

**EAST GOSHEN TOWNSHIP
PLANNING COMMISSION
Agenda
Wednesday, February 1, 2012
7:00 PM**

- A. Call to Order / Pledge of Allegiance and Moment of Silence
- B. Chairman will ask if anyone is going to record the meeting
- C. Review of Tracking Log / Determine need for Workshop Meeting
- D. Public Comment on Non-Agenda Items
- E. Approval of Minutes
 - 1. January 4, 2011**
- F. Acknowledge Receipt of New Applications
- G. Subdivision Plans
- H. Land Development Plans
- I. Conditional Uses and Variances
 - 1. 1303 West Chester Pike (Concept Sketch Presentation / Dog Day Care)**
- J. Ordinance Amendments
 - 1. Zoning Ordinance Review (Article IV)**
 - a. Article III Summary**
- K. Old Business
 - 1. Sign Ordinance Discussion**
 - a. Goshen Village Signage / Concept Renderings**
 - 2. Apartment Building Height Discussion**
 - a. Revised Text Amendment by Board of Supervisors**
- L. New Business
- M. Any Other Matter
- N. Liaison Reports
- O. Meeting Dates of Importance

February 2, 2012	Neighborhood University	7-9:00 PM
February 7, 2012	Board of Supervisors	7:00 PM*
(*Executive session prior to formal meeting may delay start time.)		
February 8, 2012	Conservancy Board	7:00 PM
February 8, 2012	CDC	7:00 PM
February 9, 2012	Winter Market	3-5:00 PM
February 9, 2012	Neighborhood University	7-9:00PM
February 9, 2012	Historical Commission	7:00 PM
February 13, 2012	Municipal Authority	7:00 PM
February 15, 2012	Friends of East Goshen	7:00 PM
February 16, 2012	Police Commission	8:00 AM
February 20, 2012	Office Closed	
	President's Day	
February 21, 2012	Board of Supervisors	7:00 PM*
(*Executive session prior to formal meeting may delay start time)		
February 23, 2012	Winter Market	3-5:00 PM
February 27, 2012	Deer Management	7:00 PM
- P. Correspondence
- Q. Goals
- R. Adjournment

Bold Items indicate new information to review for that topic.

REMINDER – Spring Newsletter:

<u>Article Submission Due Date</u>	<u>Posted to Website</u>
<u>February 2, 2011</u>	<u>April 1, 2012</u>

draft
EAST GOSHEN TOWNSHIP
PLANNING COMMISSION MEETING
January 4, 2012

The East Goshen Township Planning Commission held a regularly scheduled meeting on Wednesday, January 4, 2012 at the East Goshen Township building. Members present were: Chairman Susan Carty, George Martynick, Jim McRee, Al Zuccarello, Peter Mylonas, Dan Daley and Megann Hedgecock. Also present were Mark Gordon, Township Zoning Office; Charles Proctor, Board of Supervisor; Ginnie Newlin, Conservancy Board; and Erich Meyer.

WORKSESSION – 7:00 PM

- A. Peter attended the Worksession to submit his letter of resignation from the Planning Commission. He has been appointed to the Zoning Hearing Board. Sue thanked him for his years of service to the Commission and the community.
- B. Minutes of the December 7, 2011 meeting were reviewed.
- C. The Goals were reviewed. Sue will present the goals at the January 7, 2012 meeting and George will present the accomplishments.
- D. Sue spoke with William Stevens of Chester County 2020. She would like to have him come to a meeting to discuss county issues. 2020 is working on a program designed to bring an instructor to the student. They are also developing a Master Planner II course which focuses on zoning. Sue would like to find someone to come to a meeting who has a futuristic approach to planning far in the future.
- E. Dan has signed up for his first Master Planner course.
- F. Mark mentioned that as a result of the recent meeting Malvern Institute had with neighbors, they are having another meeting on January 17, 2012. The CEO wants to resolve the issues that were raised.

FORMAL SESSION – 7:30 PM

A. Pledge of Allegiance & Announcements

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

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

Sue announced that there will not be a workshop in January.

