

**EAST GOSHEN TOWNSHIP
PLANNING COMMISSION
Meeting Agenda
Wednesday, August 6, 2014
7:00 PM**

Workshop Session: 7:00 PM to 7:30PM (Conference 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. July 2, 2014**
- F. Subdivision Applications
 - 1. 1662 E. Boot Rd. / Renehan Building Group (SD/LD)**
- G. Land Development Applications
- H. Conditional Uses and Variances
- I. Ordinance Amendments**
 - 1. Discussion on Solar Ordinance Amendment (as Principle Use)**
 - 2. Discussion on adopting a Fireworks ordinance.**
 - 3. Discussion on amending the ordinance as it pertains to Wind Energy Generation Systems.**
- J. Comprehensive Plan Update
- K. Old Business
- L. New Business
- M. 2014 Goals
- N. Any Other Matter
- O. Liaison Reports
- P. Dates of Importance
 - Aug 07, 2014 Park Commission 7:00 PM
 - Aug 11, 2014 Municipal Authority 7:00 PM
 - Aug 12, 2014 Police Commission 5:30 PM
 - Aug 13, 2014 Conservancy Board 7:00 PM
 - Aug 14, 2014 Historical Commission 7:00 PM
 - Aug 14, 2014 Website Committee 7:00 PM
 - Aug 18, 2014 Commerce Commission 7:00 PM
 - Aug 18, 2014 Deer Committee 7:00 PM
 - Aug 19, 2014 Board of Supervisors 7:00 PM
 - Aug 20, 2014 Futurist Committee 7:00 PM
 - Aug 28, 2014 Website Committee 7:00 PM
 - Sept 01, 2014 Office Closed / Labor Day

Fall Newsletter Approximate Mail Date Sept 11th.

Bold Items indicate new information to review.

East Goshen Planning Commission 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
1662 E. Boot Rd	SD / LD	P	2/26/2014	3/5/2014	2/26/2014	2/26/2014	2/28/2014	2	10/7/2014	10/21/2014	NA	10/30/2014
Bold = New Application or PC action required												

Completed in 2014

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
1637 Manley Rd.	SD	P	10/24/13	11/6/13	10/24/13	10/24/13	10/28/2013		1/8/14	2/4/14	NA	2/4/2014
1131 N. Chester Rd.	V	Sk	3/19/2014	3/19/2014	NA	NA	3/26/2014		4/2/2014	4/22/2014	4/30/2014	5/8/2014
1556 Millrace Ln.	V	Sk	4/24/2014	4/24/2014	NA	NA	4/29/2014		5/7/2014	5/13/2014	5/21/2014	6/23/2014
1336 Enterprise Drive	V	Sk	4/30/2014	4/30/2014	NA	NA	4/30/2014		5/7/2014	5/13/2014	5/21/2014	6/27/2014
Sunoco	ZHB	S	6/24/2014	6/24/2014	NA	NA	6/25/2014		8/6/2014	8/19/2014	7/30/2014	8/22/2014

Draft
EAST GOSHEN TOWNSHIP
PLANNING COMMISSION MEETING
July 2, 2014

The East Goshen Township Planning Commission held a regularly scheduled meeting on Wednesday, July 2, 2014 at 7:00 p.m. at the East Goshen Township building. Members present were: Vice Chairman Adam Knox, Al Zuccarello, Jim McRee, Sue Carty, George Martynick, and 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. WORKSHOP – 7:00 PM

1. The minutes from the June 4 meeting were reviewed and corrected.
2. Mark reported that a 90-day extension was received from Jim Renehan for the E. Boot Road properties, which will end in October. Mark met with the engineer. The sanitary sewer systems have been identified and plans should be received by the end of July.
3. The Sunoco station at the corner of Paoli Pk. and Boot Rd. is proposing to upgrade their sign with LED letters. They need to amend the 1993 agreement.
4. Solar/Mars – Mark commented that all roof top structures on a flat roof need to be included in the Solar Ordinance with photos. Because of the efficiency of the boilers Mars installed, they are not installing the solar system right now. The ROI is too long. The Solar Ordinance will go to the County next, then back to the BOS.
5. CPTF – Al commented that Chapter 2 – Economic Development, will be reviewed by the Commerce Commission before the next CPTF meeting on July 28.

B. FORMAL MEETING – 7:30 PM

1. Adam called the meeting to order. He led the Pledge of Allegiance and a moment of silence to remember our troops.
2. Adam asked if anyone would be recording the meeting. There was no response.
3. Adam noted that the minutes of the June 4, 2014 meeting were approved as corrected.
4. Adam reviewed the Tracking Log and mentioned that an extension was given for the 1662 E Boot Road project.
5. Adam asked if anyone had any comments on non-agenda items. There was no response.

C. ORDINANCE AMENDMENTS

1. 1431 Paoli Pike Sun Refining & Marketing - Darin Steinberg, Esquire; Steven Hinde, Project Manager, Sunoco; and John Anderson, Engineer, were present to represent the applicant. Darin explained that Sunoco is updating their signs to LED lights. The signs will remain the same size and shape. The middle section where the prices are shown will be replaced. There were two prior exceptions at this location. In 1993 they installed the goal post style sign of today. LED lights are not allowed in this district. This is not a reader sign like the Township's sign across the street. The technology being used on the new sign will create less glare. Steven explained that the new sign will have only regular and ultra gas prices on it. He explained the replacement process and employee training process. The sign will be changed as needed by remote control. Steve has been involved in the national replacement program for 4 years. Mark commented the LED lights are not prohibited. The proposal is to keep the sign at the current size which is more than the approved 48 sq. ft. Also, there is no approval for the "Official

Fuel of NASCAR” sign which was added at the bottom of the current sign. He suggested they request 62 sq. ft. if they want to keep it. Darin and Steve want a positive response for the proposal so they will remove the OFN sign if needed. The brightness of the sign was discussed. John will get the lighting standards. Mark checked the measurements shown in the original proposal and found the total approved was 49.28 sq. ft. not 48 sq. ft. Jim moved to recommend that the Board of Supervisors support the proposed amendment to the Zoning Hearing Board Decision to update the existing freestanding sign on the property at 1431 Paoli Pike. The proposed amendment to the decision will not alter the character of the property or the surrounding property, with the following conditions:

1. Total sign area is limited to 49.28 sq. ft. as previously approved.
2. The illumination of the LED numbers shall be consistent with national standard light conditions, via remote control. Al seconded the motion. Monica commented that she has no problem with the current sign. The motion passed with 5 yes votes and 1 no vote from Monica.

D. SOLAR ENERGY ORDINANCE

1. Solar Energy Ordinance – Al moved to recommend that the Board of Supervisors adopt the enclosed ordinance amendment to the Township Zoning Ordinance pertaining to solar energy systems. The proposed amendment will add various definitions to section 240-6 related to solar energy systems; amend section 240-23.C concerning maximum height of structures; and amend section 240-32.0 amending the regulations for solar energy systems that are built as an accessory use to the principal use on a lot. Sue seconded the motion. There was no discussion. The motion passed unanimously.

E. COMPREHENSIVE PLAN UPDATE - The CPTF reviewed 5 chapters which were written in the new format. Their next meeting is Monday, July 28th at 7:00 pm.

