
21 Edgewood Road, West Chester, PA 19382
Ramaker & Associates Project # 15672**

Dear Mr. Gordon:

This letter is in response to the September 25, 2009 drawing review performed by Yerkes Associates, Inc. (Yerkes), on behalf of the East Goshen Township, for Clear Wireless, LLC (Clearwire) site number PA-PHL0699. This proposed Clearwire telecommunications site is a co-location with an existing Sprint site on the water tank located at 21 Edgewood Road in West Chester, Pennsylvania.

Per the comments of Yerkes, Ramaker & Associates, Inc. (Ramaker) has modified the drawings for the proposed construction project. Our written responses regarding the action(s) taken for each relevant line item comment are as follows:

- 3) Overall site plan, sheet S-1, added to drawing set.
- 4) General note added to drawing set, sheets A-1 and A-2, "All proposed antenna, coax, mounts, etc. on tank shall be painted to match tank exterior. Final color to be approved by municipality".
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- 7) Available parking areas have been identified on sheets S-1 and A-1.
- 8) a. Signature block added to sheet S-1.
b. A boundary survey was not available or performed at this existing telecommunications site and thus abutting parcel owner information was not available.
c. Parcel boundary and distances per the original Nextel lease added to sheet S-1.
e. Location of existing above ground utilities added to sheets S-1 and A-1.
f. Certification statement and signature lines added to sheet S-1.
- 10) General note added to drawing set, sheets A-1 and A-2.
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- 13) General note added to drawing set, sheets A-1 and A-2.

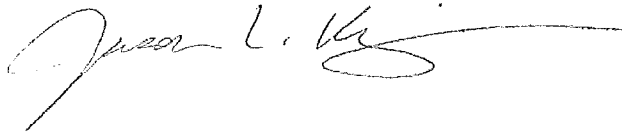
405

October 6, 2009
Page 2 of 2

Revised design drawings prepared by Ramaker, revision 6 dated 10/06/09, shall be submitted in conjunction with this response letter. If you have any questions or comments, please feel free to contact me at our office, (608) 643-4100.

Sincerely,

RAMAKER & ASSOCIATES, INC.

A handwritten signature in black ink, appearing to read "Jason L. Frazier", with a long horizontal flourish extending to the right.

Jason L. Frazier
Project Manager



October 5, 2009

Clear Wireless, LLC
Philadelphia Metro Market
1210 Northbrook Drive, Suite 420
Trevose, PA 19053

SUBJECT: STRUCTURAL EVALUATION SUMMARY

**SITE: CLEARWIRE SITE ID#: PA-PHL0699
21 EDGEWOOD ROAD
WEST CHESTER, PA 19382
RAMAKER & ASSOCIATES, INC. PROJECT NO. 15672**

To Whom It May Concern:

This letter summarizes the structural evaluation conducted by Ramaker & Associates, Inc. (Ramaker) for Clearwire, in regard to their PA-PHL0699 tower site. Clearwire is proposing to co-locate with the existing Nextel installation already present at this water tank site.

Nextel is currently located on the subject standpipe water tower, which is approximately 100 feet tall. Nextel currently has twelve sectorized panel antennas located on top of the tank at a centerline elevation of 107 feet. The antennas are mounted to three sector frame mounts that are welded to the roof of the tank.

Clearwire is proposing to install one (1) Andrew VHLP2.5-11 dish, one (1) Andrew PXF-52 dish, one (1) DragonWave 3-foot 18GHz dish, and three (3) KMW HB-X-WM-17-65-00T panel antennas. The panel antennas shall be installed at a centerline elevation of 107 feet and the dishes shall be installed, on the same mast pipe, but below the panel antennas, at a centerline elevation of 103 feet. The Clearwire pipe mount shall be a minimum P3STD Sch. 40 pipe. Two stiff arm single angle L2x2x1/4-inch braces are required to be installed at each vertical pipe mount that Clearwire is proposing to utilize. The braces shall be installed if they do not currently exist.

A full structural analysis was not provided but the additional wind load and moment from the proposed installation is minimal when compared to the overturning forces produced by the tank itself. Therefore, it is anticipated that the existing water tower will provide adequate strength under proposed loading conditions. Details of the proposed installation are shown within the associated Construction Drawings prepared by Ramaker. It is assumed that the existing Nextel antenna frame was installed correctly per the original design, has been properly maintained, and is in good condition with no corroded, missing, or deteriorated members.

If you have any questions or comments, please do not hesitate to contact our office.

Sincerely,

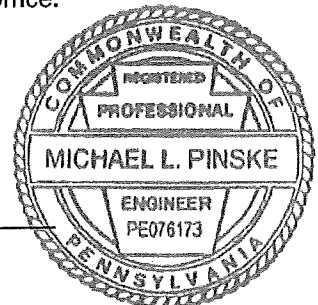
RAMAKER & ASSOCIATES, INC.

Thomas E. Moore

Thomas E. Moore
Project Engineer

Michael L. Pinske

Michael L. Pinske, P.E.
Supervising Engineer





Yerkes Associates, Inc.

