

**EAST GOSHEN TOWNSHIP  
PLANNING COMMISSION  
Meeting Agenda  
Wednesday, May 4, 2011  
7:30 PM**

- A. Call to Order / Pledge of Allegiance / Moment of Silence
- B. Chairman will ask if anyone is going to record the meeting
- C. Review of Tracking Log / Determine need for Workshop Meeting
- D. Public Comment on Non-Agenda Items
- E. Approval of Minutes
  - 1. **April 6, 2011**
- F. Acknowledge Receipt of New Applications
- G. Subdivision Plans
- H. Land Development Plans
- I. Conditional Uses, Variances & Special Exceptions
  - 1. **Tru-Team Inc., (Adaptive Reuse of Historic Resource), 1422 Paoli Pike (CU)**
- J. Ordinance Amendments
  - 1. **Wireless Communications Ord.**
  - 2. Sign Ordinance Discussion
- K. Old Business
- L. New Business
  - 1. **Act 537 Minor Revision, Marydell Pump Station Elimination**
- M. Any Other Matter
- N. Meeting Dates of Importance
 

May 5, 2011	Park & Recreation Board	7:00 pm
	Zoning Hearing Board	7:30 pm
	Stein – 1519 Richards Rd	
May 7, 2011	Township Yard Sale	9 am – 1 pm
	(Rain Date: May 8)	
May 9, 2011	Municipal Authority	7:00 pm
May 10, 2011	Board of Supervisors	7:00 pm
May 11, 2011	Conservancy Board	7:00 pm
May 12, 2011	Historical Commission	7:00 pm
May 16, 2011	Deer Management Committee	7:00 pm
May 17, 2011	Primary Election	
May 18, 2011	Planning Commission w/s	7:00 pm
May 24, 2011	Board of Supervisors	7:00 pm
May 30, 2011	Memorial Day	
	Office Closed	
- O. Correspondence
- P. Goals
- Q. Adjournment

- **Bold Items indicate new information to review for that application.**

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

**Article Due Date**

**Delivery Date**

**May 4, 2011**

July 1, 2011

# 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 Verkes/Consultant	Date to CCPC	Date to Abutting Prop. / ABC's	Extension	PC NLT Action Date	BOS NLT Action Date	Hearing Date	Drop Dead date
Tru-Team Inc., 1422 Paoli Pike	CU	SK	3/29/2011	3/29/11	4/1/11	na	3/30/11		5/4/11	5/24/11	5/24/11	5/28/11

Bold = New Application or PC action required

draft  
**EAST GOSHEN TOWNSHIP**  
**PLANNING COMMISSION MEETING**  
**April 6, 2011**

*The East Goshen Township Planning Commission held their regularly scheduled meeting on April 6, 2011 at the East Goshen Township building. Members present were: Chairman George Martynick, Dan Daley, Megann Hedgecock, Jim McRee and Peter Mylonas. Also present were Township Zoning Officer Mark Gordon, Don McConathy (Supervisor), Chris Reardon (Historical Commission), Ginnie Newlin (Conservancy Board) and Erich Meyer, resident.*

**WORKSHOP SESSION – 7:00pm**

- A. The minutes of March 2 were reviewed. A motion will be passed in the formal session.
- B. The various agenda items were reviewed.

**FORMAL SESSION**

**A. Pledge of Allegiance & Announcements**

George called the meeting to order at 7:30 pm and led those in attendance in the Pledge of Allegiance. There was a moment of silence to remember our armed forces.

George asked if anyone would be recording the meeting. There was no response.

George asked those in attendance if there were any non-agenda items to be discussed. There was no response.

George reminded Commission members about “Keep East Goshen Beautiful Day” this Saturday, April 9. They will meet at Don McConathy’s house at 9 am and work along Strasburg Road.

The next Newsletter article is due May 4<sup>th</sup>.

George attended a PA state sponsored seminar about electronic signs.

**B. Approval of Minutes**

Dan made a motion to approve the minutes of the March 2, 2011 meeting as corrected. Jim seconded the motion. There was no further discussion. The motion passed. Megann abstained.

**C. Acknowledge Receipt of New Applications**

George acknowledged receipt of the following new applications:

1. Stein, Variance Request (Dim Variance) 1519 Richard Drive (V)
2. Tru-Team Inc. (Adaptive Reuse of Historic Resource) 1422 Paoli Pike (CU)

**D. Subdivision/Land Development Plans – None**

**E. Conditional Use and Variances**

1. Stein, Variance Request (Dim Variance) 1519 Richard Drive (V). Michael Stein explained that he has been an East Goshen resident for 18 years. He wants to build a 2-story, 2-car detached garage. Later he will turn the existing attached garage into living space and remodel the kitchen. The request is for 10’ of relief. Neighbors have submitted their support via signed letter. Jim discussed options of moving the building. The property is very sloped in the rear and could create significant issues if built there. He is trying to retain the trees and will minimize impervious coverage. John Smirga, engineer for the project, explained reasons for placement of the garage as requested and the additional expense to move the building back further on the property. He urged maintaining 8 ft from the existing house. Ginnie suggested he consider installing a “green” roof. Peter made the following motion:

Mr. Chairman, this property is sloped in the rear yard such that a conforming structure could cause more impact to the environment and property than the proposed solution. The applicant did not create this condition nor will granting this relief affect the character of the neighborhood. I move that we recommend that the Board of Supervisors support Mr. and Mrs. Stein's Variance request to build a two car garage with a side yard setback of no less than 10 feet which represents 10 feet of relief with the following condition:

- a. The applicant shall follow all applicable federal, State and Local laws and secure all proper permits prior to construction of the improvements depicted on the plans.

Megann seconded the motion. There was no further discussion. The motion passed unanimously.

