

EAST GOSHEN TOWNSHIP
PLANNING COMMISSION MEETING
April 2, 2014

The East Goshen Township Planning Commission held a regularly scheduled meeting on Wednesday, April 2, 2014 at 7:00 p.m. at the East Goshen Township building. Members present were: Chairman Dan Daley, Adam Knox, Jim McRee, Sue Carty, George Martynick, and Monica Close. Also present were Mark Gordon, Township Zoning Officer; Janet Emanuel, Township Supervisor; and Erich Meyer, Conservancy Board.

COMMON ACRONYMS:

BOS – Board of Supervisors

SWM – Storm Water Management

BC – Brandywine Conservancy

CPTF – Comprehensive Plan Task Force

CVS – Community Visioning Session

A. WORKSHOP – 7:00 PM

1. Mark mentioned that the tree count for 1641 Manley Road was recalculated. They will have to take down more than the allowed 20%. When they go over 20%, then they have to replace inch for inch. They estimate it could cost up to \$25,000 for replacement trees. Mark sent an email to the Conservancy Board stating that the trees are marked and asking that they visit the site before their meeting next Wednesday. He mentioned that the YMCA is the only construction under this ordinance that had to replace trees. They provided 300 trees which were planted throughout the Township.
2. Dunkin Donuts – On Monday, the Dunkin Donuts franchisees met with Mark, Marty Shane, Janet Emanuel, and several Planning Commission members to discuss the vacant bank pad in Goshen Village shopping center. Together, they own 20 other sites. They want to put the premiere model here. Dunkin Donuts has 3 tiers now. All 3 require a drive-thru and have the same menu. The interior amenities are different. Adam mentioned that signage is an issue. They want 1 building and 2 pylon signs. Mark also mentioned that Bob Adams is representing the franchisees.
3. The minutes of March 5, 2014 were reviewed and corrected.
4. Dan will recuse himself from the 1131 N. Chester Road project because he works for Walsh Associates. Adam will lead the discussion. Mark explained that they want to subdivide the lot into 2 lots. One will be 1 acre and the new lot will be .98 acre which is 463 sq. ft. short of 1 acre. They need a dimensional variance.
5. CPTF update – Dan reported that the BOS is not pleased with the new format and content of the Comp Plan update. Next Tuesday there will be a meeting of the County and the Township.

B. FORMAL MEETING – 7:30 PM

1. Dan called the meeting to order. He led the Pledge of Allegiance and a moment of silence to remember our troops.
2. Dan asked if anyone would be recording the meeting. There was no response.
3. Dan asked for any comments on non-agenda items. There was no response.
3. Dan noted that the minutes of the March 5, 2014 meeting were approved as amended.

C. SUBDIVISION/LAND DEVELOPMENT PLANS

1. 1641 Manley Road – Bill Mullray of Mullray Builders, and John Smirga, engineer, were present. John explained that the new plan includes the actual footprint of the house. Also the trees they plan to remove are marked, about 9 - 10. Drip lines, etc. were investigated and to be in compliance with the ordinance, they need to remove more trees, actually clean cut where the house will be, about 30 trees. The ordinance allows for removal of 20% of the trees but over 20%

they must be replaced inch for inch. The overage could cost up to \$25,000. Also, this is a very wooded lot. Where would they plant the replacements? They are looking for a compromise. They did go to the Conservancy Board meeting but the Board would not give a recommendation because there was no landscape plan. John commented that they usually let the homeowner select the landscaping. However, they did make a plan which is mostly foundation plants. All items on the Township Engineer's letter have been addressed except for this issue of the trees. John will make a note on the plan that, if a tree dies during construction or within 1 year, they will replace it.

Jim commented that a 20" tree cannot be replaced. Also, there is the option to plant replacement trees elsewhere in the Township.

Dan understands the situation but they need to present a proposal for a waiver. They should show which trees will be directly impacted by the construction.