Consulting Engineers / Site Planners / Land Surveyors

October 27, 2009

East Goshen Township
1580 Paoli Pike
West Chester, Pennsylvania 19380

Attn: Mark Gordon, Township Zoning Officer

Re: Clearwire US, LLC - 25 Edgewood Road
Conditional Use Plan Review

Dear Mark:

The following plans prepared by Ramaker & Associates, Inc. have been submitted to this office for review:

- Title Sheet - sheet T-1
- Overall Site Plan - sheet S-1
- Site Plan - sheet A-1
- Elevation - sheet A-2
- Details and Notes - sheet A-3
- Coax Color Coding - sheet A-4
- Equipment Details - sheet A-5
- Cabinet Specifications - sheet A-6
- Utility Plan - sheet E-1
- Grounding Plan - sheet E-2
- Grounding Details - sheets E-3 and E-4

All plans have a latest revision date of October 6, 2009. The plan submission also included a plan submission letter dated October 5, 2009 and a structural evaluation summary letter dated October 5, 2009.

The parcel owner is Aqua Pennsylvania, Inc. (formerly Philadelphia Suburban Water Co.) and the applicant is Clearwire US, LLC. The 9,075 square foot parcel is located south of West Chester Pike between Edgewood Road and the Summit House Condominium. The parcel contains an approximately 102 foot high water tower, driveway, communication equipment pads and shelters, trees, and fencing. The plan depicts the installation of three panel antennas and three parabolic antennas at the top of the water tower and two equipment cabinets on Sprint's leased platform area at the base of the tower.

All comments from my previous review letter of September 25, 2009 have been satisfactorily addressed except for the following that are numbered as they appeared previously:

Professional services since 1874

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

Clearwire - Edgewood Road
October 27, 2009
Page 2 of 3

Zoning Ordinance

1. Section 240-31.C.3.h.2.e - Within the R-5 Zoning District, Conditional Use approval is required to locate communication antennas on an existing water tower and to install support equipment on the ground. The requirements for Conditional Use approval must be addressed to the Board's satisfaction.
2. Section 240-31.C.3.h.2.e.ii - The applicant shall demonstrate to the Board's satisfaction that the proposed antenna location and antenna height are necessary to provide satisfactory coverage. The applicant shall also demonstrate that the proposed location will obviate the need for the erection of a communication antenna support structure in another location where the same is permitted.
3. Section 240-31.C (3) (h) [2] [e] [iii]: A site plan depicting all buildings and structures located on contiguous properties should be provided.
4. Section 240-31.C(3) (h) [2] [e] [iv]: Concealment or other reasonably appropriate stealth measures to camouflage or conceal antennas, such as the use of neutral materials that hide antennas, shall be incorporated into the site plan design. Measures to conceal or camouflage the proposed antennas shall be incorporated into the site plan to the Board's satisfaction. General note 1 on sheets A-1 and A-2 states "All proposed antennas, coax, mounts, etc. on tank shall be painted to match tank exterior. Final color shall be approved by municipality."
6. Section 240-31.C.3.h.2.n - Where antenna(e) are proposed to be attached to an existing structure, a structural engineer shall certify that both the structure and the antenna(e) and their appurtenances meet minimum industry standards for structural integrity. A structural analysis and inspection report should be included with the conditional use application.

Comments regarding the Structural Evaluation Summary Letter are outlined in the attached October 26, 2009 review letter prepared by James A. Koppenhaver, P.E.

8. Section 240-31.C (3) (h) [2] (q): The plan shall comply with requirements of Chapter 205, Subdivision and Land Development Ordinance as follows:
 - a. Section 205-33.A.3 - Signature blocks for approval should be added to the site plan. A copy of the format established by the Township is attached.
 - b. Section 205-33.B.5 - The site plan should note the names, deed book, and page number of all abutting parcel owners.
 - c. Section 205-33.B.7 - The location of the parcel boundary should be indicated on the plan and be described with bearings and distances.

3087

Clearwire - Edgewood Road
October 27, 2009
Page 3 of 3

- f. Section 205-33.B.17 – A certification statement of ownership and plan acknowledgement should be added to the site plan and be signed and notarized by the parcel owner. A copy of a typical plan acknowledgment statement is attached.
9. Section 240-31.C (3) (h) [2] [t]: A description of the anticipated maintenance needs, including frequency of service, personnel needs, equipment needs, and the traffic safety and noise impacts of such maintenance should be provided with the application.
11. Section 240-31.C (3) (h) [2] [x]: Proof of notification of all owners within 1,000 ft. of the communications site should be provided to the Board.

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

Sincerely,
YERKES ASSOCIATES, INC.:



Michael Conrad, P.E.

Cc: ACO Property Advisors, Inc.

4087



Yerkes Associates, Inc.

Consulting Engineers / Site Planners / Land Surveyors

October 26, 2009

East Goshen Township
1580 Paoli Pike
West Chester, PA 19380

Attn: Mr. Mark A. Gordon, Township Zoning Officer

Re: Clear Wireless - Additional Antenna Mounts on Water Tower at 21 Edgewood Road
Structural Review

Dear Mark:

Our office has received a structural evaluation summary from Ramaker & Associates, Inc., Michael L. Pinske, P.E. The letter summarizes Clearwire's proposal to install three (3) dishes at a center line elevation of 103' and three (3) panel antennas installed at a center line elevation of 107'.

The antennas shall be installed on Sch. 40 mast pipe mounted to three (3) Nextel Sector Frame Mounts that are presently welded to the roof of the tank. Two (2) stiff arm single angle braces shall be installed at each vertical pipe mount.