ADJOURNMENT

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

Respectfully submitted, _____
Ruth Kiefer, Recording Secretary



July 28, 2014

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

Re Renehan Building Group
1662 E. Boot Road Subdivision

Dear Mr. Gordon:

Please find enclosed revised plans and calculations for the above proposed project for review. We have addressed the comments of the March 21, 2014 review memo from Pennoni Associates. The following are our responses to the comments brought forth in that letter:

Zoning

1. The setback lines have been adjusted to reflect a 60' front yard setback.
2. The plans have been changed to reflect a 50' right-of-way (25' on our side) for Boot Road as requested. The setback lines shown are based on the 50' right-of-way.
3. Minimum sight distances have been calculated based on the PennDOT formulas considering roadway slope and other factors. These minimum required sight distances have been added to the plan along with the available sight distances for each proposed driveway.
4. A landscape plan has been developed in accordance with the ordinance and included as part of the plan set. Much emphasis has been given to tree protection and tree replacement as required.
5. The proposed wall on Lot 2 has been adjusted to a maximum of 6' in height and a construction detail added to the detail sheet.

Subdivision and Land Development

- 6a. The property owner information for the properties across Boot Road have been added to the plans.
- 6b. The error of closure has been added to the subdivision plan along with a certification by the surveyor.
- 6c. A list of the affected utilities has been added to the plans.
- 6d. This project will utilize on-site septic systems and public water. A service letter from Aqua PA will follow once received.

29 Harvey Lane | Malvern, PA 19355-2907 | Tel: 610.644.9663 | Fax: 610.644.3789

vcellc@comcast.net | www.vcellc.net

Registrations PA NJ DE MD

- 6e. The testing for the on-site septic systems is now complete and the locations of the soil testing has been added to the plans.
- 6f. The requested note is now shown on Sheet 5.
- 6g. A note in reference to private deed restrictions has been added to the Subdivision Plan and note #11 on the Grading Plan.
- 7. Grading setbacks have been added to the plans and the proposed grading on Lot 1 has been adjusted to comply.
- 8. All proposed driveways are now 12' within the Boot Road right-of-way. A note has been added to driveways shown on the grading plan to reflect this requirement.
- 9. The requested tree removal calculation has been added to the Landscape plan. Tree protection notes from the ordinance have also been added to the Landscape Plan.
- 10. The Subdivision Plan now reflects the addition of monuments for the property frontage.

Stormwater Management

- 11. The applicant will be applying for an NPDES permit which will require satisfying the Chester County Conservation District and PADEP on the same matter. The applicant will provide the necessary information when available during the NPDES process.
- 12. The stormwater report has been modified to reflect 4 points of interest. The 4 areas have been analyzed in both the pre-development and post-development conditions. All rear areas drain to a headwall located on a property in the Clock Tower development. The front area drains to East Boot Road.
- 13. Runoff volumes calculations have been provided in the Stormwater Report without the use of averaging runoff coefficients.
- 14a. Infiltration testing has now been completed with favorable results. The infiltration basins have been designed to infiltrate the required volumes and drain within the required time. It was found that the limiting zone is deep in the areas of the infiltration beds.
- 14b. Note 8 in the Infiltration Bed notes covers this requirement. The general erosion and sedimentation control guidelines also cover this requirement.
- 14c. The roof drains will discharge to grade as a BMP practice. The yard drains that feed the infiltration basins have all been designed with 12" sumps to prevent sediment from entering the basin. Operation and maintenance notes will also address the cleaning of accumulated sediment.
- 14d. Calculations have been provided in the stormwater report to show that the distribution pipes within the basins are adequate for the distribution of runoff reaching the basins.
- 15a. No comment necessary.

- 15b. A detail has been added to the detail sheet depicting a section through the basins. The detail also addresses plantings for the basin and basin berm.
- 15c. The berms as designed are 4' in height at most. It is the opinion of the design engineer that the proper compaction of the soil during construction of the berms should be sufficient in this case. However, if the in-situ soils are determined to be inadequate for use as berm material, material with a higher clay content should be brought in for construction of the berms. This has been noted in the detail mentioned above for the basin section.
- 15d. It is the opinion of the design engineer in this situation, with the relatively low height of the proposed berms and that the stone in the infiltration basins will be compacted, compaction of the berms as noted will not adversely affect the infiltration basins beneath the berms.
- 16a. An NPDES permit and erosion and sedimentation control plan letter of adequacy will be required for this project along with a Sewage Facility Planning Module for the on-site septic. Both are in process of being applied for.
- 16b. The requested statement has been added to the Grading Plan.
- 16c. The requested statement has been added to the Grading Plan.
- 16d. The requested information has been added to the general notes.
- 16e. The requested information has been included with the resubmission materials. There was a potential conflict that has been addressed and cleared by PA DCNR.
- 16f. The soil boundaries are shown on the appropriate plans. The soil type GdD has been removed from the plans.
- 16g. The only known well within 50' of the property line is shown along the eastern property line.
- 16h. An impervious coverage table has been added to the Grading Plan.
- 16i. A separate supplemental plan showing the site and the surrounding area has been provided that shows county GIS topographic information. A drainage area boundary has been added to this supplemental plan to show the offsite area draining through the site.
- 16j. A revised drainage area plan has been included and shows the time of concentration paths where applicable.
- 16k. All known existing utilities, sanitary sewers, on-lot septic systems and water supply lines within 50' of the proposed limit of earth disturbance have been shown.
- 16l. These easements and deed restrictions requested will be addressed once the BMP locations have been finalized, or their locations accepted by CCCD, PADEP, and the Township Engineer's office.
- 16m. A separate narrative addressing ordinance section 195-27C has been attached.
- 16n. The O & M plan will be developed as the applicant moves through the NPDES application process. The applicant believes the prepared plan set will be able to address this requirement.

160. The applicant will complete the O & M agreement later in the review and approval process.
17. The loading ratios have been recalculated based on the relocated stormwater facilities. Although the overall loading ratios are higher than the recommended values in the BMP manual, the loading ratios for impervious areas has been met. It is the design engineer's opinion that based on the favorable infiltration rates, the higher overall loading ratios will not adversely affect the operation of the stormwater systems. The applicant will be addressing this with CCCD and PADEP as part of the NPDES process as well.
18. The level spreaders that discharge runoff from the rear basins to each lot have been relocated to try and provide more infiltration opportunity before leaving the respective lot boundaries. It should be noted that this area is a natural drainageway for the overall drainage basin and that all post-development flows from the proposed project have been reduced below the predevelopment values for each lot POI. Also the requested level spreader calculations show that the discharge velocities are non-erosive.
19. Calculations and details for the proposed swales have been provided.

General

20. The existing deed for the parcel has been included with the resubmission materials.
21. The calculations requested will be provided during the NPDES application process and will be reviewed by CCCD and PADEP. A rock construction entrance has been added to Lot 1 and topsoil stockpiles have been added to the plans as well.
22. There are no proposed slopes greater than 3:1. The note is a standard CCCD note.
23. The proposed septic systems for Lots 2 and 3 now comply with the setback requirement. The 10' setback requirement has also been added to the plan.
24. The requested notes have been added to the general notes.
25. The plan title has been revised to reflect the desire for the project to be considered as a Preliminary/Final submission. It is unclear at this time which section of the ordinance a waiver is needed from.
- 26a. A formal application has not yet been made. This information will be provided when available.
- 26b. The process is being handled by a different consultant and will be provided when available.
- 26c. No comment necessary.
- 26d. Water availability letter will be forwarded when received.
- 26e. No comment necessary.
- 26f. No comment necessary.

July 28, 2014
1662 E. Boot Road
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- 26g. The existing house was formally removed from the historic resource list. Documentation will be forwarded once received.
- 26h. The applicant will be presenting the landscape plan to the conservancy at the next meeting with availability.
- 26i. No comment necessary.
- 26j. No comment necessary.

Please find revised sets of plans and soil profiles based on the changes outlined above. We trust the above changes will adequately address the comments of the above referenced letter and that the applicant is able to obtain their Soil and Erosion Control Permit for this project. Please call if you have any questions regarding the above information.

Very truly yours,
Vastardis Consulting Engineers, LLC

A handwritten signature in black ink, appearing to read 'N. Vastardis', with a long horizontal flourish extending to the right.