**2. Tru-Team Inc. (Adaptive Reuse of Historic Resource) 1422 Paoli Pike (CU).** Dr. Tanya Zelenska, Alex Zelensky and John Smirga, engineer, represented the applicant. Mr. Smirga explained that the property is currently vacant. The barn will be razed and access from the side road will be closed. They plan to expand the current building and make it into a medical building with waiting rooms, service area, exam rooms, etc. The increase in impervious coverage will be about 4,000 SF. The garage will remain and may be used for storage. The area between the current building and the garage will be a parking lot with 16 parking spaces for 2 doctors, 6 employees and patients. Access will be via Paoli Pike. The property will have public water and sewer. A landscape plan will provide buffering between surrounding properties and the drainage basin. The ordinance allows the Board of Supervisors to waive the need for a Historic Impact Study. Mr. Smirga feels there is no longer a historic significance – it is merely an old building.

Chris commented that the Historical Commission will want to know how the architecture of the old building will be incorporated into the new addition.

Alex Zelensky provided an aerial photo of the property with the buildings colored. Red means the building will be torn down, blue is existing building and green is new construction. They plan to make the new look as much like the old as possible so it all flows together.

**Public Comments:**

1. Erich supports this plan. His family goes to Dr. Zelenska.
2. Ginnie asked if the inside of the existing building is still original. Dr. Zelenska said they will try to maintain original aspects of the interior too.
3. Don commented that the Marydell pumping station may be gone in a few years.
4. Peter feels that Adaptive Reuse is what this is for.

The applicant will go to the Historical Commission to present the plan. The Historical Commission is required to forward a written recommendation to the Planning Commission within 45 days of the submission date.

**F. Old Business**

1. Sign Ordinance – Mark provided a copy of the draft of a sign ordinance from Chadds Ford.

**G. New Business**

None

**H. Liaison Reports**

1. Municipal Authority – Dan reported that the open house was postponed until the Fall.

**G. Any Other Matter - None**

**H. Adjournment**

Motion to adjourn the meeting was made by Peter and seconded by Dan. The meeting adjourned at 9:30 p.m.

Respectfully submitted, \_\_\_\_\_

*Ruth Kiefer, Recording Secretary*

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# Memorandum

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East Goshen Township  
1580 Paoli Pike  
West Chester, PA 19380

Voice: 610-692-7171  
Fax: 610-692-8950  
E-mail: [mgordon@eastgoshen.org](mailto:mgordon@eastgoshen.org)

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Date: 4/28/2011  
To: Planning Commission  
From: Mark Gordon, Township Zoning Officer *mlg*  
Re: 1422 Paoli Pike / Historic resource Adaptive reuse / Conditional Use

Dear Commissioners,

The applicant has received the HRIS Waiver from the Board of Supervisors for the Adaptive Reuse proposed for the property. New information was presented to the Board of Supervisors on 4/19 however I don't believe it was communicated to the Historical Commission and I know it wasn't discussed with the PC. The applicant proposes to construct an addition that is two stories and ~ 5,000 s.f. of office space. This information was not part of the application or plans.

The application before the commission is for an "Adaptive Reuse" of a Historic Resource. How that Historic Resource is incorporated into the new commercial use is an important matter at this stage of the Planning. In light of this new information I don't believe the applicant has provided enough information on how the Historic Resource is going to be impacted and believe that the PC should consider requiring the applicant to conduct a HRIS or at a minimum provide architectural renderings of the proposed addition and conceptual floor plans of the structures showing how the Historic Resource will be incorporated into the proposed office use.

I urge the PC to inquire about the intensity of the use and the total size of the proposed addition. **If the applicant does not present information showing the impact of these use and structural modifications to the property and how those impacts will be mitigated; a sixty day planning extension should be requested to allow for that information to be provided to the Commission.**

At this point I don't believe that the applicant has provided enough to satisfy the planning objectives of a proposed conversion of a residential Historic Resource into a commercial office building. **If the applicant does not agree to a planning extension the Commission should make a recommendation to the Board of Supervisors to deny the conditional use application until proper planning is conducted and presented which supports the proposed adaptive reuse to the Historic Resource.**



# Historical Commission

East Goshen Township  
Chester County, Pennsylvania

1580 Paoli Pike

West Chester, PA 19380

610-692-7171

April 15, 2011

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

Re: Adaptive reuse HRIS Wavier request  
Tru-Team, Inc./53-4-118/1422 Paoli Pike

Dear Commission Members:

At the Historic Commission meeting which was held last night, April 14, 2011, the following motion was made and unanimously approved by the Commission.

I move that the Historical Commission recommend that the Planning Commission support the approval of the Conditional Use Application of Tru-Team Inc. to adaptively reuse the historic property at 1422 Paoli Pike as an office, as provided in the Zoning Ordinance s240-38.8., support the applicant's request to wave the Historical Resource Impact Study with the understanding that the applicant will allow a pre-construction site visit by the Historical Commission for the purpose historic archival by measuring and photographing the historic building, and that the applicant agrees to share the designs and plans for the new structures to be built. This waiver is due to the fact that the applicant proposes to improve the condition of the resource, incorporate the period architecture of the resource into the new building addition and, outside of the proposed addition, there will be no substantive change to the interior or exterior of the historic building to accommodate the proposed adaptive reuse.

Sincerely,

Ellen Carmody  
Chairman

cc: M. Gordon, Zoning Officer

# BOARD OF SUPERVISORS

EAST GOSHEN TOWNSHIP

CHESTER COUNTY

1580 PAOLI PIKE, WEST CHESTER, PA 19380-6199

April 25, 2011


Tru-Team, Inc.  
63 Eastwood Rd.  
Berwyn, PA 19312

Re: Adaptive reuse HRIS Wavier request  
Tru-Team, Inc. / 53-4-118 / 1422 Paoli Pike

Dear Board Members:

At their meeting on April 19, 2011 the Board of Supervisors voted in favor to support your request for a waiver from the Historic Resource Impact Study. The next meeting for the Conditional Use application is with the Planning Commission on May 4, 2011 at 7:00 PM. The Conditional Use Hearing with the Board of Supervisors is scheduled for May 24, 2011 at 7:00 PM.

Sincerely,



Mark A. Gordon  
Township Zoning Officer

Cc: Planning Commission  
Historical Commission

# Memorandum

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East Goshen Township  
1580 Paoli Pike  
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Date: 4/27/2011

To: Planning Commission

From: Mark Gordon, Township Zoning Officer 

Re: Ordinance Amendments (Wireless)

Dear Commissioners:

You have before you the latest revision to the Wireless Communication Ordinance (1/2011, which I have provided in the past) that was drafted by staff, the Twp. Solicitor and Mr. McConathy.