A full structural analysis was not provided but the additional wind load and moment from the proposed antennas are minimal when compared to the overturning forces produced by the tank itself. The structural evaluation summary anticipates that the existing water tower will provide adequate strength for the loading conditions of the proposed antennas. The structural evaluation summary also assumes that the existing Nextel antenna frame was installed per the original design, has been properly maintained, and is in good condition with no corroded, missing, or deteriorated members.

Note 6 on the construction drawings for the proposed installation require the contractor to perform a safety inspection prior to commencing the work and that Clearwire should be notified of safety hazards that could cause damage to property. Note 7 on the drawings states that tower modifications, if required, are to be completed before the installation of the antennas.

The following comments should be addressed prior to issuance of the permit for the proposed antenna installation:

1. Zoning Ordinance Section 240-31.C.3.h.2.[I] – The applicant shall submit to the Township proof of the annual inspection of the antenna support structures by an

Professional services since 1874

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

587

October 26, 2009
Clear Wireless - 21 Edgewood Road
Structural Review
Page 2 of 2

independent professional engineer as required by ANSI/EIA/TIA-222-E Code. Special attention shall be given to the attachment points of the mount framing to the roof of the tank. These connections shall be checked for signs of stress, fatigue, cracks, and rust. The contractor should not be permitted to complete this inspection. Based on the results of such inspection, the Board of Supervisors may require repair of the support structure.

2. Zoning Ordinance Section 240-31.C.3.h.2.[n] – Prior to the Township's issuance of a permit authorizing construction and erection of the antennas, a structural engineer registered in Pennsylvania shall issue a written certification of the installations ability to meet the structural standards of the ANSI/EIA/TIA-222-E Code. The engineer shall certify the proper construction of the existing Nextel antenna support structures and certify that both the existing structures and the antennae and their appurtenances meet minimum industry standards for structural integrity.

The engineer shall certify that the existing Nextel antenna frame was installed per the original design, has been properly maintained, and is in good condition with no corroded, missing, or deteriorated members.

Approval of the antenna installation cannot be recommended until the above comments have been satisfactorily addressed.

If you have any questions please call me at 484-794-9949.

YERKES ASSOCIATES, INC.



James A. Koppenhaver, P.E.
Structural Consultant

Cc: Michael Conrad, P.E., Yerkes Associates, Inc.

6087

FOUND

WOODEN FENCE
POST & RAIL (1 RAIL)

R2 ZONING

LEGAL RIGHT OF WAY LINE

IDA LANE

50' R/W

LEGAL RIGHT OF WAY LINE

REVIEWED by the Planning Commission of East Goshen Township, Chester County, Pa., this _____ day of _____, 20__.

Chairman

Member

Vice-Chairman

Member

Member

Member

Member

APPROVED by the Board of Supervisors of East Goshen Township, Chester County, Pa., this _____ day of _____, 20__.

Chairman

Supervisor

Vice-Chairman

Supervisor

Supervisor

REVIEWED by the Chester County Planning Commission this _____ day of _____, 20__.

Secretary

APPROVED by the East Goshen Township Engineer;

Date

Recorded in the Office of the Recorder of Deeds of Chester County at West Chester, Pennsylvania in Plan book _____, Page _____, on the _____ day of _____, 20__.

(Deputy) Recorder of Deeds

OF CHESTER

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COMMONWEALTH OF PENNSYLVANIA COUNTY OF CHESTER

On the _____ day of _____ A.D.

20 ____ before me, the subscriber, a Notary
Public of the Commonwealth of Pennsylvania,

residing in _____,

personally appeared _____

who acknowledges himself to be the _____

_____ of _____

_____, a Corporation,

and that as such to do so, he executed the

foregoing plan by signing the name of the said

Corporation by himself as _____

_____ that the said Corporation

is the owner of the designated land, that all

necessary approval of the plan has been obtained

and is endorsed thereon and that the said

Corporation desires that the foregoing plan may

be duly recorded.