Sue announced that Megann and Dan were reappointed to the Planning Commission, Peter was appointed to the Zoning Hearing Board, Al was appointed to the Community Development Committee, and Chuck Proctor will be the Planning Commission liaison from the Board of Supervisors.

Any non-agenda comments – Ginnie congratulated the Planning Commission on the excellent job they did last year.

B. Approval of Minutes

The Chairman noted that the minutes of December 7, 2011 were approved.

C. Acknowledge Receipt of New Applications

1. AT&T Mobility, 1606 E Strasburg Rd (ZV) – Debra A. Shulski, Esq. represented the applicant. They are requesting a dimensional variance for an additional equipment cabinet. It will be placed on the existing pad and there will be no change to the existing tower.

George moved to recommend that the Board of Supervisors support the AT&T Mobility Zoning Variance Application for the proposed modification to their Wireless Communication Facility. The applicant proposes to add one additional equipment box to the existing concrete equipment pad in accordance with the application and plan dated 12/9/11, last revised 12/15/11 with the following condition:

1. 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.

Jim seconded the motion. The motion passed unanimously.

D. Subdivision/Land Development Plans – None

E. Conditional Use and Variances - None

G. Old Business

1. Zoning Ordinance – For Article II, Mark will take his notes and combine them with the minutes of December 7, 2011 for a review by the Commission.

The Commission members started their review of the township ordinance.

a. Height of apartment buildings vs office buildings in commercial districts. George started the discussion about raising the height to 45 feet. Mark said apartments are permitted in a commercial district but height wouldn't apply to office buildings since they prefer a flat roof. Apartments and condominiums want a peaked roof to look more like a home. With higher than 3 stories, you need to consider fire equipment and elevator requirements. Al suggested that a building can only be 3 stories with a maximum height of 45 feet. Jim made a motion to amend 240-29 to a maximum height of 45 feet and buildings shall not exceed 3 stories. Al seconded the motion. The motion passed unanimously.

b. 240-14 C-1 – Sue suggested under B, 4, b add “paraphernalia” and define it.

c. Sue asked if under permitted or conditional use, is there a listing for profit or non-profit. Chuck explained that the issue is tax exempt, i.e., the Leadership Charter School. The township cannot use loss of taxes to deny a use.

c. B-6 – Regarding US Postal office, Dan pointed out that this does not allow for sale of goods on-site. However, the post office does sell packaging products. He feels this should be deleted.

d. B- 13 – Outdoor seasonal sales. Dan feels this is a duplicate. The use is permitted by right in 2004. Strike it from conditional use.

e. E – Accessory Uses – Sue asked if there are things not allowed in a garage. Chuck responded the hazardous items as defined by EPA are not allowed but things “off the shelf” are okay. As an example of a temporary structure, Mark used the construction trailer for the YMCA. He does give a time limit for the temporary use but it also depends on the situation.

f. Page 5 – C-2 Local Convenience Commercial District – The intent for this section is a small shopping center with pedestrian access is permitted.

g. Page 6, B-3 Standard Restaurant (which may include occasional take-out service). Dan feels the Chinese and Athena's is more than “occasional” take out. There is no allowance for a business that just does take-out in C-2. It may need to be changed to allow a business such as Capriotti's. Also, no drive-thru is allowed in C-2 but there is the old Citadel Bank location with a drive-thru. Mark explained that banks are exempt.

h. Mark suggested allowing solar and wind energy in commercial areas. Dan is not sure about wind towers for an alternative energy source. Al feels there are new generators that are solar powered and much quieter.

i. 240-16, C-4, B,1 – Dan asked about personal services. Mark explained that this is the only use that is approved by the zoning officer.

Public Comment – Ginnie mentioned that a few years ago she was by the boardwalk in the historic area and a woman from Bellingham wanted to walk to the shopping center but there was no way to walk there. The Township should look at sidewalks again.

Ginnie asked if anyone is looking at the latest “green” ordinances to see what could be incorporated into our township code. Sue wants to invite a speaker to look at what to anticipate in the future. Dan will get a copy of an ordinance that contains a “green” code.