The main objective and thinking here was to split the ordinance into the two main categories, Towers and Antennas mounted on existing structures.

We also incorporated minor changes to text throughout however the language is 95% the same we just cleaned up some inconsistencies.

The Staff recommends that the PC incorporate any comments you have and move this amendment on to the Board of Supervisors for their consideration.

Draft Motion: Wireless Communication Facilities

Mr. Chairman, I move that we recommend that the Board of Supervisors approve the proposed amendment to the Zoning Ordinance amending the Wireless Communications ordinance.

## **Section 240-31.**

### **(h) Wireless communications facilities.**

[1] Purpose. The purpose of this subsection and the standards established herein are to govern the use, construction and siting of wireless communications facilities in recognition of the nature of wireless communications systems and the Federal Telecommunications Act of 1996, as amended from time to time. These regulations are intended to:

[a] Accommodate the need for wireless communications facilities while regulating their location and number so as to ensure the provision for necessary services.

[b] Minimize the adverse visual effects and the number of such facilities through proper design, siting, screening, material, color and finish, and by requiring that competing providers of wireless communications services collocate their commercial communications antennae and related facilities on existing towers if possible.

[c] Ensure the structural integrity of commercial communications antenna support structures through compliance with applicable industry standards and regulations, including the Township's Building Code.

[d] Promote the health, safety and welfare of the Township's residents.

[2] Standards for commercial communications antenna erected on a commercial communications support structure. All applicants seeking to construct, erect, relocate or alter a commercial communications support structure shall comply with the following regulations. A written narrative that addresses how the applicant will meet each of the regulations listed below shall be submitted with the conditional use application.

[a] Location and height.

[i] Permissible Locations. Wireless communications facilities must be located on property within the following zoning districts where permitted as a conditional use and only in such location within that district and at a minimum height necessary to satisfy their function in the applicant's wireless communications system. The zoning districts in which wireless communications facilities are permitted by conditional use are the BP and I-1 Districts, and on any property owned by East Goshen Township, regardless of the zoning district. **[Discussion item]**

- [ii] Maximum heights. No commercial communications antenna support structure serving a single provider shall be taller than 120 feet, measured from undisturbed ground level, unless the applicant proves that another provider of wireless communications services has agreed to collocate commercial communications antenna(e) on the applicant's commercial communications antenna support structure. In such case, the commercial communications antenna support structure shall not exceed 150 feet. No applicant shall have the right under these regulations to erect a tower to the maximum height specified, unless it proves the necessity for such height. The applicant shall demonstrate that the proposed height of the commercial communications antenna support structure and the commercial communications antennae intended to be attached thereto is the minimum height required to provide satisfactory service for wireless communications.

[b] Conditional Use Application.

- [i] Site plan. A site plan shall be submitted with the conditional use application which shows all existing and proposed structures and improvements, including but not limited to the commercial communications antenna(e), commercial communications antenna support structure, building, fencing, landscaping, parking, ingress and egress. In addition, the site plan shall show each of the contiguous properties, identified by tax parcel number and owner, depicting all buildings and structures located on such properties and their principal and/or accessory uses. The plan shall comply with the requirements for a final plan as set forth in Chapter 205, Subdivision and Land Development.
- [ii] Miscellaneous Information and Reports. The conditional use application shall be accompanied by the following:
  - [a] A propagation study demonstrating that there is a substantial gap in coverage for the provider;
  - [b] A description of the type and manufacturer of the proposed transmission/radio equipment;
  - [c] A study demonstrating compliance with the noise standards in Section 240-24 of this chapter. In instances where there are multiple carriers or multiple equipment boxes proposed to be built on one site, the

applicant must demonstrate that the cumulative noise from all carriers' equipment shall comply with the noise standards in this chapter;

- [d] The name, address and contact information for the primary and secondary contact person responsible for the facility operation and maintenance;
  - [e] A report which addresses the potential impacts associated with constructing the facility and possible mitigation measures if negative impacts are expected to occur on surrounding properties;
  - [f] A report from a registered professional engineer that confirms that the radiofrequency emissions from the proposed facility will comply with the Federal Communications Commission standards ;
  - [g] A certificate of insurance issued to the owner/operators, evidencing that there is or will be adequate current liability insurance in effect insuring against liability for personal injuries and death and property damage caused by the land site and the proposed facilities;
  - [h] A copy of the lease or other written agreement with the property owner confirming that Applicant has standing to file the application and maintain the proposed facility on the subject property.
- [iii] Licensing and applicable regulations. If the applicant is a commercial wireless communications company, it must demonstrate that it is licensed by the Federal Communications Commission (FCC) and submit with the conditional use application copies of all FCC permits and licenses. All such information shall be accompanied by a certification signed by an officer of the applicant providing that, after due inquiry, the information being supplied is true and correct to the best of their knowledge, information and belief.
- [iv] Section 106. The applicant shall provide proof to the Township that it has complied with Section 106 of the National Historic Preservation Act, 16 U.S.C. § 470f, as amended, and has reviewed the effects of the proposed wireless communications facilities on local historic resources

that are included in or eligible for inclusion in the National Register of Historic Properties.

- [v] Maintenance. During the conditional use hearing, the applicant shall describe anticipated maintenance needs, including frequency of service, personnel needs, equipment needs and the traffic safety and noise impacts of such maintenance. If approved, the applicant shall be responsible for maintaining the commercial facility in the manner described in the hearing or as required by the Board as part of the conditional use approval.
  - [vi] Collocation. Prior to the Board's approval of a conditional use authorizing the construction and installation of a commercial communications antenna support structure (tower) it shall be incumbent upon the applicant to prove to the reasonable satisfaction of the Board that the applicant cannot adequately extend or infill its communications system by the use of equipment such as repeaters, antenna(e) and other similar equipment installed on existing structures, such as utility poles, existing commercial communications support structures, and other available tall structures. The applicant shall demonstrate that it has contacted the owners of structures of suitable location and height within a one-mile radius of the site proposed, has asked for permission to install the commercial communications antenna(e) on those structures and has been denied such permission. The Board of Supervisors may deny an application to construct a new commercial communications antenna support structure if the applicant has not made a good faith effort to mount the commercial communications antenna(e) on an existing structure as set forth in this subsection.
- [c] Building Permit Required. Upon approval of the conditional use application, the applicant shall apply for and obtain a building permit prior to the erection of the commercial communications support structure.
- [i] Soil report. A soil report complying with the standards of Geotechnical Investigations, ANSI/EIA-222-E, as amended, shall be submitted to the Township Engineer to document and verify the design specifications of the foundation for the commercial communications antenna support structure, and anchors for the guy wires, if used.