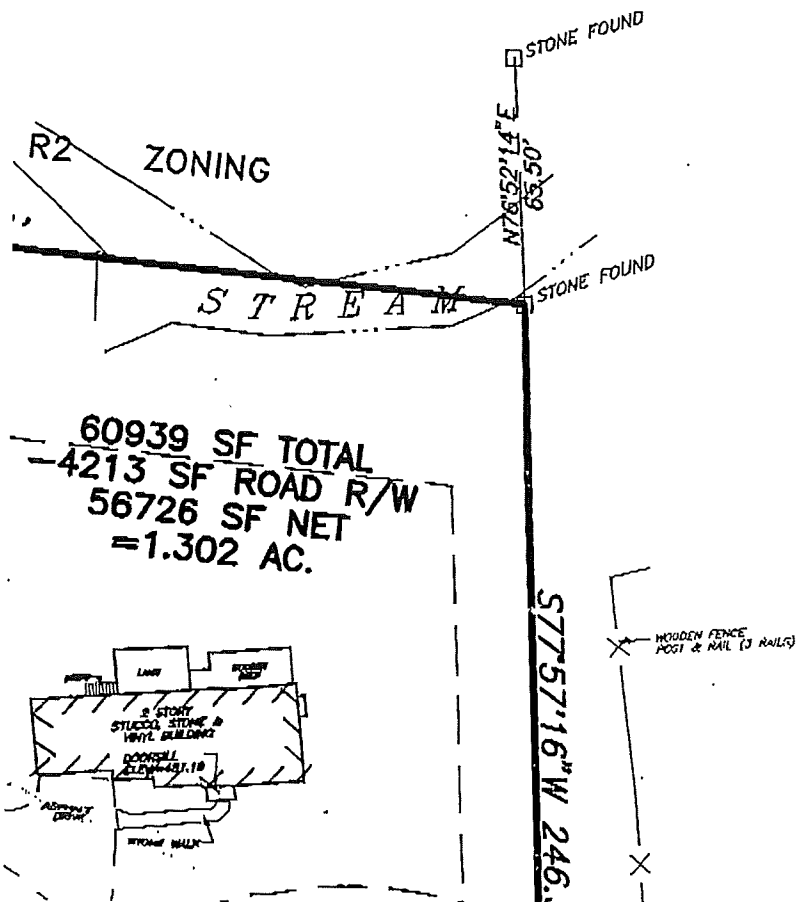
Notary Public

My Commission Expires: _____

FOREST

SITE

EAST
GOSI
TOW



- B-3 - Affidavit of Posting;
- B-4 - Notice to neighboring property owners;
- B-5 - December 2, 2004 East Goshen Township Planning Commission letter;
- B-6 - December 8, 2004 East Goshen Township Board of Supervisors letter;
- A-1 - Floor plan;
- A-2 - Site plan; and
- A-3 - Site plan with handwritten notation showing location of proposed dwelling unit.

The Code and Map are incorporated herein by reference.

3. Applicant is the owner of the Property.
4. The Property is one hundred seventy-six (176) feet deep, but only fifty (50) feet wide.
5. Applicant is proposing to construct on the Property a modular home which will be twenty (20) feet wide and fifty-two (52) feet long.
6. In order to comply with the twenty (20) foot side yard requirement, the Applicant would be required to construct a ten (10) foot wide house, which is neither reasonable nor practical.
7. When Applicant purchased the Property there was a dilapidated structure on the Property which was twenty-four (24) feet wide. Applicant has removed this structure.
8. What Applicant is proposing to construct will be less non-conforming than the structure which he removed.
9. Applicant proposes to fill and cap the existing well on the Property.

10. The proposed house will be built into the slope at the rear of the Property.
11. Parking will be off-street and in a garage which will be underneath the home.
12. What Applicant is proposing to construct will be similar to the housing stock and the setbacks of the housing stock in the neighborhood.
13. This Board has granted similar variances for other properties in the neighborhood.
14. Between the meeting with the Board of Supervisors and this Zoning Hearing Board, the Applicant endeavored to address neighbor concerns.
15. No one appeared to oppose the application.
16. The Board of Supervisors took no position on the application.
17. The Planning Commission recommended against granting the application, but noted that if the application were granted that the Applicant should be required to comply with the steep slope provisions in the Code.
18. The granting of the variance appears to be consistent with the spirit, intent and purpose of the Code.
19. The granting of the variance is the minimum required to afford reasonable use of the Property.
20. The granting of the requested variance appears to be in harmony with the general purpose and intent of the Code, and will not be injurious to the neighborhood, or otherwise detrimental to the public health, safety and welfare of the community.

II. DISCUSSION

Section 904 of the Code empowers the Zoning Hearing Board to grant variances from the terms of the Code. The MPC and existing case decisions provide that variances from a zoning

ordinance may be granted owing to any physical circumstance or condition of the property which cause unnecessary hardship, and which hardship is not self-created. In addition, it has recently been established that applicants for a dimensional variance need not be held to the same strict standards imposed on applicants for a use variance. Hertzberg v. Zoning Board of Adjustment of the City of Pittsburgh, 721 A.2d 43 (Pa. 1998).

With respect to the encroachment into the side yards, the Board first notes that Applicant is proposing to encroach into the side yards less than what had existed with the prior structure. In addition, due to the narrow width of the Property (i.e., only fifty (50) feet wide) the variance requested is the minimum necessary to make reasonable use of the Property. Either under the specific standards in the MPC or more relaxed standards for dimensional variances established by the Pennsylvania Supreme Court, the Board believes that the Applicant is entitled to the required variance.

III. CONCLUSIONS OF LAW

1. The Applicant's request is the minimum necessary to permit reasonable use of the Property.
2. Applicant has established entitlement to the dimensional variance.
3. So long as the Applicant complies with the conditions set forth herein, Applicant's request for the variance shall not be injurious to the neighborhood or otherwise detrimental to the public welfare.

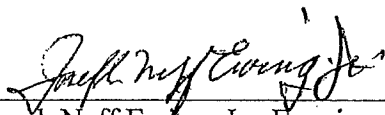
IV. ORDER

AND NOW, this _____ day of _____, 2005, Applicant, Christian Kacala, is HEREBY GRANTED a variance from the twenty (20) foot side yard setback requirement of Section 240-10G of the Code in order to install the proposed modular home on his Property located at 19 School Lane, East Goshen Township, Chester County, Pennsylvania as more

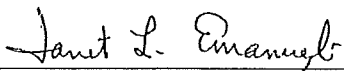
particularly depicted in the Exhibits and provided that Applicant complies with all Township Codes and regulations, particularly the steep slope regulations.