Nicholas L. Vastardis, P.E.
Encl.

Stormwater Site Design Process

The site currently contains a residence, barn and open meadow for horses. The site is defined by a ridge running roughly east to west along the front portion of the parcel. The ridge serves as a drainage divide sending runoff towards Boot Road to the northwest and towards the rear parcel line to the southwest. Overall, there is a drainageway that runs from east to west just off the rear southerly property line of the parcel. Much of the area flows through this existing drainageway and reaches a headwall and pipe that is located behind one of the homes along Clock Tower Drive to the west of the property.

The stormwater design takes into consideration this natural drainage divide and natural drainageway and sends runoff in both directions and simultaneously reduces peak runoff rates and runoff volumes to those areas. The site was divided into four points of interest and runoff was reduced at each point of interest. Best management practices were followed like separation of runoff from impervious areas such as the driveways and roof runoff flow across grassed areas. Small above ground basins are being proposed on each new lot to capture runoff reaching the basins in grassed swales. Beneath the above ground basins are infiltration basins that will infiltrate runoff back into the groundwater table. Infiltration rates were favorable for this design. Discharge is being spread out using bubble-up spreaders so as to not concentrate runoff. Discharges for the rear basins are into the natural drainageway. Discharge to Boot Road is also via bubble-up spreaders. The stormwater design readily meets the township ordinance requirements. All post-development runoff rates and volumes will be reduced over their respective pre-development values. No adverse effect is anticipated as a result of this stormwater design.

Erosion and sedimentation control BMPs will be implemented during construction. This will all be vetted out through the NPDES application process with Chester County Conservation District and PA DEP.

The project schedule is unknown at this time. Most likely houses will be constructed individually rather than all at once.



BUREAU OF FORESTRY

April 9, 2014

PNDI Number: 20140224439577

Nicholas Vastardis
Vastardis Consulting Engineers
Email: vcelle@verizon.net (hard copy will NOT follow)

Re: 1662 East Boot Road
Proposed 3 Lot Subdivision
East Goshen Township, Chester County, PA

Dear Mr. Vastardis,

Thank you for the submission of the Pennsylvania Natural Diversity Inventory (PNDI) Environmental Review Receipt Number **20140224439577** for review. PA Department of Conservation and Natural Resources screened this project for potential impacts to species and resources under DCNR's responsibility, which includes plants, terrestrial invertebrates, natural communities, and geologic features only.

No Impact Anticipated

PNDI records indicate species or resources under DCNR's jurisdiction are located in the vicinity of the project. However, based on the information you submitted concerning the nature of the project, the immediate location, and our detailed resource information, DCNR has determined that no impact is likely. No further coordination with our agency is needed for this project.

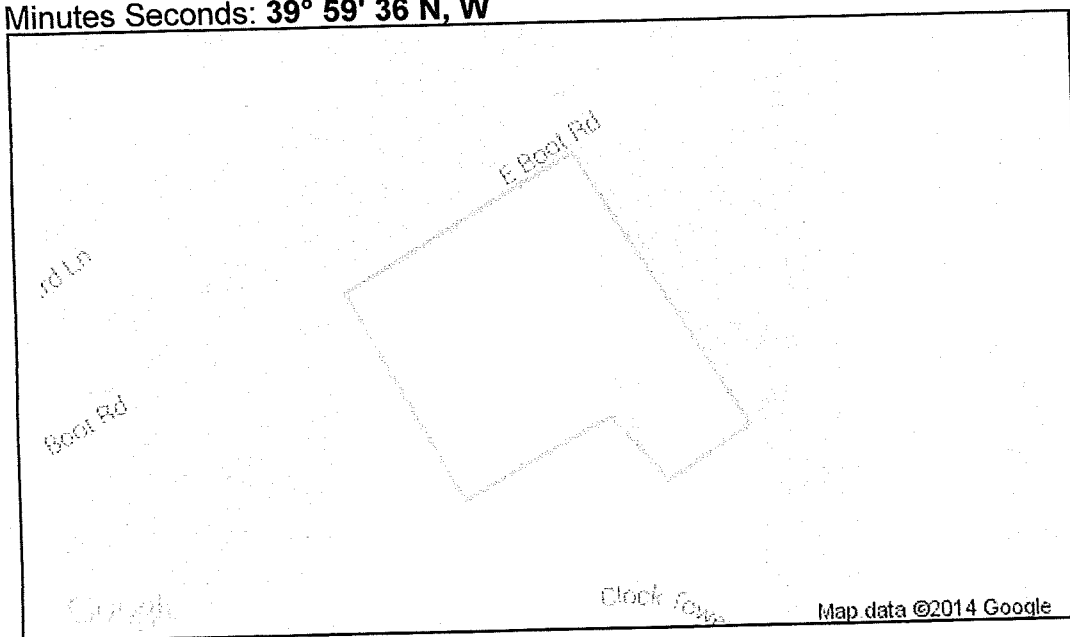
This response represents the most up-to-date review of the PNDI data files and is valid for two (2) years only. If project plans change or more information on listed or proposed species becomes available, our determination may be reconsidered. Should the proposed work continue beyond the period covered by this letter, please resubmit the project to this agency as an "Update" (including an updated PNDI receipt, project narrative and accurate map). As a reminder, this finding applies to potential impacts under DCNR's jurisdiction only. Visit the PNHP website for directions on contacting the Commonwealth's other resource agencies for environmental review.

Should you have any questions or concerns, please contact Emilee Boyer Euker, Ecological Information Specialist at 717.787.7067 or e-boyer@pa.gov.

Sincerely,

Rebecca H. Bowen, Section Chief
Bureau of Forestry, Ecological Services Section
Pennsylvania Natural Heritage Program

1. PROJECT INFORMATION

Project Name: **1662 East Boot Road**Date of review: **2/24/2014 3:40:02 PM**Project Category: **Development, Residential, Subdivision containing more than 2 lots and/or 2 single-family units**Project Area: **3.8 acres**County: **Chester** Township/Municipality: **East Goshen**Quadrangle Name: **WEST CHESTER ~ ZIP Code: 19380**Decimal Degrees: **39.993423 N, -75.534671 W**Degrees Minutes Seconds: **39° 59' 36 N, W**

2. SEARCH RESULTS

Agency	Results	Response
PA Game Commission	No Known Impact	No Further Review Required
PA Department of Conservation and Natural Resources	Potential Impact	FURTHER REVIEW IS REQUIRED, See Agency Response
PA Fish and Boat Commission	No Known Impact	No Further Review Required
U.S. Fish and Wildlife Service	No Known Impact	No Further Review Required

As summarized above, Pennsylvania Natural Diversity Inventory (PNDI) records indicate there may be potential impacts to threatened and endangered and/or special concern species and resources within the project area. If the response above indicates "No Further Review Required" no additional communication with the respective agency is required. If the response is "Further Review Required" or "See Agency Response," refer to the appropriate agency comments below. Please see the DEP Information Section of this receipt if a PA Department of Environmental Protection Permit is required.

Note that regardless of PNDI search results, projects requiring a Chapter 105 DEP individual permit or GP 5, 6, 7, 8, 9 or 11 in certain counties (Adams, Berks, Bucks, Carbon, Chester, Cumberland, Delaware, Lancaster, Lebanon, Lehigh, Monroe, Montgomery, Northampton, Schuylkill and York) must comply with the bog turtle habitat screening requirements of the PASPGP.

3. AGENCY COMMENTS

Regardless of whether a DEP permit is necessary for this proposed project, any potential impacts to threatened and endangered species and/or special concern species and resources must be resolved with the appropriate jurisdictional agency. In some cases, a permit or authorization from the jurisdictional agency may be needed if adverse impacts to these species and habitats cannot be avoided.