[ii] Certification by engineer. Prior to the Township's issuance of a permit authorizing construction and erection of a commercial communications antenna support structure, a structural engineer registered in Pennsylvania shall issue to the Township a written certification of its ability to meet the structural standards offered by either the Electronic Industries Association or the Telecommunication Industry Association, and certify the proper construction of the foundation and the erection of the commercial communications antenna support structure.

[d] Wireless communications equipment building or pad. Either one single-story wireless communications equipment building not exceeding 500 square feet in area, or a concrete pad not exceeding 500 square feet in area that houses the equipment necessary for the proper functioning of the tower and commercial communications antenna(s) may be located on the property where the tower is located. This pad must be setback a minimum of ten feet from any property line and the combined height of the pad and any structures erected on such pad may not exceed eight feet. Each unrelated company sharing commercial communications antenna(e) space on the tower may have its own building or pad provided that the total area of all buildings or pads on the site shall not exceed 500 square feet, unless otherwise approved by the Board.

[e] Other facilities. With the exception of the wireless communications equipment building or pad housing the equipment necessary for the proper functioning of the tower and commercial communications antenna(s), all other uses ancillary to commercial communications antenna(s) and commercial communications antenna support structures, including but not limited to a business office, mobile telephone switching office, maintenance depot and vehicular storage area shall not be located on any land site, unless otherwise permitted by the applicable district regulations in which the site is located.

[f] Utilities. All utilities required for the facility shall be located underground.

[g] Setbacks from tower base. The minimum setback for the tower base shall comply with the minimum setbacks established for the zoning district in which the tower is located.

[h] Antenna support structure safety. The applicant shall demonstrate that the proposed commercial communications antenna(e) and commercial communications antenna support structure are designed and constructed in accordance with all applicable building standards for such facilities and structures, including but not limited to the standards developed by the Electronics Industry Association, the Institute of Electrical and Electronics Engineer, the Telecommunications Industry Association, the American National Standards Institute, the Electrical Industry Association and the

Township's applicable Building Code. The applicant shall demonstrate that the proposed wireless communications facility is designed in such a manner so that no part of the facility will attract/deflect lightning onto adjacent properties.

[i] Fencing. A security fence having a minimum height of six (6) feet shall be required around the antenna support structure and other equipment.

[j] Landscaping. Unless prohibited by federal or state laws, the following landscaping shall be required to screen as much of a newly constructed commercial communications antenna support structure as possible. The Board of Supervisors may permit any combination of existing vegetation, topography, walls, decorative fences or other features instead of landscaping, if, in the discretion of the Board of Supervisors, they achieve the same degree of screening as the required landscaping.

[i] An evergreen screen shall be required to surround the commercial communications antenna support structure. The screen can be either a hedge planted three feet on center maximum or a row of evergreen trees planted 10 feet on center maximum. The evergreen screen shall be a minimum planted height of six feet at planting and shall be capable of growing to a minimum of 15 feet at maturity.

[ii] Existing vegetation on and around the land site shall be preserved to the greatest extent possible.

[iii] The landscaping shall be maintained by the applicant for as long as the facility is in operation.

[k] Design. In order to reduce the number of commercial communications antenna support structures in the Township in the future, the proposed commercial communications antenna support structure shall be designed to accommodate other potential communication users, including but not limited to commercial wireless communication companies, local police, fire and ambulance companies.

[l] Proof of annual inspection.

[i] Annually, the owner of a commercial communications antenna support structure shall submit to the Township proof of the annual inspection of the commercial communications antenna support structure and commercial communications antenna(e) by an independent professional engineer as required by the ANSI/EIA/TIA-222-E Code. Based upon the results of such inspection, the Board of Supervisors may

require removal or repair of the wireless communications facility.

- [ii] In the event that the annual inspection referred to above is not performed in a timely manner or if the owner of the wireless communications facility fails to make the necessary repairs or to remove the facility when directed by the Board the owner shall be subject to civil enforcement proceedings in accordance with § 240-54.

[m] Required parking. If the wireless communication facility is fully automated, a minimum of two spaces shall be provided unless the applicant demonstrates to the satisfaction of the Board of Supervisors that adequate parking is available. If the wireless communication facility is not fully automated, the number of required parking spaces shall equal the number of employees present at the wireless communication facility during the largest shift.

[n] Visual appearance. Commercial communications antenna support structures shall be painted silver, or another color approved by the Board, or shall have a galvanized finish. All wireless communications equipment buildings and other accessory facilities shall be aesthetically and architecturally compatible with the surrounding environment and shall maximize the use of a like facade to blend with the existing surroundings and neighboring buildings to the greatest extent possible.

[o] Signs. No sign or other structure shall be mounted on the wireless communications facility, except as may be required by the FCC, FAA or other governmental agency.

[p] Lighting. Commercial communications antenna support structures shall meet all Federal Aviation Administration (FAA) regulations. No commercial communications antenna support structure may be artificially lighted except when required by the FAA or other governmental authority. When lighting is required by the FAA or other governmental authority, it shall be limited to the minimum lumens and number of lights so required and it shall be oriented inward so as not to project onto surrounding properties. The applicant shall promptly report any outage or malfunction of FAA mandated lighting to the appropriate governmental authorities and to the Township Secretary.