ATTEST:

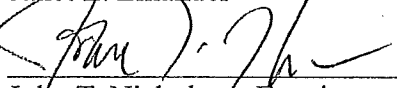
EAST GOSHEN TOWNSHIP ZONING
HEARING BOARD



Joseph Neff Ewing, Jr., Esquire



Janet L. Emanuel



John T. Nicholson, Esquire

BOARD OF SUPERVISORS
EAST GOSHEN TOWNSHIP

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

H. McGinley
2.
pg.

October 27, 2009

Dear Property Owner:

The purpose of this letter is to inform you that Mark and Helen McGinley, 77 Dilworthtown Rd., Thornton, PA 19373, have submitted an application for a variance to the Township. The applicant would like to construct a single-family detached dwelling unit on his property at 19 School Lane.

The applicant is requesting a variance from the 20-foot minimum side yard requirement for the dwelling. The existing lot is only 50 feet wide so the variance, if granted would result in only a fifteen foot side yards.

The Zoning Hearing Board will hold a public hearing to consider the variance application and decide whether or not to grant the requested variance.

The Planning Commission will review the application and make a recommendation to the Zoning Hearing Board. The Board of Supervisors may, if they choose, take a position on this application. The public meetings for the project's review and potential approval are as follows:

November 4, 2009 Planning Commission meeting (7:30 pm - workshop at 7:00 pm)

November 17, 2009 Board of Supervisors (8:00 pm - workshop at 7:00 pm)

November 18, 2009 Zoning Hearing Board Public Hearing (7:30 pm)

All public hearings, meetings, and workshops are open to the public and they are held at the Township Building, 1580 Paoli Pike. The application is available for review at the Township Building during normal business hours. Any person who wishes to attend the hearing and has a disability and/or requires an auxiliary aid, service or other accommodation to observe or participate in the hearing, he or she should contact Joyce A. Tarsi at (610) 692-7171 to discuss how those needs may be accommodated.

Should you have any questions or need additional information, please call me at (610) 692-7171, or email me at ingordon@eastgoshen.org.

Sincerely,



Mark Gordon
Township Zoning Officer

Cc: Mark and Helen McGinley
Authority, Boards and Commissions

H. McGinley
2.
1 pg.

Memorandum

East Goshen Township
1580 Paoli Pike
West Chester, PA 19380

Voice: 610-692-7171

Fax: 610-692-8950

E-mail: mgordon@eastgoshen.org

Date: 10/30/2009

To: Planning Commission

From: Mark Gordon, Township Zoning Officer

Re: 19 School Lane

mlg

Dear Commision Members,

19 School Lane has been before this commission in the past for the same variance request and subsequently was granted this relief by the ZHB due to the narrow lot width. The variance expired and there is a new owner now. This property would be required to have a 10 foot wide house. The applicant is requesting relief of 5 feet on each side yard setback.

Draft Motion:

I move that we recommend that the Board of Supervisors support this variance request allowing 15 foot side yard setbacks due to the narrowness of the lot.

X. NEW BUSINESS
1.
5pgs

FILE COPY

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: October 6, 2009
To: Board of Supervisors
From: Rick Smith, Township Manager
Re: Increase Buffers to 100 feet.

The Conservancy Board has recommended that the Township increase the buffer area along streams from 50 feet to 100 feet.

Attached are sections of a Township map upon which we plotted the streams (blue), the existing 50 feet setback (red), the proposed 100 setback (green) and the floodplain (purple).

I made that assumption that if the 100 setback was contained entirely within the floodplain the property would not be impacted since that land area was already restricted.

I have highlighted in yellow those parcels (yellow) that would affected.

of those parcels (yellow) that would effected. MI made that assumption that if the 100 setback

TO PC
For
Recommendation
10/13/09
BoFS



EAST GOSHEN CONSERVANCY

September 9, 2009

Supervisors
East Goshen Township

Dear Supervisors,

As I am sure you are aware, there is a coalition of groups in Pennsylvania, including Clean Water Action, which is pressing the state to require a 100 foot buffer along all streams whenever new development occurs. Chester County is also recommending this.

Buffers help filter out pollution from runoff, prevent erosion and flooding, provide important habitat, and help reduce drinking water treatment costs. They are good for Pennsylvania's environment and economy.

We are one of the 192 Pennsylvania municipalities which have stream buffer rules, but we are not part of the 30% which have required a buffer of 100' or more in width.

