

**EAST GOSHEN TOWNSHIP
PLANNING COMMISSION**

Agenda

Wednesday, March 5, 2014

7:00 PM

Workshop Session: 7:00 PM to 7:30PM (Board Room – Open to the Public)

Formal Meeting: 7:30PM (Board Room – Open to the Public)

- 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. **February 19, 2013**
- F. **Acknowledge Receipt of New Applications**
 - 1. **1641 Manley Rd. / Mullray Builders (LD)**
 - 2. **1662 E. Boot Rd. / Renehan Building Group (SD/LD)**
- G. Subdivision Plans
 - 1. **1662 E. Boot Rd. / Renehan Building Group (SD/LD)**
- H. Land Development Plans
 - 1. **1641 Manley Rd. / Mullray Builders (LD)**
- I. Conditional Uses and Variances
- J. Ordinance Amendments
- K. Comprehensive Plan Update
- L. **Old Business**
 - 1. **Zoning Ordinance Review**
 - a. **Draft Solar Energy Ordinance**
- M. New Business
- N. 2014 Goals
- O. Any Other Matter
- P. Liaison Reports
- Q. **Dates of Importance**

March 04, 2014 Board of Supervisors	7:00 PM
March 05, 2014 Planning Commission	7:00 PM
March 06, 2014 Park Commission	7:00 PM
March 10, 2014 Municipal Authority	7:00 PM
March 10, 2014 Commerce Commission	7:00 PM
March 12, 2014 Conservancy Board	7:00 PM
March 13, 2014 Historical Commission	7:00 PM
March 18, 2014 Board of Supervisors	7:00 PM
March 20, 2014 Farmer's Market	3-6 PM
Public Works Garage	
March 24, 2014 Comp Plan Task Force	7:00 PM
March 25, 2014 Friends of East Goshen	7:00 PM

Summer Newsletter – Articles to Nancy by April 28, 2014, Newsletters will be mailed on June 13.

Bold Items indicate new information to review.

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 Township Engineer	Date to CCPC	Date to Abutting Prop. / ABC's	Extension	PC NLT Action Date	BOS NLT Action Date	Hearing Date	Drop Dead date
1641 Manley Rd.	LD	P	2/4/2014	2/5/2014	2/4/2014	2/4/2014	2/19/2014		4/16/2014	5/6/2014	NA	5/6/2014
1662 E. Boot Rd	SD / LD	P	2/26/2014	3/5/2014	2/26/2014	2/26/2014	2/28/2014		5/7/2014	6/3/2014	NA	6/3/2014
Bold = New Application or PC action required												

Draft
EAST GOSHEN TOWNSHIP
PLANNING COMMISSION MEETING
February 19, 2014

The East Goshen Township Planning Commission held a regularly scheduled meeting on Wednesday, February 19, 2014 at 7:00 p.m. at the East Goshen Township building. Members present were: Chairman Dan Daley, George Martynick, Jim McRee, Susan Carty and new member Monica Close. Also present were Mark Gordon, Township Zoning Officer; and Janet Emanuel, Township Supervisor.

COMMON ACRONYMS:

BOS – Board of Supervisors

SWM – Storm Water Management

BC – Brandywine Conservancy

CPTF – Comprehensive Plan Task Force

CVS – Community Visioning Session

A. FORMAL MEETING – 7:00 PM

Dan called the meeting to order. He led the Pledge of Allegiance and a moment of silence to remember our troops.

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

Dan noted that the minutes of the January 8, 2014 meeting were approved.

Dan welcomed new member Monica Close who previously was a member of the Historical Commission. Monica mentioned that she has already signed up for the Master Planner's course. Dan thanked Sue for her 2 years as Chairman of the Planning Commission.

B. SUBDIVISION/LAND DEVELOPMENT PLANS

1. 1637 Manley Road – Mark gave an update. Bill Mullray of Mullray Builders, will be constructing the new home. The plan has to be reviewed by the Township Engineer. That review should be done in time for the March meeting, then they will go to the Conservancy Board for review.

2. Colonial Lane – Waiting for the review by the Conservation District and then the Township Engineer.

C. ANY OTHER MATTER

1. Cornwallis/Wineberry - Mark reported that they met with Mr. Angelini about his proposal to connect Cornwallis and Wineberry. His engineer stopped in to get the new Storm Water Management paperwork. Janet mentioned that the BOS is concerned about the neighbors who have been on a cul-de-sac and now will have a through street. They would consider making it an emergency access road only.

D. COMPREHENSIVE PLAN UPDATE REVIEW

1. Chapter 3, Land Use, rough draft - Dan explained the layout that is being used. Also, the Planning Commission will be assigned responsibility for this Chapter 3.

Cluster housing – George mentioned that, in previous discussion about the remaining land that can be developed, cluster housing was less desirable. Mark explained that Single Family Open Space (Harlan Development) has much smaller lots than cluster. Examples of cluster housing are Bow Tree and Grand Oak. Dan feels that cluster would be preferred on the Ellis Lane property because of the natural resources. The PC members agreed to have the wording changed in the chapter to promote the use of cluster housing. Also, remove reference to bars and/or taverns.

Trails – Mark mentioned there may be funding for trails. When the Comprehensive Plan and Open Space & Recreation Plan updates are done, they will help the Township qualify along with the Chester County Comprehensive Plan. The condition of the bridge on Paoli Pike is a concern. Dan commented that McCormack Taylor does bridge inspections for the County.

1 Tier 1 – The last item mentions amenities for companies in the business parks. Dan feels these are
2 meant for the businesses only. Jim questioned inclusion of hotels and restaurants. Janet spoke
3 about the hotel that is planned for the northwest corner of Gay St. and Walnut St. in West
4 Chester. The plan is complete and approved but they can't get a hotel chain to fund it. She is not
5 sure anyone would fund a hotel out here. Jim feels these would be for the businesses and not the
6 public. Janet mentioned another use – day care for the corporate park. Mark commented that this
7 is not an approved use. Dan feels the idea for these items is to promote economic development.
8 Sue feels it would be easy for employees to walk to, but, George pointed out that the current delis
9 and restaurants in East Goshen rely on the lunch business they currently get from the corporate
10 parks.