[q] Abandonment. If use of the wireless communications facility is abandoned, or if the wireless communications facility is not in use for a period of six months or longer, the owner shall demolish and/or remove the wireless communications facility from the land site within six months of such abandonment and/or nonuse. All costs of demolition and/or removal shall be borne by the owner of the wireless communications facility. In the event that the demolition and/or removal referred to above is not performed in a timely manner, the owner shall be subject to civil enforcement proceedings in accordance with § 240-54C.

[r] Interference. In the event that the wireless communications facility causes interference with the radio or television reception of any Township resident for a period of three continuous days, the resident shall notify the applicant of such interference and the applicant, at the applicant's sole expense, shall thereafter ensure that any interference problems are promptly corrected. In the event that the interference is not corrected in a timely manner, the applicant shall be subject to the civil enforcement proceedings in accordance with § 240-54C.

[s] Annual report. In January of each year, the owner of any wireless communications facility shall pay the registration fee as established from time to time by resolution of the Board of Supervisors and shall provide the Township with the following information.

- [i] The names and addresses of the owner of the wireless communications facility and any organizations utilizing the wireless communications facility and telephone numbers of the appropriate contact person in case of emergency.
- [ii] The name and address of the property owner on which the wireless communications facility is located.
- [iii] The location of the wireless communications facility by geographic coordinates, indicating the latitude and longitude.
- [iv] Output frequency of the transmitter.
- [v] The type of modulation, digital format and class of service.
- [vi] Commercial communications antenna(e) gain.
- [vii] The effective radiated power of the commercial communications antenna(e).
- [viii] The number of transmitters, channels and commercial communications antenna(e).
- [ix] A copy of the owner's or operator's FCC authorization.
- [x] Commercial communications antenna(e) height.
- [xi] Power input to the commercial communications antenna(e).
- [xii] Distance to nearest base station.

- [xiii] A certification signed by an officer of the applicant that the wireless communications facility is continuing to comply with this chapter and all applicable governmental regulations, including but not limited to output and emission limits established by the FCC.
- [xiv] A certificate of insurance issued to the owner/operators, evidencing that there is adequate current liability insurance in effect insuring against liability for personal injuries and death and property damage caused by the land site and the wireless communications facilities.
- [xv] Changes occurring with respect to any of the information required above shall be reported to the Township, in writing, within 10 days of the effective date of such changes. The failure to supply the annual report by the close of January shall result in the issuance of an enforcement notice in accordance with § 240-54.

[3] Standards for commercial communications antenna erected on an existing structure. All applicants seeking to construct, erect, relocate or alter a commercial communications antenna on an existing structure shall comply with the following regulations. A written narrative that addresses how the applicant will meet each of the regulations listed below shall be submitted with the conditional use application.

[a] Location and height.

- [i] The commercial communications antenna must be located on an existing structure. For purposes of this Subsection, in order to constitute an existing structure, the structure must be one that was constructed and/or erected prior to April 7, 1998.
- [ii] Steeple exception to existing structure requirement. The applicant may, upon conditional use approval being granted by the Board of Supervisors, install a commercial communications antenna in any zoning district, in accordance with the provision of this section provided the commercial communications antenna shall be located entirely within a steeple located on a place of worship and no portion of the antenna shall be visible from the outside.
- [iii] Limitations on Height. In no event shall mounted commercial communications antenna(e) extend more than 25 feet above the height of the existing structure. The applicant shall demonstrate that the proposed height of the

commercial communications antenna is the minimum height required to provide satisfactory service for wireless communications.

[b] Conditional Use.

- [i] Site plan. A site plan shall be submitted with the conditional use application which shows all existing and proposed structures and improvements, including but not limited to the commercial communications antenna(e), the existing structure to which the commercial communications antenna(e) will be attached, building, fencing, landscaping, parking, ingress and egress. In addition, the site plan shall show each of the contiguous properties, identified by tax parcel number and owner, depicting all buildings and structures located on such properties and their principal and/or accessory uses. The plan shall comply with the requirements for a final plan as set forth in Chapter 205, Subdivision and Land Development.
- [ii] Miscellaneous Information and Reports. The conditional use application shall be accompanied by the following:
  - [a] A propagation study demonstrating that there is a substantial gap in coverage for the provider;
  - [b] A description of the type and manufacturer of the proposed transmission/radio equipment;
  - [c] A study demonstrating compliance with the noise standards in Section 240-24 of this chapter. In instances where there are multiple carriers or multiple equipment boxes proposed to be built on one site, the applicant must demonstrate that the cumulative noise from all carriers' equipment shall comply with the noise standards in this chapter;
  - [d] The name, address and contact information for the primary and secondary contact person responsible for the facility operation and maintenance;
  - [e] A report from a registered professional engineer that confirms that the radiofrequency emissions from the proposed facility will comply with the Federal Communications Commission standards.

- [f] A certificate of insurance issued to the owner/operators, evidencing that there is or will be adequate current liability insurance in effect insuring against liability for personal injuries and death and property damage caused by the land site and the proposed wireless communications facilities;
  - [g] A copy of the lease or other written agreement with the property owner confirming that Applicant has standing to file the application and maintain the proposed facility on the subject property.
- [iii] Licensing and applicable regulations. If the applicant is a commercial wireless communications company, it must demonstrate that it is licensed by the Federal Communications Commission (FCC) and submit with the conditional use application copies of all FCC permits and licenses. All such information shall be accompanied by a certification signed by an officer of the applicant providing that, after due inquiry, the information being supplied is true and correct to the best of their knowledge, information and belief.
- [iv] Section 106. The applicant shall provide proof to the Township that it has complied with Section 106 of the National Historic Preservation Act, 16 U.S.C. § 470f, as amended, and has reviewed the effects of the proposed wireless communications facilities on local historic resources that are included in or eligible for inclusion in the National Register of Historic Properties.
- [v] Maintenance. During the conditional use hearing, the applicant shall describe anticipated maintenance needs, including frequency of service, personnel needs, equipment needs and the traffic safety and noise impacts of such maintenance. If approved, the applicant shall be responsible for maintaining the commercial communications antenna(e) in the manner described in the hearing or as required by the Board as part of the conditional use approval.
- [c] Building Permit Required. Upon approval of the conditional use application the applicant shall apply for and obtain a building permit prior to the erection of the commercial communications antenna on an existing structure. Prior to the Township's issuance of a permit authorizing construction and erection of a commercial communications antenna, a structural engineer registered in Pennsylvania shall issue to

the Township a written certification that confirms that the existing structure can support the load of the proposed antenna and all cables associated therewith.