These agency determinations and responses are **valid for two years** (from the date of the review), and are based on the project information that was provided, including the exact project location; the project type, description, and features; and any responses to questions that were generated during this search. If any of the following change: 1) project location, 2) project size or configuration, 3) project type, or 4) responses to the questions that were asked during the online review, the results of this review are not valid, and the review must be searched again via the PNDI Environmental Review Tool and resubmitted to the jurisdictional agencies. The PNDI tool is a primary screening tool, and a desktop review may reveal more or fewer impacts than what is listed on this PNDI receipt. The jurisdictional agencies **strongly advise against** conducting surveys for the species listed on the receipt prior to consultation with the agencies.

PA Game Commission

RESPONSE: No Impact is anticipated to threatened and endangered species and/or special concern species and resources.

PA Department of Conservation and Natural Resources

RESPONSE: Further review of this project is necessary to resolve the potential impacts(s). Please send project information to this agency for review (see WHAT TO SEND).

DCNR Species: (Note: The PNDI tool is a primary screening tool, and a desktop review may reveal more or fewer species than what is listed below. After desktop review, if a botanical survey is required by DCNR, we recommend the DCNR Botanical Survey Protocols, available here: http://www.gis.dcnr.state.pa.us/hgis-er/PNDI_DCNR.aspx.)

Scientific Name: Fimbristylis annua

Common Name: Annual Fimbry

Current Status: Threatened

Proposed Status: Threatened

PA Fish and Boat Commission

RESPONSE: No Impact is anticipated to threatened and endangered species and/or special concern species and resources.

U.S. Fish and Wildlife Service

RESPONSE: No impacts to federally listed or proposed species are anticipated. Therefore, no further consultation/coordination under the Endangered Species Act (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*) is required. Because no take of federally listed species is anticipated, none is authorized. This response does not reflect potential Fish and Wildlife Service concerns under the Fish and Wildlife Coordination Act or other authorities.

* Special Concern Species or Resource - Plant or animal species classified as rare, tentatively undetermined or candidate as well as other taxa of conservation concern, significant natural communities, special concern populations (plants or animals) and unique geologic features.

** Sensitive Species - Species identified by the jurisdictional agency as collectible, having economic value, or being susceptible to decline as a result of visitation.

WHAT TO SEND TO JURISDICTIONAL AGENCIES

If project information was requested by one or more of the agencies above, send the following information to the agency(s) seeking this information (see AGENCY CONTACT INFORMATION).

Check-list of Minimum Materials to be submitted:

- ☐ **SIGNED** copy of this Project Environmental Review Receipt
- ☐ Project narrative with a description of the overall project, the work to be performed, current physical characteristics of the site and acreage to be impacted.
- ☐ Project location information (name of USGS Quadrangle, Township/Municipality, and County)
- ☐ USGS 7.5-minute Quadrangle with project boundary clearly indicated, and quad name on the map

The inclusion of the following information may expedite the review process.

- ☐ A basic site plan (particularly showing the relationship of the project to the physical features such as wetlands, streams, ponds, rock outcrops, etc.)
- ☐ Color photos keyed to the basic site plan (i.e. showing on the site plan where and in what direction each photo was taken and the date of the photos)
- ☐ Information about the presence and location of wetlands in the project area, and how this was determined (e.g., by a qualified wetlands biologist), if wetlands are present in the project area, provide project plans showing the location of all project features, as well as wetlands and streams

4. DEP INFORMATION

The Pa Department of Environmental Protection (DEP) requires that a signed copy of this receipt, along with any required documentation from jurisdictional agencies concerning resolution of potential impacts, be submitted with applications for permits requiring PNDI review. For cases where a "Potential Impact" to threatened and endangered species has been identified before the application has been submitted to DEP, the application should not be submitted until the impact has been resolved. For cases where "Potential Impact" to special concern species and resources has been identified before the application has been submitted, the application should be submitted to DEP along with the PNDI receipt. The PNDI Receipt should also be submitted to the appropriate agency according to directions on the PNDI Receipt. DEP and the jurisdictional agency will work together to resolve the potential impact(s). See the DEP PNDI policy at <http://www.naturalheritage.state.pa.us>.

5. ADDITIONAL INFORMATION

The PNDI environmental review website is a **preliminary** screening tool. There are often delays in updating species status classifications. Because the proposed status represents the best available information regarding the conservation status of the species, state jurisdictional agency staff give the proposed statuses at least the same consideration as the current legal status. If surveys or further information reveal that a threatened and endangered and/or special concern species and resources exist in your project area, contact the appropriate jurisdictional agency/agencies immediately to identify and resolve any impacts.

For a list of species known to occur in the county where your project is located, please see the species lists by county found on the PA Natural Heritage Program (PNHP) home page (www.naturalheritage.state.pa.us). Also note that the PNDI Environmental Review Tool only contains information about species occurrences that have actually been reported to the PNHP.

6. AGENCY CONTACT INFORMATION

PA Department of Conservation and Natural Resources

Bureau of Forestry, Ecological Services Section
400 Market Street, PO Box 8552, Harrisburg, PA.
17105-8552
Fax: (717) 772-0271

U.S. Fish and Wildlife Service

Endangered Species Section
315 South Allen Street, Suite 322, State College, PA.
16801-4851
NO Faxes Please.

PA Fish and Boat Commission

Division of Environmental Services
450 Robinson Lane, Bellefonte, PA. 16823-7437
NO Faxes Please

PA Game Commission

Bureau of Wildlife Habitat Management
Division of Environmental Planning and Habitat Protection
2001 Elmerton Avenue, Harrisburg, PA. 17110-9797
Fax: (717) 787-6957

7. PROJECT CONTACT INFORMATION

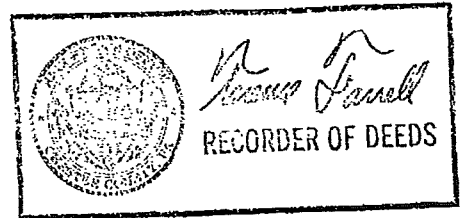
Name: NICHOLAS VASTALDIS, P.E.
Company/Business Name: VASTALDIS CONSULTING ENGINEERS, LLC
Address: 29 HUNTER LANE
City, State, Zip: MILVOT, PA 19353
Phone: (610) 644-9663 Fax: (610) 644-3789
Email: VCELL@VERIZON.NET

8. CERTIFICATION

I certify that ALL of the project information contained in this receipt (including project location, project size/configuration, project type, answers to questions) is true, accurate and complete. In addition, if the project type, location, size or configuration changes, or if the answers to any questions that were asked during this online review change, I agree to re-do the online environmental review.

[Signature]
applicant/project proponent signature

2/24/14
date



This Indenture Made the 5TH day of May in the year of our Lord two thousand and three (2003).

Between LORETTA M. RUDOLPH (hereinafter called the Grantor), of the one part and J. ERIC RUDOLPH and LORETTA M. RUDOLPH, his wife, as tenants by the entireties, (hereinafter called the Grantees), of the other part,

Witnesseth That the said Grantor for and in consideration of the sum of One Dollar (\$1.00) lawful money of the United States of America, unto her well and truly paid by the said Grantees, at or before the sealing and delivery hereof, the receipt whereof is hereby acknowledged, has granted, bargained and sold, released and confirmed, and by these presents does grant, bargain and sell, release and confirm unto the said Grantees, their heirs and assigns.