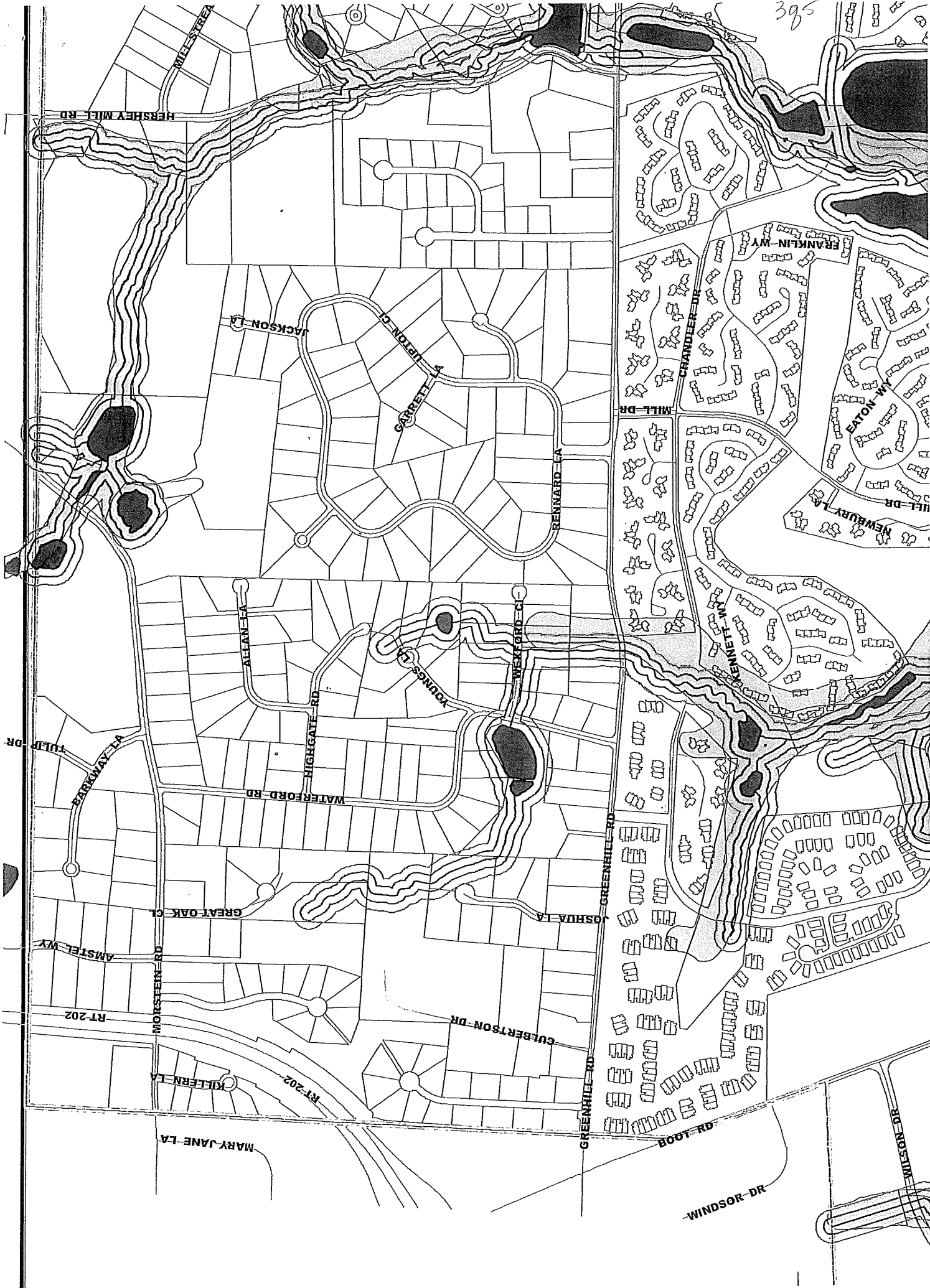
The Conservancy Board would like to suggest that we consider joining that 30%.

Thank you for your consideration.