2. Sign Ordinance – This was tabled until the January meeting.

H. New Business

I. Liaison Reports

1 1. Board of Supervisors – Chuck reported that the Board of Supervisors is taking steps to dissolve the Park
2 & Recreation Board and will consider setting up a new committee by the end of Spring. They also approved an
3 alarm system for the Plank House and Blacksmith Shop.
4

5 **J. Any Other Matter**

6 1. Mark will be conducting the East Goshen Township Neighborhood University on January 19 & 26 from
7 7 to 9 pm. It will provide an overview of the structure of the township.

8 2. The following will serve as liaisons:

- 9 a. Al to the West Chester Regional Planning Commission and the Community Development
10 Committee
- 11 b. Jim to the Board of Supervisors and Deer Committee
- 12 c. Dan to the Conservancy Board
- 13 d. George to the Municipal Authority
- 14 e. Sue and Megann – Historical Commission
15

16 **H. Adjournment**

17 There being no further business, a motion to adjourn the meeting was made by Al and seconded by Dan. The
18 meeting adjourned at 9:40 p.m.
19

20
21 Respectfully submitted, _____
22 *Ruth Kiefer, Recording Secretary*
23
24

Mark Gordon

From: Brian L. Nagle [bnagle@macelree.com]
Sent: Tuesday, January 24, 2012 4:18 PM
To: 'mgordon@eastgoshen.org'
Cc: 'Jason Morgera'
Subject: Morgera- Dog Daycare

Dear Mark,

As you know, my client, Jason Morgera, wishes to seek conditional use approval for a dog daycare to be located at 1303 West Chester Pike in East Goshen Township. This would fall under the use of "Kennel", which is permitted by conditional use.

Kindly place this matter on the Planning Commission agenda for its February 1st meeting. My client will present a working sketch of how he proposes to use the existing building at the property, together with some details about the proposed dog daycare business.

Thank you,

Brian-

Brian L. Nagle, Esquire | MacElree Harvey, Ltd.

17 W. Miner Street | West Chester, PA 19382

Direct: 610.840.0224 | Fax: 610.429.4486

bnagle@macelree.com

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Executive Assistant: Carol Gettz

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cgettz@macelree.com



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Centreville

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Memorandum

East Goshen Township
1580 Paoli Pike
West Chester, PA 19380

Voice: 610-692-7171
Fax: 610-692-8950
E-mail: mgordon@eastgoshen.org

Date: 1/27/2011
To: Planning Commission
From: Mark Gordon, Township Zoning Officer
Re: Zoning Ordinance, Article III Comments

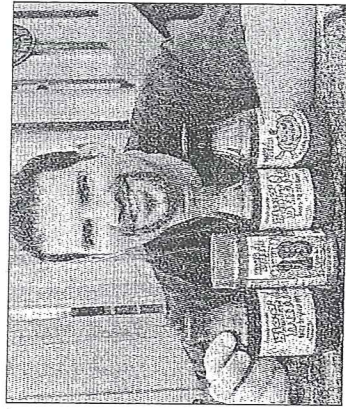


Commissioners,

Here are the items identified in Article III that pose inconsistencies or require some clarifications in the code:

1. C-1
 - a. 240-14.B.(6): C-1 Post Office Sale of goods on site?
 - b. 240-14.B.(13): Outdoor retail sales of Christmas trees
 - c. 240-14.C.(2): Outdoor retail sales of Christmas trees
 - d. 240-14.E.(2): Outdoor Storage (Define!)
 - e. 240-14.E.(6): Temporary Use (Define!)
2. C-2
 - a. Should we add "Standard restaurant with take-out service" to the uses by right?

PC FILE



BIG TASTE BIG DUTT BARBECUE SAUCE HITS THE SPOT BUSINESS / B1



GROUNDN MATT RYAN & FALCONS FALL TO GIANTS, 24-2 SPORTS / C1

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DAILY LOCAL NEWS

MONDAY, January 9, 2012

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Digital gateway along Route 202

Billboard messages will greet southbound motorists entering Westtown

By CONNOR SHOWALTER
Journal Register News Service

WESTTOWN — Two vertical posts along Route 202 herald the construction of a digital billboard to be completed around early February by Chester County Outdoor LLC.