ALL THAT CERTAIN tract or parcel of land with the buildings and improvements thereon erected, Situate in the Township of East Goshen, County of Chester and State of Pennsylvania, described in accordance with a Plan of Property made for Roberts Senger by Henry E. Conrey, Inc., Division of Chester Valley Engineers, (Paoli, PA) dated 4/25/1966, last revised 5/17/1975 as follows, to wit:

MBZ
BEGINNING at a point on the Southwest side of Boot Road at the Northwest corner of Parcel D which point is measured the two following courses and distances from a point of curve on the West side of a certain 50 feet wide right of way as shown on said Plan; (1) along the arc of a circle curving to the left having a radius of 25 feet the arc distance of 39.20 feet to a point on the Southeast side of Boot Road; (2) along the same South 63 degrees 50 minutes West, 115.00 feet to the place of beginning; thence leaving the road and along Parcel D South 16 degrees 49 minutes 20 seconds East, 491.58 feet to a point; thence 63 degrees 50 minutes West, 110.19 feet to a point; thence North 26 degrees 10 minutes West, 135.00 feet to a point; thence South 63 degrees 50 minutes West, 301.08 feet to a point a corner of Parcel A; thence along Parcel A, North 26 degrees 10 minutes West, 350.00 feet to a point on the Southeast side of Boot Road aforesaid; thence along the same North 63 degrees 50 minutes East, 491.08 feet to the first mentioned point and place of beginning.

CONTAINING 4.090 acres of land be the same more or less.

BEING Parcels B and C on the above mentioned Plan.

BEING TAX PARCEL #53-4-131.1 ✓

This Document Recorded
05/21/2003 State RTT: 0.00
09:03AM Local RTT: 0.00
Doc Code: DEE Chester County, Recorder of Deeds Office

Doc Id: 10241744
Receipt #: 106400
Rec Fee: 40.50



ECKELL SPARKS LEVY

05/21/2003 09:03A

10241744
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B-5705 P-1013

BEING the same premises which J. Eric Rudolph and Loretta M. Rudolph, his wife, by their indenture bearing date the 21st day of February, 1992 and recorded in the Office for the Recording of Deeds in and for the County of Chester, West Chester, Pennsylvania on February 24, 1992 in Deed Book 2807 page 234, granted and conveyed unto Loretta M. Rudolph, in fee.

THIS IS A TRANSFER FROM WIFE TO HUSBAND AND WIFE AND, THEREFORE, IS NOT TAXABLE.

Together with all and singular the buildings and improvements, ways, streets, alleys, driveways, passages, waters, water-courses, rights, liberties, privileges, hereditaments and appurtenances, whatsoever unto the hereby granted premises belonging, or in any wise appertaining, and the reversions and remainders, rent, issues, and profits thereof, and all the estate, right, title, interest, property, claim and demand whatsoever of her, the said Grantor, as well as law as in equity, of, in, and to the same.

To have and to hold the said lot or piece of ground described buildings and improvements thereon erected, hereditaments and premises hereby granted, or mentioned and intended so to be, with the appurtenances, unto the said Grantees, their heirs and assigns, to and for the only proper use and behoof of the said Grantees, their heirs and assigns forever.

And the said Grantor, her heirs, executors and administrators does covenant, promise and agree, to and with the said Grantees, their heirs and assigns, by these presents, that she the said Grantor and her heirs, all and singular the hereditaments and premises hereby granted or mentioned and intended so to be, with the appurtenances, unto the said Grantees, their heirs and assigns, against him, the said Grantor and her heirs, and against all and every person and persons whomsoever lawfully claiming or to claim the same or any part thereof, by, from or under them or any of them, shall and will by these presents

WARRANT and forever DEFEND

In Witness Whereof, the party of the first part, Grantor, has hereunto set her hand and seal. Dated the day and year first above written.

Sealed and Delivered
IN THE PRESENCE OF US:

Loretta M. Rudolph (Seal)
LORETTA M. RUDOLPH



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Commonwealth of Pennsylvania

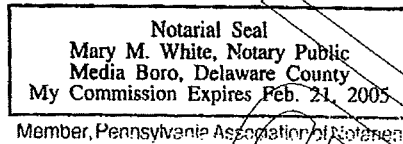
County of Delaware

SS:

On this, the 5th day of May, 2003, before me a Notary Public for the Commonwealth of Pennsylvania, residing in the county aforesaid, the undersigned Officer, personally appeared LORETTA M. RUDOLPH known to me (satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that she executed the same for the purposes therein contained.

I hereunto set my hand and official seal.

Mary M. White
Notary Public



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TAX PARCEL #53-04-0131.010

DEED

LORETTA M. RUDOLPH,

Grantor,

TO

J. ERIC RUDOLPH and LORETTA M. RUDOLPH,
His Wife, as Tenants by the Entireties,

Grantees.

PREMISES:

1662 EAST BOOT ROAD,
EAST GOSHEN TOWNSHIP,
CHESTER COUNTY, PA

MAIL TAX BILL TO:

MR. & MRS. J. ERIC RUDOLPH
1662 EAST BOOT ROAD, WEST CHESTER, PA 19380


Record and return to:

JOSEPH L. MONTE, JR., ESQUIRE
ECKELL, SPARKS, LEVY, AUERBACH, MONTE,
RAINER & SLOANE, P.C.
344 W. FRONT ST., P.O. BOX 319, MEDIA, PA 19063
(610) 565-3700

The address of the above-named

Grantee is: 1662 East Boot Road

West Chester, PA 19380


On behalf of the Grantee



ECKELL SPARKS LEVY

05/21/2003 09:03A

10241744

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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: 7/30/2014

To: Planning Commission

From: Mark Gordon, Township Zoning Officer *mlb*

Re: **Solar Energy Collection System as Principle Use**

Dear Commissioners:

The Solar Ordinance for Accessory Uses has been sent to the CCPC for review and comment, we should have their comments for the September meeting, I have enclosed a copy for your reference.

As part of the PC Goals for 2014 we also need to consider Solar Energy Collection Systems as a Principle Use.

Items for consideration:

Minimum Lot size

Setbacks

Height

Screening

Fencing

Permitted Districts

Conditional Use Standards

I have researched the local ordinances and West Whiteland has a pretty significant ordinance, I have included it to help drive the discussion. The Township Solicitor is also going to provide some information, I hope to have it for you to look at on Wednesday.

EXAMPLE
WEST WHITELAND TOWNSHIP

Township of West Whiteland, PA
Thursday, July 31, 2014

Chapter 325. ZONING

Article IX. Common Regulations

§ 325-44.1. Solar energy systems.

[Added 7-27-2011 by Ord. No. 392]

A. Classification of use.

- (1) A solar energy system shall be deemed to be the principal use of a lot when the peak output of the system as designed exceeds 125% of the estimated aggregated peak electrical demand of all consumptive equipment on that lot. Where there are multiple solar energy systems on a lot, this calculation shall be based upon the total peak design output of the aggregated systems. Solar energy systems as a principal use are permitted only where allowed by the district regulations.
- (2) All solar energy systems that are not a principal use of a lot, as defined above, shall be deemed an accessory use.

B. Township review and approval.

- (1) The following types of solar energy systems are permitted as an accessory use by right in all zoning districts:
 - (a) All roof-mounted systems.
 - (b) Solar heating and cooling systems.
 - (c) Solar hot-water systems.
 - (d) Ground-mounted photovoltaic systems where the area of the photovoltaic panels is not more than 1,000 square feet.
- (2) The following types of solar energy systems are permitted as an accessory use by conditional use in all zoning districts:
 - (a) Ground-mounted photovoltaic systems where the area of the photovoltaic panels exceeds 1,000 square feet.