[d] Wireless communications equipment. A concrete pad not exceeding 10 feet by 20 feet in area that contains up to three metal boxes housing the equipment necessary for the proper functioning of the antenna may be located on the property where the commercial communications antenna will be located. This pad must be setback a minimum of ten feet from any property line and the combined height of the pad and boxes may not exceed eight feet. Each unrelated company having an antenna on the existing structure may have its own concrete pad provided that the total area of all pads for all carriers located on the structure shall not exceed 500 square feet, unless otherwise approved by the Board.

If the commercial communications antenna is installed on an existing utility pole, the Board may authorize the installation of one or more cabinets on the utility pole upon which the antenna(s) is located. The cabinets shall be located at the maximum height allowed by the owner of the utility pole, however, in no case shall the bottom of any cabinet be less than eight feet above ground level. The Board shall approve the color, size and orientation of the cabinet(s) on the pole.

[e] Other facilities. With the exception of the wireless communications equipment pad housing the equipment necessary to the proper functioning of the commercial communications antenna(s), all other uses ancillary to commercial communications antenna(s), including but not limited to a business office, mobile telephone switching office, maintenance depot and vehicular storage area shall not be located on any land site, unless otherwise permitted by the applicable district regulations in which the site is located.

[f] Utilities. All utilities required for the antenna **and associated ground equipment** shall be located underground.

[g] Required parking. If the wireless communication antenna is fully automated, a minimum of two spaces shall be provided unless the applicant demonstrates to the satisfaction of the Board of Supervisors that adequate parking is available. If the wireless communication antenna is not fully automated, the number of required parking spaces shall equal the number of employees present at the wireless communication antenna during the largest shift.

[h] Safety of Antenna. The applicant shall demonstrate that the proposed commercial communications antenna(e) are designed and constructed in accordance with all applicable building standards for such facilities and structures, including but not limited to the standards developed by the Electronics Industry Association, the Institute of Electrical and Electronics Engineer, the Telecommunications Industry Association, the American National Standards Institute, the Electrical Industry Association and the Township's applicable Building Code. The applicant shall demonstrate that the proposed wireless communications facility is

designed in such a manner so that no part of the facility will attract/deflect lightning onto adjacent properties.

[i] Fencing. A security fence having a minimum height of six (6) feet shall be required **around the equipment buildings or pads.**

[j] Landscaping. Unless prohibited by federal or state law, the following landscaping shall be required to screen the **equipment building or pads.** The Board of Supervisors may permit any combination of existing vegetation, topography, walls, decorative fences or other features instead of landscaping, if, in the discretion of the Board of Supervisors, they achieve the same degree of screening as the required landscaping.

[i] An evergreen screen shall be required to surround the **equipment building or pad.** The screen can be either a hedge planted three feet on center maximum or a row of evergreen trees planted 10 feet on center maximum. The evergreen screen shall be a minimum planted height of six feet at planting and shall be capable of growing to a minimum of 15 feet at maturity.

[ii] Existing vegetation on and around the land site shall be preserved to the greatest extent possible.

[iii] The landscaping shall be maintained by the applicant for as long as the facility is in operation.

[h] Proof of annual inspection.

[i] Annually, the owner of a commercial communications antenna shall submit to the Township proof of the annual inspection of the commercial communications antenna by an independent professional engineer as required by the ANSI/EIA/TIA-222-E Code. Based upon the results of such inspection, the Board of Supervisors may require removal or repair of the wireless communications facility.

[ii] In the event that the annual inspection referred to above is not performed in a timely manner or if the owner of the antenna fails to make the necessary repairs or to remove the antenna when directed by the Board, the owner shall be subject to civil enforcement proceedings in accordance with § 240-54.

[i] Lighting. Commercial communications antenna shall meet all Federal Aviation Administration (FAA) regulations. No commercial communications antenna may be artificially lighted except when required by the FAA or other governmental authority. When lighting is required by the FAA or other governmental authority, it shall be limited to the minimum lumens and number of lights so required and it shall be oriented inward so as not to project onto surrounding properties. The applicant shall promptly report any outage or malfunction of FAA mandated lighting to the appropriate governmental authorities and to the Township.

[j] Abandonment. If use of the wireless communications antenna is abandoned, or if the wireless communications antenna is not in use for a period of six months or longer, the owner shall remove the wireless communications antenna from the existing structure within six months of such abandonment and/or nonuse. All costs of demolition and/or removal shall be borne by the owner of the wireless communications antenna. In the event that the demolition and/or removal referred to above is not performed in a timely manner, the owner shall be subject to civil enforcement proceedings in accordance with § 240-54C.

[k] Interference. In the event that the wireless communications antenna causes interference with the radio or television reception of any Township resident for a period of three continuous days, the resident shall notify the applicant of such interference and the applicant, at the applicant's sole expense, shall thereafter ensure that any interference problems are promptly corrected. In the event that the interference is not corrected in a timely manner, the applicant shall be subject to the civil enforcement proceedings in accordance with § 240-54C.

[l] Visual appearance. All wireless communications equipment buildings and other accessory facilities shall be aesthetically and architecturally compatible with the surrounding environment and shall maximize the use of a like facade to blend with the existing surroundings and neighboring buildings to the greatest extent possible.

[m] Annual report. In January of each year, the owner of any wireless communications antenna shall pay the registration fee as established from time to time by resolution of the Board of Supervisors and shall provide the Township with the information specified in Section 240-31(h)[2][s]. Failure to supply the annual report by the close of the following January shall result in the issuance of an enforcement notice in accordance with Section 240-54.

[n] Signs. No sign or other structure shall be mounted on the wireless communications antenna, except as may be required by the FCC, FAA or other governmental agency.