11 Creeks – Mark reported that they met with PA DEP regarding the recent change in the category
12 of the Chester and Ridley creeks to impaired. They were told that the new testing method used in
13 2011 is more stringent than in 2001. The impairment is due to sediment. The Township will
14 monitor and have independent analysis done to submit to DEP. Land Studies is a group that does
15 restoration. Sue mentioned the WREN is a funding possibility. Mark commented that this issue
16 has to be addressed in the Township plans. Dan mentioned that at some point DEP will give a
17 TMDL to East Goshen and tell the Township what has to be done; i.e. how much sediment to
18 remove each year. Jim wondered if a person has a stream going through his property, can certain
19 things be restricted and/or disallowed. Dan commented that we can't restrict owners' use of their
20 property. Education would have to be provided to the residents. Dan mentioned that West
21 Chester Borough set up a Storm Water Authority. Residents, businesses and the university will
22 have to pay a monthly fee. The residential average is \$15/month. This will raise funds they will
23 need to meet the demands of the new law. Jim wondered if the fee could be lessened or waived if
24 people took advantage of restrictions. Mark mentioned that in Maryland the fee is based on the
25 amount of impervious coverage on your property.

26 Mark will notify John of the changes the Commission wants to make.
27

28 **E. SOLAR ENERGY**

29 Dan provided a review document which consisted of the following:

30 Page 1 – Current East Goshen Ordinance regulations

31 Page 2 – Dan's suggestions for the update

32 Page 3 – Monroe County model ordinance with his notes.

33 Dan pointed out the R1 district (Hershey's Mill) is the only district where solar energy is not
34 allowed. He feels it should be and Hershey's Mill can restrict it. He also mentioned that Caln
35 Township installed a large solar energy system to sell back the energy. The Coatesville School
36 District and a few others signed into it. Mark thought any excess energy has to go to PECO. Dan
37 pointed out the drawbacks for a very large system: Not attractive, creates storm water problems
38 and glare. Sue feels the definition of a system needs to be further refined. Jim feels screening of
39 the solar field is important and can make the difference. He doesn't think the amount of panels
40 should be set because they may be smaller in the future so more could be installed on the sq.
41 footage of today.

42 Currently solar energy systems are permitted as an accessory use. Mark and Dan feel if it is
43 larger than "X", then it would be a conditional use. Janet commented about solar access
44 definition – what if a neighbor plants trees that will impact your solar system. Mark mentioned a
45 system could be allowed only on parcels of a certain size or larger.

46 Fire Safety – Walkways were discussed. Should ground mounted systems have a maximum
47 height? Fence is required but around the property or just around the system, similar to a pool.
48 Sue feels it is harder to retrofit an older building. Also how far away from the structure does the
49 solar energy system have to be?

50 Historic – After discussion it was decided to remove restrictions on historic structures.

51 Ground cover – Dan mentioned that you can't maintain ground cover under a solar field because
52 it is a shaded area. DEP considers this area not impervious. Gravel is not considered pervious.

1 Front Yard – Currently it is the 35 ft. setback. It should be changed to the property in front of the
2 principal structure.
3 Dan will incorporate these notes and forward to Mark for his input.
4

5 **ADJOURNMENT**

6 There being no further business, Sue moved to adjourn the meeting. George seconded the motion.
7 The motion passed unanimously. The next meeting will be held on Wednesday, March 5, 2014 at
8 7:00 pm. The meeting adjourned at 10:00 pm.
9

10
11 Respectfully submitted, _____
12 *Ruth Kiefer, Recording Secretary*

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

February 27, 2014

Dear Property Owner:

The purpose of this letter is to inform you that the owner of 1662 E. Boot Rd., West Chester, PA, 19380, has submitted a Subdivision and Land Development application for the property. The plan proposes to subdivide the 4 acre parcel into 3 building lots for single family homes.

Pursuant to Township policy, property owners within 1000 feet of the subject property are notified when these types of applications are submitted to the Township.

The meetings scheduled for the review of this application are outlined below and subject to change without additional written notice.

March 5, 2014 - Planning Commission Meeting (7:00 pm)

March 12, 2014 - Conservancy Board Meeting (7:00 pm)

April 2, 2014 - Planning Commission Meeting (7:00 pm)

April 15, 2014 - Board of Supervisors Meeting (7:00 pm)

All meetings are held at the Township Building and are open to the public. The information pertaining to this request is available for review during normal business hours at the Township Building. Please call the Township if you have any questions or need additional information.

Sincerely,

Mark A. Gordon
Township Zoning Officer

Cc: All Township Authorities, Boards and Commissions



EAST GOSHEN TOWNSHIP
CHESTER COUNTY, PA

SUBDIVISION AND / OR LAND DEVELOPMENT APPLICATION

Date Filed: 2/26/2014

Application for (Circle one):

Subdivision Land Development Subdivision & Land Development

A. Application is hereby made by the undersigned for approval of a Subdivision and or Land Development Plan, more particularly described below.

1. Applicant's name: RENEHAN BUILDING GROUP

Address: 318 E. KING ST MALVERN PA 19355 Phone: 610-251-9333

Fax: 610-251-9395 Email: JRENEHAN@RENEHANBUILDINGGROUP.COM

2. Name and address of present owner (if other than 1. above)

Name: J. ERIC + LORETTA RUDOLPH

Address: 1662 E. BOOT RD WEST CHESTER, PA 19380 Phone: _____

Fax: _____ Email: _____

3. Location of plan: 1662 E. BOOT RD

4. Proposed name of plan: 1662 E. BOOT RD

5. County Tax Parcel No.: 53-4-131.1 Zoning District: R-2

6. Area of proposed plan (ac.): 4.09 Number of lots: 3

7. Area of open space (ac.): —

8. Type of structures to be constructed: SINGLE - FAMILY DETACHED

9. What provisions are to be made for water supply and sanitary sewer? _____

PUBLIC WATER / ON-SITE SEWER

10. Linear feet of road to be constructed: NA

11. Name of Engineer: VASTARDIS CONSULTING ENGINEERS, LLC

Phone Number: 610-644-9663 Fax: 610-644-3789

Email address: VCELLC@VERIZON.NET

**EAST GOSHEN TOWNSHIP, CHESTER COUNTY PA
SUBDIVISION AND/OR LAND DEVELOPMENT APPLICATION**

12. Name of Land Planner: NA

Phone Number: _____ Fax: _____


Email address: _____

- B. I/We agree to reimburse the Township of East Goshen for such fees and expenses the Township may incur for the services of an Engineer(s) in investigations, tests, and review in relation to the Subdivision Plan.
- C. I/We agree to post financial security for the improvements depicted on the Subdivision and or land Development Plan pursuant to the Subdivision and Land Development Ordinance.
- D. I/We agree to reimburse the Township of East Goshen for all inspection fees at the actual cost to Township.