George has heard the statement that East Goshen has more trees now than before. He foresees more problems of this sort in the future with redevelopment.

Erich asked if the additional trees are marked. John commented that there are 6 trees in the road right-of-way and 10 original trees that are all marked. Erich suggested marking the additional trees with a different color ribbon. John will do this.

Public Comment:

1. Ms. Schafer – Architect for 1637 Manley Rd. – How much is the public allowed to see?

Dan commented that anything that the Township receives is available for the public.

2. Missy Schwartz – Realtor for Mrs. O'Neil – They would appreciate action on this project but they would also appreciate some leeway on the request to take down less trees.

The Planning Commission agreed to hold a workshop on Wed. April 16, 2014 at 7:00 pm.

Mr. Mullray has agreed to a 30 day extension.

D. CONDITIONAL USES & VARIANCES

1. 1131 N. Chester Road (Dimensional Variance) – Tom Mohr, attorney for the applicant, was present to represent the owner, James J. Callaghan, Jr. Dan mentioned that he will recuse himself from this project because he works for Walsh Associates.

Mr. Mohr commented that in 1966 William J. Sullivan purchased this property believing it to be 2 acres. Mr. Mohr had a copy of the original plot plan which said it was 2 acres. That mistake has never been fixed until now when the property was recently surveyed. The existing house will be on a 1 acre lot. The second lot will be .98 acre – 463 sq. ft. short of 1 acre. They are requesting a variance to make the 2nd lot .98 acre.

Jim wondered if an approval would include a lot line change. Are other properties impacted?

Mark commented that the approval would not change the lot line. Mr. Mohr mentioned that 2 neighboring properties were shown to have 1 acre+.

Mark commented that since there is a gap in the surveys, he will ask for a legal opinion.

Jim wondered if the lot line is changed, who will cover the expense. Mark commented that if it is a zoning issue the Township would cover the cost.

Public Comment:

1. Mrs. Patricia Mann, 1127 N. Chester Road – Her concern is stormwater. Before stormwater drains were installed by the Township, they got flooded regularly by runoff from 1131 N Chester Road. What will happen if a house is built there. Mark explained that the stormwater ordinance is much stricter now.

2. Mr. James Potts, 1132 Taylor Dr. - He wondered if anything will be taken away from his property. Adam commented that the Township will not be moving lot lines. That is a legal issue. Mr. Potts stated that he is just looking out for his own property.

E. SOLAR ENERGY ORDINANCE

1. Solar Energy Ordinance – The Commission reviewed Dan’s draft which was now red-lined with comments from the Township solicitor. Mark explained that, if the fire guidelines are already covered by the ordinance, then it doesn’t have to be included in the Solar Energy Ordinance. Discussion included:

- Height
- Screening
- Restrictions in some districts

Page 1 – The Commission decided to allow Solar Energy Systems as a permitted Accessory Use in all districts including R1 – Hershey’s Mill.

Page 2 - The Commission decided to allow Solar Energy systems on historic structures.

Page 4 - Paragraph B, last line – remove “the local” insert “a”.

Paragraph C, first line – change to “The owner of a solar energy system....”

Page 5 - Paragraph H – Note that this is residential.

Page 7 - Paragraph R – Deals with items already in the Property Maintenance code.

F. ANY OTHER MATTER

1. This Saturday, April 5, 2014 is “Keep East Goshen Beautiful Day”. Come to the Township building first, then they will go to E Strasburg Road as in the past. Dan and George are going.

ADJOURNMENT

There being no further business, Adam moved to adjourn the meeting. Sue seconded the motion.

The motion passed unanimously.

The next meeting will be a Workshop on Wednesday, April 16, 2014 at 7:00 pm.

The next regular meeting will be held on Wednesday, May 7, 2014 at 7:00 pm.

The meeting adjourned at 10:15 pm.

Respectfully submitted, _____
Ruth Kiefer, Recording Secretary