# Memorandum

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

Voice: 610-692-7171  
Fax: 610-692-8950  
E-mail: [mgordon@eastgoshen.org](mailto:mgordon@eastgoshen.org)

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Date: 4/27/2011  
To: Planning Commission  
From: Mark Gordon, Township Zoning Officer  
Re: Act 537 Minor Update Revision



Dear Commissioners,

The revised Act 537 is ready to go on to the Next step and the engineer is asking the PC to complete the Municipal Planning Agency Review (Component 4A). I have provided the Authority Engineer's letter and the project summary for your review.

Draft Motion:

I move that we authorize the Chairman to complete Component 4A of the Act 537 Plan and forward to the Authority Engineer for submission to the Department of Environmental Protection.



PENNONI ASSOCIATES INC.  
CONSULTING ENGINEERS

April 15, 2011

EGMA0809

CERTIFIED MAIL/RETURN RECEIPT

George Martynick, Chairman  
East Goshen Township Planning Commission  
1580 Paoli Pike  
West Chester, PA 19380

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

APR 19 2011

Re: Sewage Facilities Planning Update Revision  
Marydell Pump Station Elimination and Diversion  
East Goshen Township, Chester County

Dear Mr. Martynick:

The Township of East Goshen has prepared the attached Update Revision to the Township's Sewage Facilities Management (Act 537) Plan for the Marydell Pump Station Elimination and Diversion. We respectfully request that the Planning Commission complete the attached Component 4A.

This sewer project is the elimination of the Marydell Pump Station, which currently discharges into the Chester Creek sewage collection system (CCCS). The pump station will be replaced with a gravity sewer extension to discharge into the Ridley Creek sewage collection system (RCCS). The sewage being diverted is from existing development, and no new development is proposed with this Update Revision.

Please return the completed Component 4A to me. Should you have any questions, please do not hesitate to contact Mike Ellis in my office at (302) 655-4451. We thank you for your prompt attention.

Sincerely,

PENNONI ASSOCIATES INC.

Daniel P. Barbato, P.E.  
Authority Engineer

Enclosure

mje/

cc: Rick Smith, Township Manager

P:\Projects\EGMA\EGMA0809 Marydell Planning\Act 537\Component 4 & Notifications\EGMA0809 4A Cvr LTR (EGOS).doc

East Goshen Township, Chester County  
Minor Act 537 Update Revision  
Elimination and Diversion of Marydell Pump Station

**Section F – Project Narrative**

**Part 1: Nature of the Sewer Project**

This sewer project is the elimination of the Marydell Pump Station currently discharging to the Chester Creek sewage collection system (CCCS) and replacing it with a gravity sewer to discharge into the Ridley Creek sewage collection system (RCCS). The sewage being diverted is from existing development, and no new development is proposed with this Update Revision.

The Marydell Pump Station, located on Paoli Pike south of Boot Road, is a duplex (2-pump) submersible pump station constructed approximately 30 years ago. It serves 31 single family residences in the Marydell Farms development on Marydell Drive. The pump station currently discharges to a manhole on Marydell Drive where the sewage flows by gravity through CCCS for treatment in West Goshen.

The elimination of the pump station is needed because of its poor condition including a corroding steel wet well and failed discharge pipe which required an emergency repair. This deteriorating condition, combined with the age and lack of back-up power at the pump station, led to this project.

**Part 2: Number of Lots or Equivalent Dwelling Units (EDU's) in the Development Project**

The existing Marydell Pump Station serves 31 single family residences (EDUs) in the Marydell Farms development on Marydell Drive. This area is fully developed and no additional connections or development is proposed with this project.

**Please be advised that the Task-Activity Reports and resultant DEP Plan of Study approval letters for this project stated that the Marydell Pump Station serves 17 EDUs. It has been determined via sewer mapping and a field inspection that the Pump Station actually serves 31 residences (EDUs). The increased number of EDUs and flow has no impact on the Task-Activity Report, planning recommendations, or level of effort required to complete this project.**

**Part 3: Proposed Collection and Conveyance Facilities**

The Township Municipal Authority Engineer conducted an evaluation of the Marydell Pump Station. The *Marydell Pump Station Evaluation (September 24, 2008)* memorandum is attached to this planning document.

The elimination of the Marydell Pump Station and replacement with a gravity sewer will be accomplished by extending an 8-inch gravity sewer to the pump station site from the existing sanitary sewer at the intersection of Saratoga Drive and Paoli Pike. The route from Saratoga Drive is approximately 950 feet long and will require crossing both Paoli Pike and Boot Road, which are state roads. The sewer will be located in the grassed area

East Goshen Township, Chester County  
Minor Act 537 Update Revision  
Elimination and Diversion of Marydell Pump Station

on the east (Goshen Village) side of Paoli Pike to minimize traffic impacts and pavement restoration.

The existing sanitary sewer at Saratoga Drive and Paoli Pike is part of the RCCS, and treatment is provided at the Township's Ridley Creek Sewage Treatment Plant (RCSTP). East Goshen Township will be responsible for the installation, operation and maintenance of the new gravity sewer extension from the abandoned Marydell Pump Station.

Part 4: Projected Population

There are 31 residential properties that flow by gravity to the existing Marydell Pump Station. Little or no land is available for development tributary to the Marydell drainage area, therefore the projected population is expected to be the same as the current population. At an average of 2.35 persons per household Township-wide (2000 census), the projected population is estimated to be 73 persons.

The flow from the pump station is not metered. Based on an estimated single family home residential flow of 225 gallons per day (gpd), the estimated average daily flow is approximately 6,975 gpd.

Part 5: Point of Connection to Existing Facilities

The point of connection for the Marydell diversion will be the existing Township sewer at Saratoga Drive and Paoli Pike. Sewage will flow by gravity through the RCCS to East Goshen Township's RCSTP.

Part 6: Future or Phased Development

The Marydell development drainage area is fully developed with little or no land available for future development; therefore no significant future development is anticipated.

Part 7: Other Information

The upgrade and expansion of the RCSTP from a 400,000 gpd to a 750,000 gpd facility was completed in 2010. The design, permitting and construction of the elimination and diversion of the Marydell Pump Station is expected to take less than 18 months to complete.