NOTICE

The Township requires an Occupancy Permit before any building can be occupied; no Occupancy Permit will be issued until final inspection and approved by the Zoning Officer and Building Inspector.

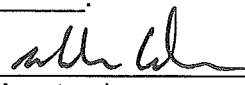
Owner Signature

X 
Applicant Signature
For JAMES REMINGTON

Administrative Use

Fees received from applicant \$ 600⁰⁰ basic fee, plus \$ _____ per lot

For _____ lots = \$ 600⁰⁰.

Application and plan received by:  Date: 2/26/2014
(Signature)

Application accepted as complete on: 2/26/2014
(Date)

**EAST GOSHEN TOWNSHIP, CHESTER COUNTY PA
SUBDIVISION AND/OR LAND DEVELOPMENT APPLICATION**

SUBDIVISION AND/OR LAND DEVELOPMENT CHECKLIST

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

*** Review the formal Planning Commission review procedure on page five.**

Application for (Circle all appropriate): Subdivision Land Development

Applicant Information:

Name of Applicant: RENEWAL BUILDING GROUP

Address: 368 E. KING ST MALVERN PA 19355

Telephone Number: 610-251-9333 Fax: 610-251-9395

Email Address: JRENEHAN@RENEHANBUILDINGGROUP.COM

Property Address: 1662 E. BOOT RD

Property Information:

Owner's Name: J. ERIC + LORETTA RUDOLPH

Address: 1662 E. BOOT RD WEST CHESTER, PA 19380

Tax Parcel Number: 53-4-131.1 Zoning District: R-2 Acreage: 4.09

Description of proposed subdivision and or land Development:

DEMOLITION AND REMOVAL OF EXISTING DWELLING;
SUBDIVISION OF PARCEL INTO 3 LOTS; CONSTRUCTION
OF 3 NEW SINGLE-FAMILY DWELLINGS; EACH LOT

**EAST GOSHEN TOWNSHIP, CHESTER COUNTY PA
SUBDIVISION AND/OR LAND DEVELOPMENT APPLICATION**

Application Process Checklist (Administrative use only):

<u>Item</u>	<u>Date Complete</u>
1. Completed Township Application Form:	<u>2-26-14</u>
2. Township application and review fees paid:.....	<u>2-26</u>
3. County Act 247 Form complete:	<u>2-26</u>
4. Appropriate County Fees included:	<u>2-26</u>
5. 11 Copies of sealed Sub / LD plans:	<u>2-26</u>
6. 11 copies of other required plans:	
a. Landscape: (sealed).....	<u>NOT INCLUDED</u>
b. Conservancy: (sealed).....	<u>NA</u>
c. Stormwater Management: (sealed).....	<u>✓</u>
7. Three copies of the stormwater report and calculations:	<u>✓</u>
8. Copies of supplementary studies, if required:	
a. Traffic Impact Study:.....	<u>NA</u>
b. Water Study:	<u>NA</u>
Application accepted on <u>2/26/14</u> by <u>MARC GORDON</u>	
Official Signature <u>[Signature]</u>	Title <u>ZONING OFFICER</u>

Review Process Checklist (Administrative use only)

<u>Item</u>	<u>Date Complete</u>
1. Date of first formal Planning Commission Meeting following complete submission of application, (Day 1):.....	<u>3/5/14</u>
Date Abutting property letter sent:	<u>2-28-14</u>
2. Date presented to Planning Commission:	<u>3-5-14</u>
3. Date submitted to CCPC:	<u>2-26</u>
4. Date submitted to Township Engineer:	<u>2-26</u>
5. Date by which the PC must act, (Day 70):	<u>5-14</u>
6. Date by which Board of Supervisors must act, (Day 90):	<u>6-5</u>
7. Date sent to CB:	<u>2-27</u>
8. Date sent To MA:	<u>2-27</u>
9. Date sent to HC:	<u>2-27</u>
10. Date sent to PRB:	<u>2-27</u>
11. Date sent to TAB:	<u>2-27</u>

February 18, 2014

EGOS 0107

Mark A. Gordon
Director of Code Enforcement/Zoning Officer
East Goshen Township
1580 Paoli Pike
West Chester, PA 19380

**RE: Mullray Builders, 1637 Manley Road (Lot 1)
Land Development Plan**

Dear Mr. Gordon:

As requested, we have reviewed the following information regarding the referenced submission:

- "*Development Plan for Mullray Builders*" (one sheet), prepared by John Smirga and Associates, P.C., dated January 27, 2014;
- "*Stormwater Management Report Narrative and Calculations*", prepared by Della Penna Engineering, Inc., dated January 29, 2014;
- Sight distance letters, prepared by F. Tavani and Associates, Inc., dated November 30, 2013 and January 2, 2014.
- Application and supplemental information.

The applicant, Mullray Builders c/o William T. Mullray, of Newtown Square, proposes to develop Lot 1 (1.218 acres), a recently subdivided lot from UPI No. 53-6-129.1 (originally 5.84 acres) with a single-family detached dwelling. The 2-lot subdivision for this parcel was approved at the Board of Supervisors' January 28, 2014 meeting. The parcel is located on the north side of Manley Road (T-483), east of its intersection with Edith Lane. The parcel is located within the R-2 Low Density Residential zoning district. A private on-lot well is proposed for water service; connection to the public sanitary sewer main within Manley Road is proposed to address sewage.