The company is managed by

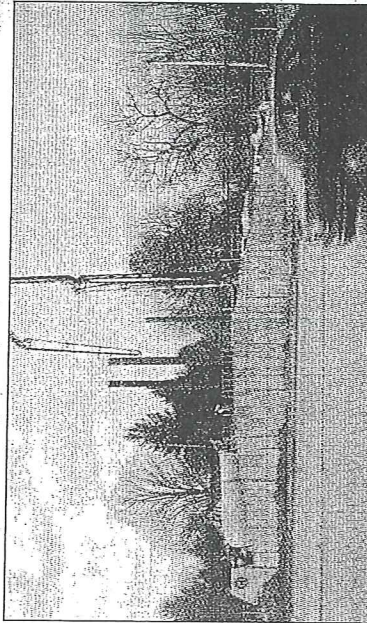
Thaddeus J. Bartkowski III, the founding partner of Catalyst Outdoor Advertising LLC. Bartkowski said the 14-foot-tall, 48-foot-wide digital sign will act as a gateway for southbound drivers on Route 202 entering the town from West Goshen and the West Chester Bypass.

The sign will also act as a digit-

al bulletin board for a "significant amount" of advertisers, which have already expressed interest in applying for the space, he said.

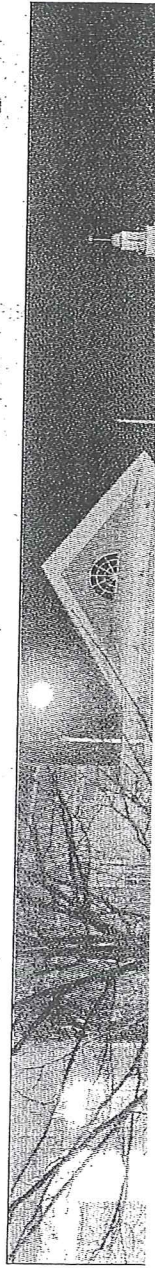
The double-sided, illuminated sign is estimated to display 1,000 to 1,550 messages per day, according to the Catalyst Outdoor

♦ See **SIGN**, Page A5



Staff photo by Andy Hachadorian
A double-sided, illuminated sign under construction will display 1,000 to 1,550 messages per day along Route 202 in Westtown when completed.

Anniversary observance of Tucson shootings



Ruling favors

But remember: All those "fatal vision" googles that butter."

Sign

(From Page A1)

Advertising website. Bartkowski said the digital sign will be "revolutionary" — the first of its kind on the East Coast.

The Bartkowski Investment Group, of which Bartkowski is a founding partner, is also seeking to install seven billboards in Delaware County. On Nov. 22, 2011, Delaware County Common Pleas Court Judge George Pagano denied a motion for summary judgment and site-specific relief filed by the investment group. The appeal in that case will be reviewed by Commonwealth Court.

Initially, Chester County Outdoor proposed to place a billboard near Route 352, said Westtown Township Manager Robert Layman. But prior to Bartkowski's request, he said, the township lacked a "satisfactory zoning regulation."

The commercial district for the township at that time lacked a zoning regulation that could stipulate the use of billboards, so township supervisors had to amend the ordinance, Layman said.

"The state requires that every municipality must provide for every use in its boundaries," Layman said. "The township didn't go out looking for a place to put a billboard. The board likes the township the way it is."

Township Solicitor Robert Adams and Thomas Comitta, a certified land planner and licensed landscape architect in West Chester, prepared the ordinance amendment in late March last year.

The amendment calls for a rezoning of the township and the creation of a separate zoning district to allow the commercial use of billboards to extend on the west side of Route 202. During an Aug. 15 meeting, township supervisors approved the construction of the billboard at 1018 Wilmington Pike, just south of Robins Nest Lane off Route 202.