- (3) The following types of solar energy systems are permitted as a principal use by conditional use in the I-1 and I-2 Zoning Districts only:
 - (a) Ground-mounted photovoltaic systems of any size.
 - (b) Concentrated solar power systems.
 - (c) Any other type of solar energy system intended to produce power for sale rather than for consumption on the subject property.
- (4) The installation of a solar energy system shall be deemed a land development under any one of the following conditions and shall therefore be subject to the review and approval process established by the Township Subdivision and Land Development Ordinance.^[1] Land development review and approval shall be in addition to any requirement for conditional use approval.
 - (a) Where the installation of the solar energy system requires grading of the property, pursuant to the definition of "land development" in § 325-8 above, regardless of whether it is the principal use of the property.
 - (b) Where the installation of the solar energy system will result in additional impervious cover of 2,000 square feet or more, pursuant to the definition of "land development" in § 325-8 above, and pursuant to the standard enumerated in § 324-44.1E(1) below, regardless of whether it is the principal use of the property.
 - (c) Where the solar energy system will be the principal use of the property.

^[1]: *Editor's Note: See Ch. 281, Subdivision and Land Development.*

C. General regulations.

- (1) The design, construction, and installation of solar energy systems shall comply with all applicable requirements of the West Whiteland Township Building Code (including the electrical and plumbing codes)^[2] in addition to the requirements of this section and applicable industry standards. In the event of a conflict among the provisions of this section, industry standards, and the Building Code, the Building Code shall control.

^[2]: *Editor's Note: See Ch. 129, Construction Codes, Uniform.*
- (2) Solar energy systems shall comply with the Pennsylvania Uniform Construction Code, Act 45 of 1999, as amended, and all other applicable statutes or acts promulgated by the Commonwealth of Pennsylvania.
- (3) A building permit shall be required for the installation of all solar energy systems. Where the installation of a solar energy system has been deemed to require review and approval as a conditional use and/or a land development, such approval(s) shall

be received prior to the issuance of a building permit.

- (4) In addition to other Township requirements, the individual or company responsible for installing the solar energy system shall be approved as a solar system installer by the Pennsylvania Department of Environmental Protection.
- (5) Solar energy systems shall be sited to assure solar access without reliance upon adjacent properties.
- (6) Solar energy systems may be roof-mounted in compliance with § **325-44.1D** below, ground-mounted in compliance with § **325-44.1E** below, or incorporated into the structure of a building. No component of a solar energy system shall be mounted upon another structure such that it extends beyond the footprint of that structure.
- (7) Solar energy systems shall comply with the performance standards in § **325-41** above and shall be sited such that they will not cause any glare beyond the property line of the lot whereupon they are located. In the event that any element of a solar energy system shall be found to cause such impermissible glare, the Township shall have the authority to compel the property owner (and/or the owner of the system if he/she/it are not the property owner) to eliminate such glare by a means acceptable to the Township, up to and including the removal of the glare-causing elements.
- (8) Requirement of glare analysis. Under any one of the following conditions, the applicant for a solar energy system that includes photovoltaic panels shall provide with the application a glare analysis prepared and sealed by an engineer licensed in the Commonwealth of Pennsylvania. Such analysis shall document the areas subject to glare from the proposed system. No approval shall be granted nor any building permit issued for a system where such analysis shows that glare will be projected onto any public street or any building on any property other than the one whereupon the system is located.
 - (a) Where the installation of photovoltaic panels is subject to review as a conditional use or land development as provided for above.
 - (b) Where photovoltaic panels are to be mounted such that the reflective surface directly faces or is angled toward a public street or any building (other than a building on the same lot as the said panels) without any intervening structure or permanent screen.
- (9) No solar energy system shall be used to display advertising, signage, streamers, pennants, spinners, reflectors, ribbons, tinsel, balloons, flags, banners, or similar materials.
- (10) Solar energy systems shall be promptly removed and properly disposed of when

damaged or no longer in use.

D. Roof-mounted, solar energy systems.

- (1) For the purposes of determining compliance with building height limits, a roof-mounted system shall be deemed a type of "mechanical equipment," as that term is used in the definition of "building height" in § **325-8** above.
- (2) Roof-mounted systems shall be set back a minimum of three feet from the edge of the roof. In addition, when mounted upon a roof with a slope of 10% or more, the system shall be set back a minimum of three feet from the ridgeline or highest point of the roof.
- (3) Electrical conduits serving the roof-mounted system shall be mounted a minimum of 10 inches below the decking of the roof.
- (4) When mounted upon a roof with a slope of 30% or more, no part of a roof-mounted system shall extend more than one foot above the highest point of the roof upon which it is mounted.
- (5) When mounted upon a roof with a slope of less than 30%, a roof-mounted system shall be surrounded by a visual screen having a minimum height equal to the tallest point of the system.
- (6) No part of any roof-mounted system shall extend beyond the edge of the roof upon which it is mounted.

E. Ground-mounted solar energy systems.

- (1) For the purposes of determining compliance with area and bulk regulations, a ground-mounted system shall be deemed a type of "building" and shall be subject to the limitations on height and building coverage as well as the setback requirements established for buildings by the applicable district regulations. The impervious cover calculation shall include only the areas that are paved or otherwise sealed against infiltration; where the system consists of panels elevated above the ground such that stormwater may infiltrate below such panels, the panels shall not be deemed to create impervious cover, although they shall be included in the calculation of building coverage.
- (2) When the installation of a ground-mounted system will result in an increase in building coverage [as described in § **325-44.1E(1)** above] of 2,000 square feet or more, the applicant for such installation shall provide a stormwater impact analysis describing the impact of the project upon stormwater and providing for appropriate stormwater management facilities as part of the installation. No building permit shall be issued until the analysis and recommendations are found

satisfactory to the Township, as advised by the Township Engineer.

- (3) When installed as an accessory to a residential use, a ground-mounted system shall not be placed within the front yard.
- (4) All electrical and plumbing lines serving a ground-mounted solar energy system shall be in compliance with the applicable Township codes and shall be within a conduit and buried below ground.
- (5) If a ground-mounted solar energy system has been abandoned (hereby defined as not having been in operation for a continuous period of six consecutive months), is defective, or is deemed unsafe by the Township's Code Enforcement Officer, the Township may direct the owner to repair the system to meet all applicable safety and code standards or to remove the system within a period of time to be established by the Code Enforcement Officer. If the owner fails to comply with the order of the Code Enforcement Officer, the Township may pursue a legal action to have the system removed at the owner's expense.

TOWNSHIP OF EAST GOSHEN
CHESTER COUNTY, PENNSYLVANIA

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE EAST GOSHEN TOWNSHIP ZONING ORDINANCE OF 1997, AS AMENDED, SECTION 240-6 TO ADD VARIOUS DEFINITIONS RELATED TO SOLAR ENERGY SYSTEMS; SECTION 240-23.C CONCERNING MAXIMUM HEIGHT OF STRUCTURES; AND SECTION 240-32.O TO AMEND THE REGULATIONS FOR SOLAR ENERGY SYSTEMS THAT ARE BUILT AS AN ACCESSORY USE TO THE PRINCIPAL USE ON A LOT.

BE IT ENACTED AND ORDAINED by the Board of Supervisors of East Goshen Township, that the East Goshen Township Zoning Ordinance of 1997, as amended, which is codified in Chapter 240 of the East Goshen Township Code, titled, "Zoning", shall be amended as follows:

SECTION 1. Section 240-6, titled, "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. Section 240-23.C(2) of the East Goshen Township Zoning Ordinance of 1997, as amended, shall be amended as follows:

"(2) Structures such as flagpoles, windmills, water towers and silos 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. This section shall not apply to solar energy systems."

SECTION 3. Section 240.32.O of the East Goshen Township Zoning Ordinance of 1997, as amended, shall be amended as follows:

"O. Solar energy systems

It is the purpose of these regulations 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 use 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 use to a principal use; provided that a ground mounted solar energy system shall not exceed 1,000 square feet of land area. If the ground mounted solar energy system exceeds 1,000 square feet of land area, it shall only be permitted by conditional use of the Board of Supervisors.
 - 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 local utility companies.