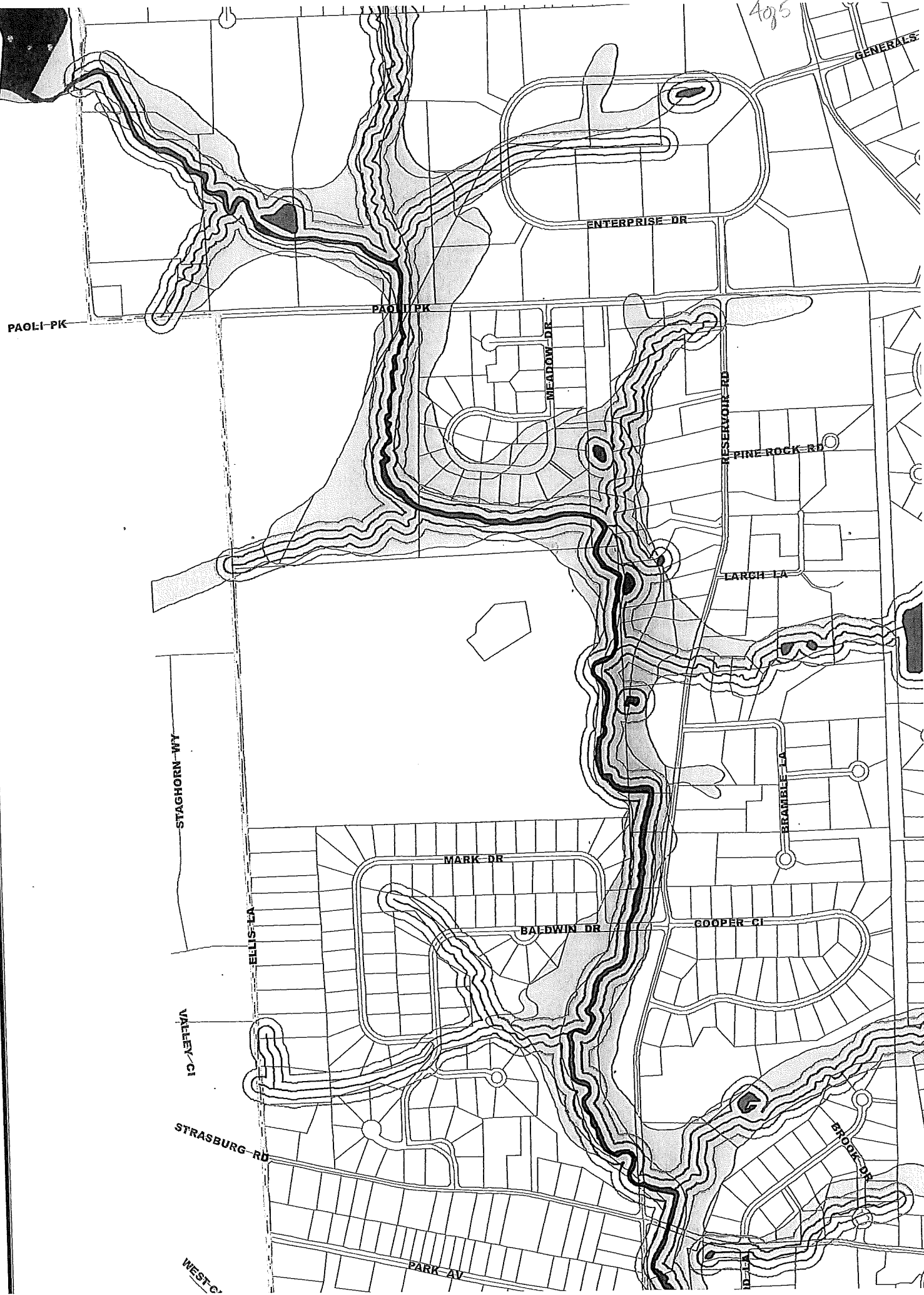
Sincerely,

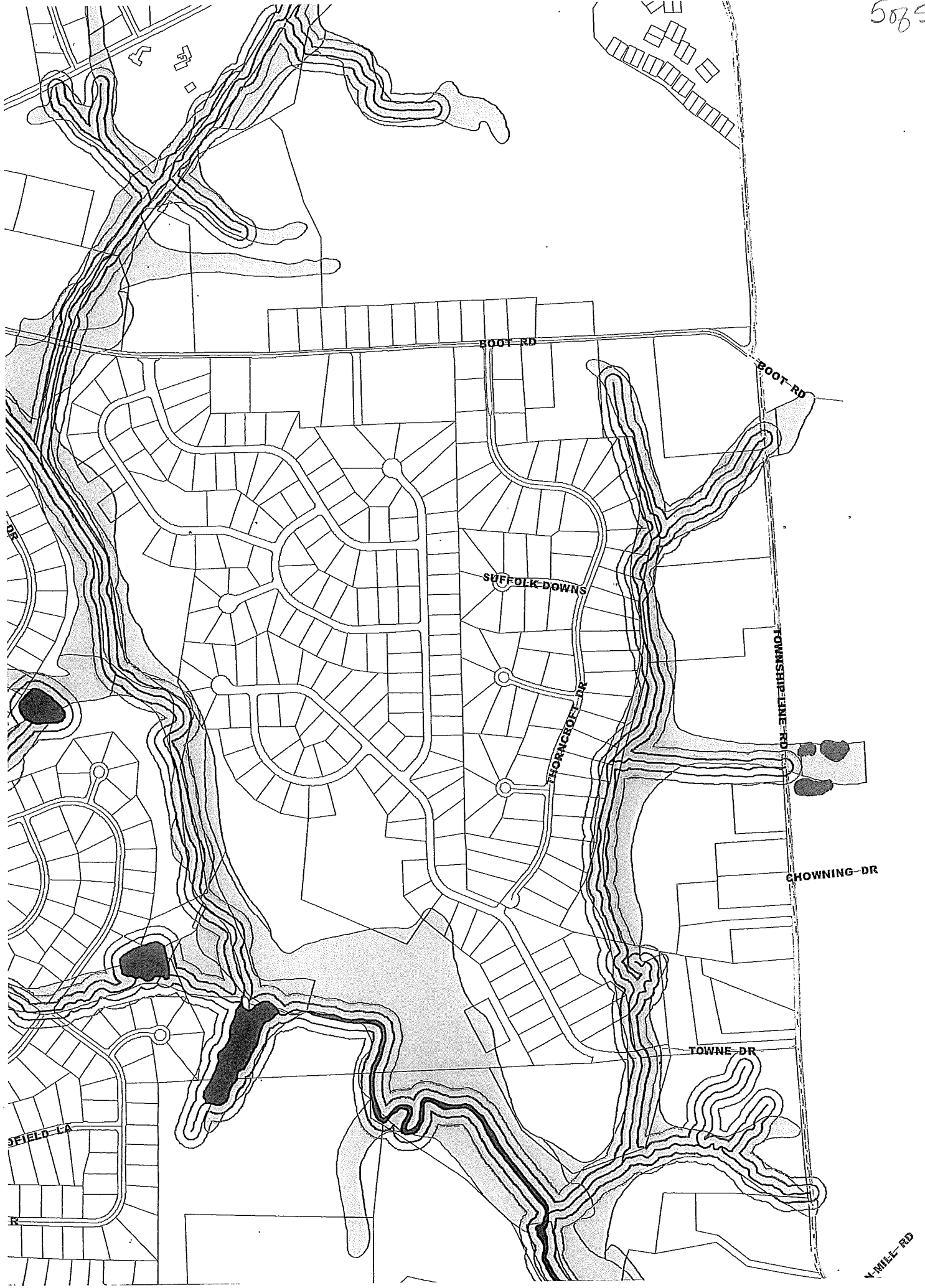


Bryan Delmonte, Vice -Chairman,
Conservancy Board



4085





BOARD OF SUPERVISORS
EAST GOSHEN TOWNSHIP

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

FYI

October 27, 2009

Mr. Thomas Logan
1373 Enterprise Drive
West Chester PA 19380

**Re: T.P.N. 53-4-155 (CTDI, 1334 Enterprise Drive)
Parking Complaints**

Dear Mr. Logan:

Thank you for taking the time to meet with me, Ralph Brown, and Gary Althouse on October 14th to discuss the facility operations and the numerous complaints about the parking and traffic circulation issues at the CTDI facility (1334 Enterprise Drive). I have the following observations and concerns and request your formal response.