We offer the following comments:

ZONING

1. The maximum building height in the R-2 District is 30 feet. (§240-9.G) The *Zoning Requirements* tabulation on the plan indicates 35 feet.
2. Whenever a driveway intersects a public or arterial street, the applicant shall establish a clear sight triangle that would provide sight distance meeting standards of PennDOT, as amended. (§240-23.D(11), §205-57.D(4)) The November 30, 2013 letter, prepared by F. Tavani and Associates, Inc., indicates available sight distance to the left is approximately 275 feet assuming a group of approximately eight (8) trees is cleared, and the available sight distance

to the right is approximately 305 feet assuming approximately two (2) trees are cleared. However, the sight distance plan indicates only five (5) trees to the left and one (1) tree to the right to be removed to the left; additionally, the available sight distance to the right should be indicated. Additionally, the development plan indicates 24-inch and 48-inch maple trees to the right of the proposed driveway; the sight distance plan indicates a 20-inch tree to the right and a 48-inch tree to the left. The applicant should verify all trees proposed for removal are within the Township public right-of-way; otherwise, written permission for the tree removal will be required from the adjacent property owner. UPI No. 53-60-59.

3. The applicant should clarify whether the ultimate right-of-way of Manley Road has been previously dedicated or will be dedicated to the Township as part of this application. (§240-27.A(5))
4. Any residential subdivision or land development shall give careful attention to providing attractive landscaping. The developer shall submit an overall landscape plan for all subdivisions or land developments. The landscape plan shall be prepared in accordance with §205. (§240-27.D, §205-30.D(2), §205-36.) A landscape plan has not been submitted.

SUBDIVISION AND LAND DEVELOPMENT

5. Regarding the preliminary plan requirements (§205-30), the following should be provided:
 - a. Signature blocks on the right-hand side, if possible, following the format established by the Township. (§205-30.A(3))
 - b. Name of record owner and the source(s) of title to the land being developed per the records of the County Recorder of Deeds. (§205-30.B(3))
 - c. Names of all abutting or adjacent property owners, if any, with the deed book and page numbers. (§205-30.B(5))
 - d. The adjacent municipalities should be labeled on the Location Map. (§205-30.B(6))
 - e. Existing monuments shall be indicated. In addition, the engineer or surveyor shall certify to the accuracy of the survey and that the drawn plan is in conformance with all Township ordinances. (§205-30.B(7))
 - f. Location and elevation of the bench mark to which contour elevations refer. All land developments shall have an actual field run or aerial topography. (§205-30.B(8))
 - g. A statement noting water and sewer needs and verification of the availability of both. (§205-30.C(4)(b))
 - h. Full documentation of proposed zoning data. (§205-30.C(4)(j)) The *Zoning Requirements* table indicates required zoning data only; it is recommended the degree to which the plan conforms to such data be indicated.
 - i. A note shall be added to the plans indicating that the applicant is responsible for installation and maintenance of all soil and erosion control measures until closeout of the escrow account. (§205-35.E)
 - j. The applicant is reminded of the following final plan requirements (§205-33) to be provided during the final plan stage:
 - i. A certification of ownership in accordance with §205-33.B(17) ; and
 - ii. Such private deed restrictions, including building setback lines, as may be imposed upon the property as a condition of sale, together with a statement of any restrictions previously imposed which may affect the title

to the land being developed. (§205-33.C(2)) If no such deed restrictions exist and/or will be imposed, it is recommended a note stating the same be indicated on the plan.

6. It is recommended the stormwater management maintenance certification be consistent with the clause per §205-37.1
7. Regarding the proposed driveway, additional detail and a cross-section should be provided to verify the grading and paving are in conformance with §205-57.D(1) and (2). No driveway shall be less than twelve (12) feet wide within the limits of the right-of-way (§205-57.D(3)); the proposed driveway is ten (10) feet wide within the right-of-way.
8. A tree protection zone (TPZ) should be indicated (§205-63.A). It appears tree protection fencing is graphically indicated; the plan should clearly define the TPZ and provide details and notes in accordance with §205-63 and §205-30.B(16).
9. All proposed on-site water supply systems shall have a permit certified by the Chester County Health Department. (§205-40.E, §205-66.E)

STORMWATER MANAGEMENT

10. The water quality/runoff volume requirement per §305.A (net 2-year, 24-hour design storm volume) does not appear to be fully met; the applicant should clarify the following:
 - a. The BMP Manual permits a maximum 25% of the required volume to be met through non-structural BMPs (i.e., protecting existing trees, etc.); the report indicates a non-structural volume credit of approximately 75%.
 - b. The non-structural BMP checklists per the BMP Manual (Chapter 8) should be reviewed and included in the report. Notably, regarding BMP 5.6.3, this credit applies to trees not located within sensitive/special value areas (i.e., floodplains, riparian areas, etc.); the applicant should clarify how the canopy credit was calculated and verify the noted areas were excluded.
 - c. The report indicates the structural BMP (i.e., rain garden) credit is 1,007 c.f., while only 689 c.f. is conveyed to the BMP during the 2-year storm; the required volume should be retained on-site during the 2-year storm.
11. If the infiltration requirement per §306.B cannot be physically accomplished, the applicant shall be responsible for demonstrating with data or calculations why this infiltration volume cannot be physically accomplished on the site; only if a minimum of at least one-half (0.5) inch infiltration requirement cannot be physically accomplished on the site, shall a waiver from §306 be considered by the Township. (§306.D, §306.E) The plan indicates soil testing was performed in the vicinity in the BMP, and the soils are not receptive to infiltration. The testing results should be provided; a waiver may be necessary.
12. A minimum depth of twenty-four (24) inches between the bottom of the BMP and the top of the limiting zone is required. (§306.J.1) Soil boring information should be provided.
13. All areas designated for infiltration shall not receive runoff until the contributory drainage area has achieved final stabilization. (§306.M) Although the rain garden is not intended for

infiltration, it is recommended the sequence address stabilization of the upstream drainage area.