- C. The owner of 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 and #2*] or ground mounted [*attachment #3*].
- 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 exceed the maximum principal building height or accessory building height specified for the building type in the underlying zoning district by no more than two (2) feet. In no instance shall any part of the solar energy system extend beyond the edge of the roof horizontally. Roof top solar energy systems shall not be included in the calculation of building height.
- F. A ground mounted system shall not exceed a maximum height of eight (8) feet.
- G. The surface area of a ground mounted system, regardless of the mounted angle, shall not be calculated as part of the overall impervious coverage provided that the following criteria are met:
 - 1. Earth disturbance and grading activities shall be minimized to the greatest extent feasible and natural vegetative cover shall be preserved and/or restored. Low impact construction techniques shall be utilized as feasible.
 - 2. Vegetative cover shall have a 90% or better uniform coverage. Gravel shall not be considered pervious cover.
 - a. A meadow condition is preferable, particularly for slopes between 5 and 10%.
 - b. Mowed areas, where approved, should be kept to a minimum height of four (4) inches, and 10

inches maximum.

- c. Vegetated areas shall not be subject to chemical fertilization or herbicides / pesticides.
- 3. Individual photovoltaic panels within an array are arranged in a fashion that:
 - a. Allows the passage of runoff between each module thereby minimizing the creation of concentrated runoff.
 - b. Allows the growth of vegetation beneath and between arrays.
- 4. Ground mounted solar panels are supported with structures/foundations occupying minimal space (maximum five (5) percent of the total project area).
- 5. Solar panels are situated on slopes less than ten (10) percent.
- 6. The lowest vertical clearance of the solar array is at an elevation of eight (8) feet or less from the ground, but is also at an adequate height to promote vegetative growth below the array.
- H. A ground mounted system shall be located behind the principal structure within the building envelope.
- I. The minimum setback between the solar energy system and any property line shall be equivalent to the applicable building setback requirement of the underlying zoning district.
- J. Ground mounted solar energy systems including solar panels and mechanical equipment shall be fully screened from any adjacent property or public / private road by a solid fence with a height at least equal to the height of the highest solar panel. The fence shall be maintained for as long as the solar energy system is located on the property. Solar panels shall be placed such that concentrated solar radiation or glare shall not be directed onto nearby properties or roadways.

- K. The solar energy system shall comply with all relevant Federal Aviation Administration rules and regulations, if any.
 - L. All power transmission lines from a ground mounted solar energy system to any building or other structure shall be located underground.
 - M. 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 such information complies with the prevailing sign regulations.
 - N. A solar energy system shall not be constructed until a building/zoning permit has been approved and issued.
 - O. The design of the solar energy system shall conform to applicable industry standards and codes.
- 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 Zoning Officer, 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 Zoning Officer.

SECTION 4. 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 5. 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 6. Effective Date. This Ordinance shall become effective in five days from the date of adoption.

ENACTED AND ORDAINED this _____ day of _____, 2014.

ATTEST:

**EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS**

Louis F. Smith, Secretary

E. Martin Shane, Chairman

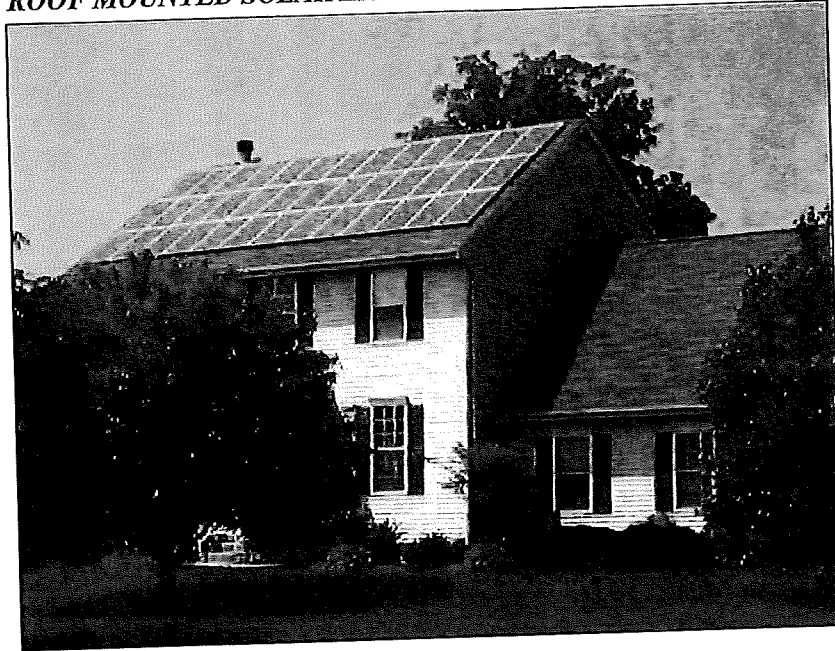
Senya D. Isayeff, Vice-Chairman

Carmen Battavio, Member

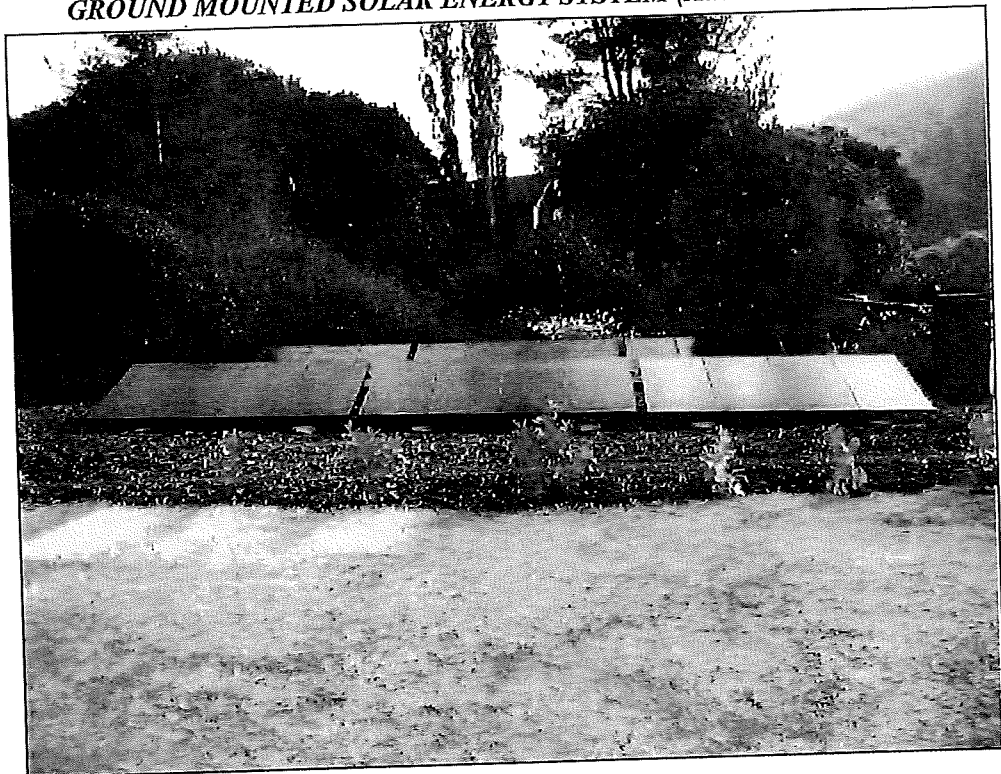
Charles W. Proctor, III, Esquire, Member