Parking at 1334 has become particularly hazardous and is causing dangerous and inconvenient circumstances for the surrounding businesses and motorists circulating through the associated driveway connecting the Goshen Executive Center and Enterprise Drive. The Conditional Use approval for this property states that there shall be one parking space per employee on the largest shift. You indicated during my visit of the facility, that the largest shift has 88+ employees, and that the facility has 70 parking spaces. I have enclosed a copy of the Conditional Use approval for your use.

Please outline for the Township how you plan to accommodate the parking condition as outlined in the approval.

Thank you for your cooperation. Should you have any questions, please contact me at mgordon@eastgoshen.org.

Sincerely,



Mark A. Gordon
Township Zoning Officer

CC: Board of Supervisors
Planning Commission

Enclosure

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

July 22, 1992

Mr. Gerald Parsons
Communications Test Design, Inc.
1373 Enterprise Dr.
West Chester, PA 19380

RE: Conditional Use Application
1334 Enterprise Drive
Tax Parcel #53-4-155

Dear Mr. Parsons:

At the hearing held Tuesday, July 21, 1992, the Board of Supervisors unanimously approved your request to utilize the building at 1334 Enterprise Drive as a multiple principle use building, pursuant to Section 403.3a of the Township Zoning Ordinance, with the following uses:

- 1) repair and assembly of electronic equipment including computer hardware, pursuant to Section 403.2(h),
- 2) research and development of computer software packages, pursuant to Section 403.s(i) and
- 3) short term warehousing of equipment which will be transferred to CTDI's repair shops for testing and repair, pursuant to Section 403.3(b).

This approval is conditioned upon the following:

- 1) Any HVAC unit added to the roof of the building shall be screened in accordance with the requirements of Section 403.6(b).
- 2) The applicant shall paint all of the existing HVAC units brown.
- 3) All dumpsters and/or recycling containers shall be screened in accordance with Section 506.3(d).

BOARD OF SUPERVISORS
EAST GOSHEN TOWNSHIP

Page 2

4) A parking space shall be provided for each employee on the largest shift and the parking lot shall be lined in accordance with Section 512.3(b) and (j).

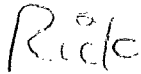
5) Loading docks shall be screened with a minimum of ten eight foot trees; the type and placement to be decided by the applicant and the Township Conservancy Board.

6) All signs shall be reviewed and approved by the Township Planning Commission prior to the issuance of a permit.

At the hearing, you verbally acknowledged your acceptance of these conditions. I would appreciate it if you would also sign the enclosed copy of this letter and return it to me for my file.

If you have any questions, please contact me.

Sincerely yours,

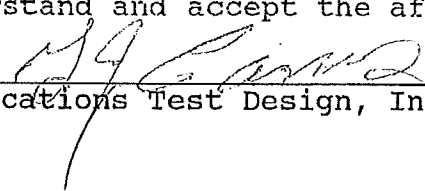


Louis F. Smith, Jr.
Township Manager

LFS/dlc
enclosure

cc: Planning Commission
Conservancy Board
Thomas Oeste, Esq.

I understand and accept the aforementioned conditions.



Communications Test Design, Inc.

5-2-92
Date

Memorandum

East Goshen Township
1580 Paoli Pike
West Chester, PA 19380

Voice: 610-692-7171

Fax: 610-692-8950

E-mail: mgordon@eastgoshen.org

Date: 10/22/2009

To: Charles Proctor

From: Mark Gordon, Township Zoning Officer

Re: Wireless Communications Questions



Dear Chuck,

As per the conversations at the last Planning Commission meeting I captured some questions that they would like you to send on to your Son-In-Law for consideration and review for the conference call during the 11/4/09 meeting. I will have a telephone available and this will fall in right after review of minutes and administrative matters, so he can expect the call around 7:15 pm. Here are the questions the PC came up with. Let me know if you have any questions.

1. What is the wireless industry interpretation of the federal law with respect to wireless communication facility (WCF) cites in residential areas?
2. How long will current wireless communication infrastructure technologies be feasible before it is obsolete, i.e. traditional towers vs. satellite or some other technology?
3. We have enclosed our wireless communication ordinance for your review, do you see any major areas where we could improve it?
4. What feasibility is there for multiple providers to use the same wireless network, towers and antennas?
5. What is the distance limitation of "Line of Site" from Phone to Tower?
6. Our ordinance outlines "microwave bonding" under Antenna support structure safety, which is highlighted for you. What experience do you have with this phenomenon and is it a common occurrence in the industry?
7. What are the health hazards associated with wireless communication tower antenna and equipment, RF energy, and cellular / wireless phones?