14. Regarding the stormwater management site plan contents (§402), the following should be provided:

- a. A statement, signed by the applicant, acknowledging that any revision to the approved stormwater management site plan shall be submitted to and approved by the Township. (§402.A.3)
- b. For water bodies, label the following attributes, if applicable: the designated use as determined by PaDEP (25 PA Code Chapter 93); impairments listed on the PaDEP "Integrated List" (as updated) and the listed source and cause of impairment; name, date, and target pollutant(s) for any approved total maximum daily load (TMDL); and drainages to water supply reservoirs. (§402.B.8.f)
- c. Current FEMA 100-year floodplain elevations. (§402.B.8.o) The plan should indicate elevations in accordance with the Letter of Map Amendment (LOMA).
- d. Boundary or limits of earth disturbance of the Site; the total disturbed area of the site shall be noted in square feet and acres. (§402.B.16)
- e. Easements and deed restrictions in accordance with §704. (§402.B.18) Per §704.A, easements shall be established in connection with any regulated activity for all permanent BMPs and conveyances that will not be dedicated to or otherwise owned by the Township.
- f. A written description/narrative of the information, as applicable, per §402.C (i.e., existing features, site design per §304, stormwater design concept, etc.).
- g. An O&M plan in accordance with §702. (§402.F.1) Per §702, the O&M Plan shall include the following: property identification (§702.A.1, B.1); a description of actions necessary to operate, inspect and maintain each BMP or conveyance (i.e., lawn care, vegetation maintenance, etc.) (§702.B.3); the landowner statement per §702.B.4; inspection and maintenance schedules. (§702.B.5); and statements in accordance with §702.C, §702.D, §705.B, C and D.
- h. An O&M agreement. (§402.F.2)

15. Regarding the proposed rain garden, the BMP Manual recommends the following design criteria: installation of an underdrain where infiltration is not possible; planting soil to be approximately four (4) inches deeper than the bottom of the largest root ball; and two to three inches of shredded mulch or leaf compost to be uniformly applied immediately after shrubs are planted. It is recommended construction notes per the BMP manual be indicated on the plan. Additionally, the plan and cross-section should indicate inverts for the overflow pipes.

16. The BMP Manual recommends level spreaders to safely diffuse at least the 10-year storm peak rate, and the minimum flow length of the receiving area to be 75 feet; design calculations regarding the proposed level spreader may be necessary, and the applicant should review if the level spreader flow length can be increased.

GENERAL

17. Additional details for the following features should be provided: rock construction entrance, tree protection fence, level spreader and inlet/yard drain.

18. All sanitary sewer construction shall be in conformance with Township standards; maintenance and protection of traffic shall be in accordance with PennDOT Publication 408, Section 900.
19. The plan should indicate this submission is a preliminary plan.
20. Please additionally note the status of the following reviews/permits:
- a. Planning Module (PaDEP) – An exemption was granted per PaDEP's January 14, 2014 letter.
 - b. Sanitary Sewer (Municipal Authority) – Capacity reserved.
 - c. Water (Chester County Health Department) – Correspondence has not yet been received.
 - d. Highway Occupancy Permit (PennDOT) – Not applicable.
 - e. Fire Planning (Fire Marshal) – Not applicable.
 - f. Historic Resource (Historical Commission) – Not applicable.
 - g. Landscaping (Conservancy Board) – Correspondence has not yet been received; on March 12, 2014 agenda.
 - h. Wetlands – No wetlands exist per a letter, prepared by Environmental Management & Consulting, Inc., dated November 19, 2013.
 - i. Floodplain (FEMA) – Letter of Map Amendment (LOMA) issued per FEMA's October 4, 2013 letter. Please note it is our understanding the site is outside of the 100-year floodplain, as mapped on the plan in accordance with LOMA; the requirements per §240-26 are not applicable.

Should you have any further questions or comments, please contact the undersigned.

Sincerely,



Nathan M. Cline, PE

PENNONI ASSOCIATES INC.

Township Engineer

cc: John Smirga, PE, John Smirga and Associates, P.C. (via e-mail)
William T. Mullray, P.O. Box 934, Newtown Square (via e-mail)
Rick Smith, Township Manager (via e-mail)

BOARD OF SUPERVISORS

EAST GOSHEN TOWNSHIP

CHESTER COUNTY

1580 PAOLI PIKE, WEST CHESTER, PA 19380-6199

February 18, 2014

Dear Property Owner:

The purpose of this letter is to inform you that the equitable owner of 1641 Manley Rd., West Chester, PA 19380, has submitted a land development application and plans for review and approval by the Township. The owner proposes to develop the 1.2 acre lot with a new single Family home.

Pursuant to Township policy, property owners and residents within 1000 feet of the subject property are notified of Land Development plan submissions.

The meeting dates and times scheduled for the review and discussion of this application are outlined below and subject to change.

March 5, 2014 - Planning Commission meeting (workshop at 7:00 pm, formal meeting @ 7:30 pm) **(Presentation of Plan)**

March 12, 2014 - Conservancy Board meeting 7:00 pm.

April 2, 2014 - Planning Commission meeting (workshop at 7:00 pm, formal meeting @ 7:30 pm)

May 6, 2013 - Board of Supervisors meeting (workshop at 7:00 pm, formal meeting @ 7:30 pm) **(Presentation of Plan)**

All meetings are held at the Township Building and are open to the public. The plans are available for review at the Township building during normal business hours. Please give me a call at or email me at mgordon@eastgoshen.org if you have any questions or need additional information.

Sincerely,



Mark A. Gordon
Township Zoning Officer

Cc: All Township Authorities, Boards and Commissions
John Smirga, P.E. (via email)
William Mullray (via email)

**EAST GOSHEN TOWNSHIP
CHESTER COUNTY, PA**

SUBDIVISION AND / OR LAND DEVELOPMENT APPLICATION

Date Filed: 2/4/2014

Application for (Circle one):

Subdivision

Land Development

Subdivision & Land Development

A. Application is hereby made by the undersigned for approval of a Subdivision and or Land Development Plan, more particularly described below.