## INSTRUCTIONS FOR COMPLETING COMPONENT 4A MUNICIPAL PLANNING AGENCY REVIEW

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*Remove and recycle these instructions prior to mailing component to the approving agency (DEP or delegated local agency).*

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### Background

This component, Component 4, is used to obtain the comments of planning agencies and/or health departments having jurisdiction over the project area. It is used in conjunction with other planning module components appropriate to the characteristics of the project proposed.

### Who Should Complete the Component?

The component should be completed by any existing municipal planning agency, county planning agency, planning agency with areawide jurisdiction, and/or health department having jurisdiction over the project site. It is divided into sections to allow for convenient use by the appropriate agencies.

The project sponsor must forward copies of this component, along with supporting components and data, to the appropriate planning agency or agencies and health department(s) (if any) having jurisdiction over the development site. These agencies are responsible for responding to the questions in their respective sections of Component 4, as well as providing whatever additional comments they may wish to provide on the project plan. After the agencies have completed their review, the component will be returned to the applicant. The agencies have 60 days in which to provide comments to the applicant. If the agencies fail to comment within this 60 day period, the applicant may proceed to the next stage of the review without the comments. The use of registered mail or certified mail (return receipt requested) by the applicant when forwarding the module package to the agencies will document a date of receipt.

After receipt of the completed Component 4 from the planning agencies, or following expiration of the 60 day period without comments, the applicant must submit the entire component package to the municipality having jurisdiction over the project area for review and action. If approved by the municipality, the proposed plan, along with the municipal action, will be forwarded to the approving agency (DEP or delegated local agency). The approving agency, in turn, will either approve the proposed plan, return it as incomplete, or disapprove the plan, based upon the information provided.

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### *Instructions for Completing Planning Agency and/or Health Department Review Component*

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#### **Section A. Project Name**

Enter the project name as it appears on the accompanying sewage facilities planning module component (Component 2, 3, 3s or 3m).

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#### **Section B. Review Schedule**

Enter the date the package was received by the reviewing agency, and the date that the review was completed.

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#### **Section C. Agency Review**

1. Answer the yes/no questions and provide any descriptive information necessary on the lines provided. Attach additional sheets, if necessary.
2. Complete the name, title, and signature block.

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#### **Section D. Additional Comments**

The Agency may provide whatever additional comment it deems necessary, as described in the form. Attach additional sheets, if necessary.



## SEWAGE FACILITIES PLANNING MODULE COMPONENT 4A - MUNICIPAL PLANNING AGENCY REVIEW

**Note to Project Sponsor:** To expedite the review of your proposal, one copy of your completed planning module package and one copy of this **Planning Agency Review Component** should be sent to the existing local municipal planning agency for their comments.

### SECTION A. PROJECT NAME (See Section A of instructions)

Project Name

Marydell Pump Station Elimination and Diversion

### SECTION B. REVIEW SCHEDULE (See Section B of instructions)

1. Date plan received by municipal planning agency. \_\_\_\_\_
2. Date review completed by agency. \_\_\_\_\_

### SECTION C. AGENCY REVIEW (See Section C of instructions)

Yes	No	
<input type="checkbox"/>	<input type="checkbox"/>	1. Is there a municipal comprehensive plan adopted under the Municipalities Planning Code (53 P.S. 10101, <i>et seq.</i> )?
<input type="checkbox"/>	<input type="checkbox"/>	2. Is this proposal consistent with the comprehensive plan for land use? If no, describe the inconsistencies _____
<input type="checkbox"/>	<input type="checkbox"/>	3. Is this proposal consistent with the use, development, and protection of water resources? If no, describe the inconsistencies _____
<input type="checkbox"/>	<input type="checkbox"/>	4. Is this proposal consistent with municipal land use planning relative to Prime Agricultural Land Preservation?
<input type="checkbox"/>	<input type="checkbox"/>	5. Does this project propose encroachments, obstructions, or dams that will affect wetlands? If yes, describe impacts _____
<input type="checkbox"/>	<input type="checkbox"/>	6. Will any known historical or archaeological resources be impacted by this project? If yes, describe impacts _____
<input type="checkbox"/>	<input type="checkbox"/>	7. Will any known endangered or threatened species of plant or animal be impacted by this project? If yes, describe impacts _____
<input type="checkbox"/>	<input type="checkbox"/>	8. Is there a municipal zoning ordinance?
<input type="checkbox"/>	<input type="checkbox"/>	9. Is this proposal consistent with the ordinance? If no, describe the inconsistencies _____
<input type="checkbox"/>	<input type="checkbox"/>	10. Does the proposal require a change or variance to an existing comprehensive plan or zoning ordinance?
<input type="checkbox"/>	<input type="checkbox"/>	11. Have all applicable zoning approvals been obtained?
<input type="checkbox"/>	<input type="checkbox"/>	12. Is there a municipal subdivision and land development ordinance?

**SECTION C. AGENCY REVIEW (continued)****Yes****No**☐☐

13. Is this proposal consistent with the ordinance?

If no, describe the inconsistencies \_\_\_\_\_

☐☐

14. Is this plan consistent with the municipal Act 537 Official Sewage Facilities Plan?

If no, describe the inconsistencies \_\_\_\_\_

☐☐

15. Are there any wastewater disposal needs in the area adjacent to this proposal that should be considered by the municipality?

If yes, describe \_\_\_\_\_

☐☐

16. Has a waiver of the sewage facilities planning requirements been requested for the residual tract of this subdivision?

☐☐

If yes, is the proposed waiver consistent with applicable ordinances?

17. Name, title and signature of planning agency staff member completing this section:

Name: George MartynickTitle: Chairman, East Goshen Township Planning Commission

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Name of Municipal Planning Agency: East Goshen Township Planning CommissionAddress 1580 Paoli Pike, West Chester PA 19380Telephone Number: 610-692-7171**SECTION D. ADDITIONAL COMMENTS (See Section D of instructions)**

This Component does not limit municipal planning agencies from making additional comments concerning the relevancy of the proposed plan to other plans or ordinances. If additional comments are desired, attach additional sheets.

The planning agency must complete this Component within 60 days.

This component and any additional comments are to be returned to the project sponsor.