The billboard occupies the former site of a Davis Oil Co. gas station. Noting the location has not been used for about 10 years, Bartkowski said the monument sign will enhance the land and will improve the appearance of the community. Township supervisors also negotiated a landscaping ordinance with Chester County Outdoor

out of concerns for properties neighboring the billboard, Layman said. The landscaping will include a stone façade, 25-foot evergreen trees and 16 different types of plants. The estimated cost for the landscaping project alone is \$150,000, Bartkowski said.

"The applicant was cooperative with working out the details with the board," Layman said. "The board negotiated a final settlement in this that took out negative consequences."

Westtown resident Terry Money, of the 1000 block of Old Wilmington Pike, said the construction for the billboard is her biggest concern because trucks working on the project are backing up on her front lawn.

"If they follow through with the landscaping plans, the billboard won't look too bad," Money said.

Her attorney, Dave Malman of Landis and Setzler PC in West Chester, represented her interests at an Aug. 15 township meeting. "I've been very disappointed with the township for many, many years," Money said. "In my opinion (the township hasn't) done a whole lot to preserve the historic nature of the township."

Layman said township supervisors were concerned that the billboard may distract highway drivers. The officials negotiated that the images and advertisements will change on the billboard every seven seconds, a second longer than the proposed rate of six seconds.

"Obviously the billboard could be a distraction because if people are reading the sign, they aren't concentrating on

driving," Layman said. "I think the board worked hard to minimize the impacts of it."

Maribeth Oakes of Takoma Park, Md., said she is concerned the billboard will affect the value of her mother's home, which faces the billboard on the north-bound side of Route 202. Oakes attended the township meeting on Aug. 15, while she was taking care of her mother who resides along Wilmington Pike.

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Keshet Israel Congregation Presents

TODD HERZOG

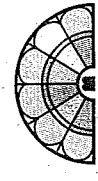
Singer/Songwriter

January 21st 7:00pm

\$10 Adults • \$5 Children

Other Events with Todd Herzog

FRI JAN 20 Community Dinner & Musical Shabbat Service
SAT JAN 21 Musical Shabbat Service & Luncheon
SUN JAN 22 Religious School Workshop



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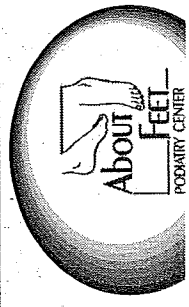
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EAST GOSHEN TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA

ORDINANCE NO.

**AN ORDINANCE OF EAST GOSHEN TOWNSHIP,
CHESTER COUNTY, PENNSYLVANIA, AMENDING
CHAPTER 240 OF THE EAST GOSHEN TOWNSHIP
CODE , TITLED, "ZONING", SECTION 240-29.C(6)
REGULATING THE MAXIMUM HEIGHT OF
APARTMENT BUILDINGS.**

BE IT ENACTED AND ORDAINED by the Board of Supervisors of East Goshen Township, as follows:

SECTION 1. Chapter 240 of the East Goshen Township Code, titled, "Zoning", Section 240-29.C(6) shall be amended as follows:

"(6) Maximum height. Maximum height of all buildings shall not exceed 45 feet. Buildings shall not exceed three stories. ~~No dwelling unit shall be more than two stories above the ground entrance to the building without the use of an elevator to access all floors of the building.~~"

SECTION 2. Severability. If any sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts hereof. It is hereby declared as the intent of the Board of Supervisors that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

SECTION 3. Repealer. All ordinances or parts of ordinances conflicting with any provision of this Ordinance are hereby repealed insofar as the same affects this Ordinance.

SECTION 4. Effective Date. This Ordinance shall become effective in five days from the date of adoption.

ENACTED AND ORDAINED this _____ day of _____, 2012.

ATTEST:

**EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS**

Louis F. Smith, Secretary

Senya D. Isayeff, Chairman

Thom Clapper Ph.D, Vice-Chairman

E. Martin Shane, Member

Carmen Battavio, Member

Charles W. Proctor, III, Esquire,
Member