1. Applicant's name: William T. Mullray

Address: P.O. Box 934 Newtown Sq. PA 19073 Phone: 610-722-0525

Fax: 610-722-0371 Email: bill@mullraybuilders.com

2. Name and address of present owner (if other than 1. above)

Name: Manley Rd. Construction Partners, LP

Address: P.O. Box 934 Newtown Sq. PA 19073 Phone: 610-722-0525

Fax: 610-722-0371 Email: bill@mullraybuilders.com

3. Location of plan: 1637 Manley Rd. W. Chester 19380 Lot #1

4. Proposed name of plan: Mullray Builders Development Plan

5. County Tax Parcel No.: 53-06-0129-010 Zoning District: P-2

6. Area of proposed plan (ac.): 1.218 Number of lots: 1

7. Area of open space (ac.): N/A

8. Type of structures to be constructed: New Home

9. What provisions are to be made for water supply and sanitary sewer? on site H2O well, Public sewer

10. Linear feet of road to be constructed: N/A

11. Name of Engineer: John Smirga

Phone Number: 610-202-2537 Fax: _____

Email address: NPT60@comcast.net

12. Name of Land Planner: John Smirga

Phone Number: 66-202-2537 Fax: _____

Email address: NPT60@Comcast.net

- B. I/We agree to reimburse the Township of East Goshen for such fees and expenses the Township may incur for the services of an Engineer(s) in investigations, tests, and review in relation to the Subdivision Plan.
- C. I/We agree to post financial security for the improvements depicted on the Subdivision and or land Development Plan pursuant to the Subdivision and Land Development Ordinance.
- D. I/We agree to reimburse the Township of East Goshen for all inspection fees at the actual cost to Township.

NOTICE

The Township requires an Occupancy Permit before any building can be occupied; no Occupancy Permit will be issued until final inspection and approved by the Zoning Officer and Building Inspector.

[Signature]
Owner Signature

[Signature]
Applicant Signature

Administrative Use

Fees received from applicant \$ 200⁰⁰ basic fee, plus \$ — per lot

For — lots = \$ \$200⁰⁰

Application and plan received by: [Signature] Date: 2/4/2014
(Signature)

Application accepted as complete on: 2-4-2015
(Date)

**EAST GOSHEN TOWNSHIP
CHESTER COUNTY, PA**

SUBDIVISION AND / OR LAND DEVELOPMENT CHECKLIST

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

* Review the formal Planning Commission review procedure on page five.

Application for (Circle all appropriate): Subdivision Land Development

Applicant Information:

Name of Applicant: Bill Nulley

Address: PO Box 934 Newtown Sq. PA 19073

Telephone Number: 660-722-0525 Fax: 660-722-0371

Email Address: bill@nulleysbuilders.com

Property Address: 1637 Marky Rd. W. Chester PA 19380, Lot #1

Property Information:

Owner Name: Marky Rd. Construction Partners, LP

Address: PO Box 934 Newtown Sq. PA 19073

Tax Parcel Number: 53-06-0129.010 Zoning District: R-2 Acreage: 1.218

Description of proposed subdivision and or land Development:

Construction of a new home consisting of 4 bedrooms,
2 1/2 baths.

Application Process Checklist (Administrative use only):

<u>Item</u>	<u>Date Complete</u>
1. Completed Township Application Form:	<u>2-4-14</u>
2. Township application and review fees paid:.....	<u>11</u>
3. County Act 247 Form complete:	<u>11</u>
4. Appropriate County Fees included:	<u>11</u>
5. 11 Copies of sealed Sub / LD plans:	<u>11</u>
6. 11 copies of other required plans:	
a. Landscape: (sealed).....	<u>N/A</u>
b. Conservancy: (sealed).....	<u>✓</u>
c. Stormwater Management: (sealed).....	<u>✓</u>
7. Three copies of the stormwater report and calculations:	<u>✓</u>
8. Copies of supplementary studies, if required:	
a. Traffic Impact Study:.....	<u>N/A</u>
b. Water Study:	<u>N/A</u>

Application accepted on 2-4-14 by MARK GORDON

Official Signature  Title ZANNY ORR

Review Process Checklist (Administrative use only)

<u>Item</u>	<u>Date Complete</u>
1. Date of first formal Planning Commission Meeting following complete submission of application, (Day 1):... <u>Day 36</u>	<u>2-5-2014</u>
Date Abutting property letter sent:	<u>2-19-14</u>
2. Date presented to Planning Commission:	<u>3-5-14</u>
3. Date submitted to CCPC:	<u>2-4-14</u>
4. Date submitted to Township Engineer:	<u>2-4-14</u>
5. Date by which the PC must act, (Day 70):	<u>4-16-14</u>
6. Date by which Board of Supervisors must act, (Day 90):	<u>5-6-14</u>
7. Date sent to CB:	<u>2-19</u>
8. Date sent To MA:	<u>2-19</u>
9. Date sent to HC:	<u>2-19</u>
10. Date sent to PCB:	<u>2-19</u>
11. Date sent to TAB:	<u>2-19</u>

Solar Energy Systems

Current East Goshen Ordinance Regulations.

1. Solar Energy System is a permitted Accessory Use is all zoning districts except R-1 (Hershey's Mill).

2. Section 240-6 Definitions

SOLAR ENERGY SYSTEM

Any structure attached to a building or erected as a structure and attached to the ground and used for the purpose of generating solar energy.

3. Section 240-23 General Regulations

- C. Maximum height of buildings and structures. **[Amended 5-7-2002 by Ord. No. 129-K-02]**
(2) Structures such as flagpoles, windmills, watertowers, silos, solar energy collectors and the equipment used for the mounting of such collectors shall be subject to and shall not exceed the maximum permitted building height unless a special exception is granted by the Zoning Hearing Board and the Board affirmatively finds that such structure is proposed, designed, intended and limited in use only to such purpose. In such case, the Board may approve such increased height as is proven by the applicant to be warranted by the functional needs of the structure, subject to such reasonable limitations and conditions as the Board shall impose, provided the height allowed by the Board shall not exceed two times the permitted building height absent the Board's granting of a variance and provided, further, that no structure shall significantly impair solar access of adjacent buildings or solar collector locations.

4. Section 240-32 Accessory uses

O. Solar energy system. A solar generating energy system shall be permitted. No such system shall deny solar access of adjacent lots, exceed the maximum height regulations for the zoning district in which it is located or be located within the front yard or a required minimum side or rear yard.

Recommendations for Zoning Ordinance Revision

General Consideration:

1. System types. Permit all types of systems in all districts?
 - a. Roof mounted systems
 - b. Pole mounted systems
 - c. Ground mounted systems
2. Restrictions in any districts
 - a. Historic
 - b. Floodplain (?)
3. Impacts of tree plantings
4. Screening requirements
5. Impervious coverage regulations for ground or pole mounted systems.

Draft Ordinance:

Recommend:

- A. Update Section 240-6 Definitions with more current definitions.
- B. Update Accessory Uses - Section 240-32.O - Solar energy systems to include Standards (similar format to Section 240-32.J(6))

Source of recommended model ordinance:

Monroe (Pennsylvania), County of. 2010. "Model Ordinance for On-Site Usage of Solar Energy Systems.

Note: Following draft has not been formatted and cross referenced to the applicable ordinance sections of the current zoning.

Purpose of document is for discussion related to design standards.

Source: Monroe (Pennsylvania), County of. 2010. "Model Ordinance for On-Site Usage of Solar Energy Systems.

MODEL ORDINANCE FOR ON-SITE USAGE OF SOLAR ENERGY SYSTEMS

Township of East Goshen
Chester County, Pennsylvania
ORDINANCE NO. -----

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF EAST GOSHEN
TOWNSHIP, BY AMENDING ARTICLE I, SECTION 240-6, DEFINITIONS, BY
AMENDING EXISTING DEFINITIONS AND BY AMENDING ARTICLE V, SECTION 240-
32.O _____

BE IT HEREBY ENACTED AND ORDAINED by the Board of Supervisors of
East Goshen Township, Chester County, Pennsylvania, that the Township Zoning Ordinance,
shall be amended in the following respects:

Section 1. The Zoning Ordinance of East Goshen Township Section 240-6, Definitions, shall be
amended to include the following definitions:

Mechanical Equipment: Any device associated with a solar energy system, such as an
outdoor electrical unit/control box, that transfers the energy from the solar energy system
to the intended on-site structure.

Solar Access: A property owner's right to have sunlight shine on the owner's land.

Solar Energy System: An energy conversion system, including appurtenances, which
converts solar energy to a usable form of energy to meet all or part of the energy
requirements of the on-site user. This definition shall include the terms passive solar and
active solar systems.

Solar Glare: The effect produced by light reflecting from a solar panel with an intensity
sufficient to cause annoyance, discomfort, or loss in visual performance and visibility.

Section 2. Applicability:

1. This ordinance applies to solar energy systems to be installed and constructed after the
effective date of the ordinance.
2. Solar energy systems constructed prior to the effective date of this ordinance shall not be
required to meet the requirements of this ordinance.

3. Any upgrade, modification, or structural change that materially alters the size or placement of an existing solar energy system shall comply with the provisions of [Section/Article].

Section 3. The Zoning Ordinance of East Goshen Township, Article V, Section 240.32.O-, Accessory Regulations, shall be amended by repealing existing Section 240.32.O and replacing it as follows: adding [Section/Article#] as follows:

SOLAR ENERGY SYSTEMS

It is the purpose of this regulation to promote the safe, effective and efficient use of solar energy systems installed to reduce the on-site consumption of utility supplied energy and/or hot water as a permitted accessory use while protecting the health, safety and welfare of adjacent and surrounding land uses through appropriate zoning and land use controls. A solar energy system shall be permitted in any zoning district as an accessory to a principal use herein and subject to specific criteria as set forth below. Where said general standards and specific criteria overlap, the specific criteria shall supersede the general standards.

1. The installation and construction of a solar energy system shall be subject to the following development and design standards:
 - A. A solar energy system is permitted in all zoning districts as an accessory to a principal use.
NOTE: CURRENTLY NOT PERMITTED IN R-1 DISTRICT
 - B. A solar energy system shall provide power for the principal use and/or accessory use of the property on which the solar energy system is located and shall not be used for the generation of power for the sale of energy to other users, although this provision shall not be interpreted to prohibit the sale of excess power generated from time to time to the local utility company.
 - C. A solar energy system connected to the utility grid shall provide written authorization from the local utility company to the Township acknowledging and approving such connection.
 - D. A solar energy system may be roof mounted [attachment #1] or ground mounted [attachment #2]. When installed on the roof of a building, no solar energy system facility shall cover more than 50% of the roof area.
 - E. A roof mounted system may be mounted on a principal building or accessory building. A roof mounted system, whether mounted on the principal building or accessory building, may not exceed the maximum principal building height or accessory building height specified for the building type in the underlying zoning district. In no instance shall any part of the solar energy system extend beyond the edge of the roof.

~~F. All structure (ROOF?) mounted solar energy facilities shall be located on the rear portion of the structure, such that it is not visible from the front and is not higher than the peak of the roof. An applicant may utilize the front portion of the structure only if the applicant is able to demonstrate that no other alternative is feasible, including ground-mounted array areas, to the satisfaction of the Codes Enforcement Officer.~~

~~G. A solar energy facility may not be located on a building or structure that is listed on the Township's Historic Resources Map nor on any tract that contains a building or structure that is listed on the Township's Historic Resources Map unless an Historic Resource Study is completed in accordance with §_____.~~

~~F. A ground mounted system shall not exceed the maximum building height of eight (8) feet for accessory buildings.~~

~~H. NOTE: NEED TO CHECK INDUSTRY STANDARDS FOR TYPICAL HEIGHT OF GROUND MOUNTED SYSTEMS.~~

~~NOTE: CURRENT ORDINANCE DOES NOT HAVE A MAXIMUM HEIGHT OF ACCESSORY BUILDINGS. STORAGE SHEDS — MAXIMUM HEIGHT IS 12 FEET.~~

~~I.G. _____ The surface area of a ground mounted system, regardless of the mounted angle, shall be calculated as part of the overall impervious coverage.~~

~~J.H. _____ A ground mounted system or system attached to an accessory building, including all mechanical equipment, shall be located behind the principal structure within the building envelope. ~~not be located within the required front yard setback.~~~~

~~NOTE: RESTRICT PLACEMENT IN FRONT / SIDE YARDS?~~

~~K. The minimum solar energy system setback distance from the property lines shall be equivalent to the building setback ~~or accessory building setback~~ requirement of the underlying zoning district. *[Please note that some municipalities have less stringent accessory structure setbacks, e.g. 10 foot side yard setback for sheds. If accessory structure setbacks are less stringent than the primary structure setback, it is recommended that the municipality require solar energy systems to have the setback requirements of the primary structure in the underlying zoning district.]*~~

~~I. NOTE: DISCUSSION RELATED TO SETBACK REQUIREMENTS.~~

~~L. All mechanical equipment associated with and necessary for the operation of the solar energy system shall comply with the following:~~

~~a.J. Ground mounted solar energy systems including solar panels and mMechanical equipment shall be fully screened from any adjacent property ~~that is residentially or public / private road~~zoned or used for residential purposes. The screen shall consist of shrubbery, trees, or other non-invasive plant species which provides a~~

visual screen. In lieu of a planting screen, a ~~solid decorative~~ fence meeting the requirements of the Zoning Ordinance may be used. Plantings or fence shall provide screening for the full height of the solar energy system at the time of installation.

~~b. Mechanical equipment shall not be located within the minimum front yard setback of the underlying zoning district.~~

~~c. Mechanical equipment shall comply with the setbacks specified for accessory structures in the underlying zoning district. [Please note that some municipalities have less stringent accessory structure setbacks, e.g. 10 foot side yard setback for sheds. If accessory structure setbacks are less stringent than the primary structure setback, it is recommended that the municipality requiresolar energy systems to have the setback requirements of the primary structure in the underlying zoning district.]~~

NOTE: DISCUSSION RELATED TO SETBACK REQUIREMENTS.

M.K. _____ Solar panels shall be placed such that concentrated solar radiation or glare shall not be directed onto nearby properties or roadways.

N.L. _____ Solar panels shall not be placed in the vicinity of any airport in a manner that would interfere with airport flight patterns. Acknowledgement from the Federal Aviation Administration may be necessary.

O.M. _____ All power transmission lines from a ground mounted solar energy system to any building or other structure shall be located underground.

P.N. _____ A solar energy system shall not be used to display advertising, including signage, streamers, pennants, spinners, reflectors, ribbons, tinsel, balloons, flags, banners or similar materials. The manufacturers and equipment information, warning, or indication of ownership shall be allowed on any equipment of the solar energy system provided they comply with the prevailing sign regulations.

Q.O. _____ A solar energy system shall not be constructed until a building/zoning permit has been approved and issued.

R.P. _____ The design of the solar energy system shall conform to applicable industry standards. A building permit shall be obtained for a solar energy system per the Pennsylvania Uniform Construction Code (UCC), Act 45 of 1999, as amended, and the regulations adopted by the Department of Labor and Industry. All wiring shall comply with the applicable version of the National Electric Code (NEC). The local utility provider shall be contacted to determine grid interconnection and net metering policies. The Applicant shall submit certificates of design compliance obtained by the equipment manufacturer from a certifying organization and any such design shall be certified by an Engineer registered in the Commonwealth of Pennsylvania. The ~~[Please note that the~~ existing roof

structure and the weight of the solar energy system shall be taken into consideration when applying for a solar energy system permit].

S.O. _____ The solar energy system shall comply with all applicable Township Ordinances and Codes so as to ensure the structural integrity of such solar energy system.

R. Before any construction can commence on any ground mounted solar energy system, the property owner must prepare an Operation and Maintenance Agreement (O&M) with the Township. The agreement must address the following: acknowledge that he/she is the responsible party for owning and maintaining the solar energy system

1. Identify the responsible party for owning and maintaining the solar energy system, mechanical equipment, fence, screening and any other requirement of the Township approval.
2. Grant the Township the right, but not the duty, to access the system to conduct periodic inspections and to undertake other actions that may be necessary to enforce the requirements of this Ordinance, or of any applicable O&M Agreement.
3. In the event that the responsible person or entity fails to maintain the system, the agreement shall grant to the Township the right but not the duty to enter upon the premises to repair or restore said facilities, to charge and assess the costs thereof to the owner and to enforce said charges and assessments by lien upon the property.

T.4. The agreement shall contain a covenant binding on the grantee and all successors in interest designating the responsibility for operation and maintenance of the on-lot facilities. The agreement shall be recorded in the -Chester County Office of the Recorder of Deeds

2. If a ground mounted solar energy system is removed, any earth disturbance as a result of the removal of the ground mounted solar energy system shall be graded and reseeded.
3. If a ground mounted solar energy system has been abandoned (meaning not having been in operation for a period of six (6) months) or is defective or is deemed to be unsafe by the Township Building Code Official, the solar energy system shall be required to be repaired by the owner to meet federal, state and local safety standards, or be removed by the property owner within the time period allowed by the Township Building Code Official. If the owner fails to remove or repair the defective or abandoned solar energy system, the Township may pursue a legal action to have the system removed at the owner's expense.

STORMWATER MANAGEMENT REQUIREMENTS FOR GROUND MOUNTED SYSTEMS.

Section 4. All other portions, parts and provisions of the Zoning Ordinance of East Goshen Township, as heretofore enacted and amended, shall remain in force and effect.

Section 5. This Ordinance shall take effect five (5) days after the date of its enactment.

DULY ORDAINED AND ENACTED the _____ day of _____, 20__, by the Board of Supervisors of the Township of East Goshen, Chester County, Pennsylvania, in lawful session duly assembled.

ADDITIONAL COMMENTS (NOT COMPLETE):

- AMEND REGULATIONS FOR LARGER SIZE SYSTEMS → CONDITIONAL USE.
- STORMWATER MANAGEMENT REGULATIONS FOR SMALL AND LARGE GROUND MOUNTED SYSTEMS.