Janet L. Emanuel, Member

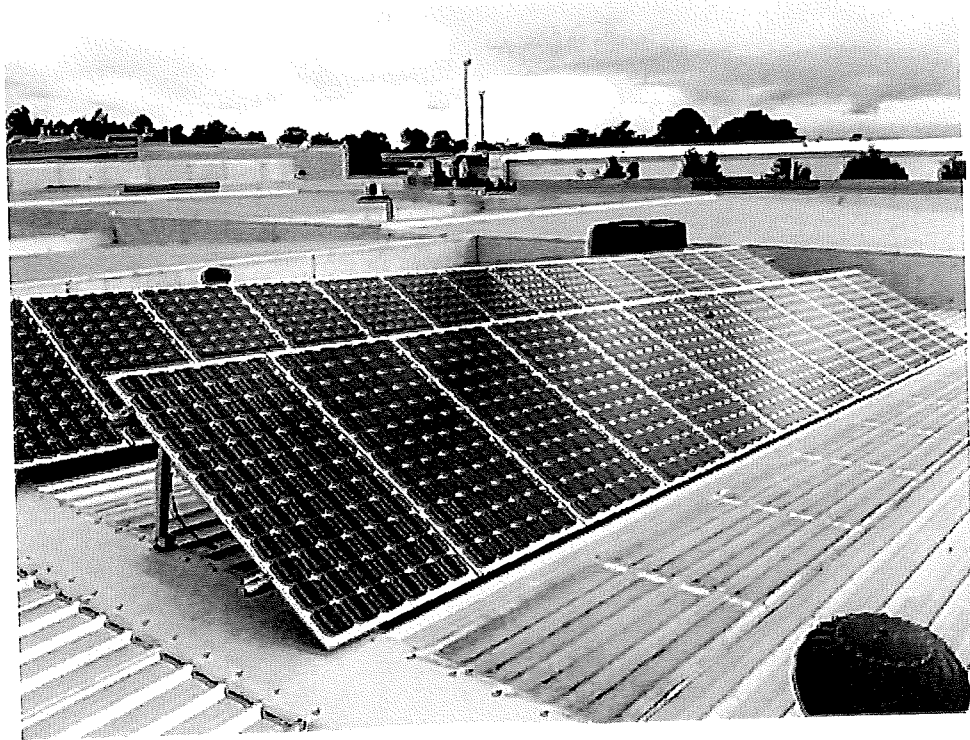
ROOF MOUNTED SOLAR ENERGY SYSTEM (ATTACHMENT #1)



GROUND MOUNTED SOLAR ENERGY SYSTEM (ATTACHMENT #2)



FLAT ROOF MOUNTED SOLAR ENERGY SYSTEM (ATTACHMENT #3)



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: 7/30/2014

To: Planning Commission

From: Mark Gordon, Township Zoning Officer 

Re: Fireworks

Dear Commissioners:

The Township Code is silent on the use of fireworks in the Township. As I understand it the purchase of fireworks is illegal in PA however it is not illegal to conduct a fireworks display so long as you have a permit from the local authority. Since we don't have a specific ordinance we have to revert to the 2009 International Fire Code (2009 IFC). The 2009 IFC permits Fireworks Displays with conditions.

Last week (July 26, 2014) the Township had a request from a resident on Cornwallis Drive to conduct a Fireworks Display, The Township met with the Fireworks Display company and the resident and issued a permit with conditions. The display was conducted without incident and without any complaints from surrounding residents. Since this was a first for the Township and we don't have a specific ordinance for fireworks, the decision was left to myself and the Fire Marshal.

Recommendation:

I have researched the local ordinances and it doesn't appear that other Municipalities in the area prohibit the use of fireworks. I have asked the solicitor to assist us with finding a model ordinance to review, I hope to have one to look at the meeting.

July 25, 2014

Dear Property Owner:

The purpose of this letter is to inform you that the Township has issued a permit to the Starfire Corporation to conduct a professional fireworks display on Saturday, July 26, 2014. The Starfire Corporation is a professional fireworks display company and has demonstrated compliance with the permit requirements outlined in the Township Fire Code for a Fireworks Display event.

The fireworks display will be conducted at 961 Cornwallis Drive, West Chester, Pa 19380 and will begin after dark at approximately 9:00 PM on July 26, 2014. In the event of inclement weather the Rain Date for this permit is September 13, 2014.

Conditions for the permit:

1. Prior to the display the Township Fire Marshall will inspect the site and insure all proper safety measures are in place.
2. Fire Company personnel will have a manned fire truck on site prior to, during and after the Fireworks display has ended.
3. After the Fireworks display has ended Fire company personnel will inspect the display site.
4. The Westtown East Goshen Police Department and Goshen Fire Company have been informed of the issuance of this permit.

Sincerely,

Mark A. Gordon
Township Zoning Officer

July 25, 2014

FIREWORKS DISPLAY PERMIT

East Goshen Township is issuing this Fireworks Display Permit pursuant to the 2009 International Fire Code Chapter 33, §3301.2 and §3308.2.

Who: This permit is issued to Starfire Corporation, and John Angelini.

What: The Fireworks and explosives used is limited to the amounts and types indicated in the Fireworks application provided to East Goshen Township by Starfire Corporation for a fireworks display, not to exceed 200 ft. AGL (Above Ground Level).

When: This permit is valid for one instance on July 26, 2014 at approximately 9:00 PM EST for one, 15 to 16 minute fireworks display, with a rain date of September 13, 2014 in the event of inclement weather.

Where: 961 Cornwallis Drive, West Chester, Pa 19380

Special Conditions:

1. Prior to conducting the display the Township Fire Marshall will inspect the site and insure all proper safety measures are in place.
2. Prior to the display the Westtown East Goshen Police Department will be notified.
3. Fire Company personnel will have a manned fire truck on site prior to, during and after the Fireworks display has ended.
4. After the Fireworks display has ended Fire company personnel will inspect the display site.
5. The applicant(s) agrees to address and correct any complaints of damage, litter, etc. caused by this Fireworks Display.
6. ONCE FIREWORKS ARE ON SITE ALL SPECTATORS WILL BE REQUIRED TO STAY A MINIMUM OF 100 FEET AWAY FROM THE DISPLAY FIRING POSITION THROUGHOUT THE DISPLAY AND UNTILL ALL SAFETY CHECKS ARE COMPLETED.

This Permit is issued on _____ by the Township Code official Mark Gordon and expires immediately after the display has concluded and all explosives have been removed from the site.

The applicant agrees to all conditions outlined herein.

Applicants Signature: _____

Code Official Signature: _____



PENNSYLVANIA

CONSUMER FIREWORKS

Specifically permitted

"Ground and hand-held sparkling devices," "novelties" and "toy caps" as defined in APA Standard 87-1 are not considered Consumer Fireworks under Pennsylvania Law and are therefore permitted and not regulated by the Fireworks Law. The sale and use of these items are permitted at all times.

Specifically prohibited

All others – Except that a display permit may be obtained from the municipality where the Consumer Fireworks will be used. (Same permit requirements as for Display Fireworks)

Consumer Fireworks Retail Sales Requirements

Consumer Fireworks shall be sold only from facilities licensed by the PA Department of Agriculture.

Sales permitted to out-of-state residents.

PA residents holding a permit issued by a municipality for display or another authorized purpose may also purchase.

"Ground and hand-held sparkling devices," "novelties," and "toy caps" as defined in APA Standard 87-1 are not considered Consumer Fireworks under Pennsylvania Law and are therefore permitted and not regulated by the Fireworks Law. Special licensing is not required of facilities selling these items.

DISPLAY FIREWORKS

Display permit

Apply to local authorities.

Insurance

Required. Minimum \$500, in an amount deemed adequate by the local authority.

Operator

No license specifically required by state law. Must be deemed "competent" by local authority.

Business entity performing, providing, or supervising fireworks displays or exhibitions for profit must register annually with Attorney General.

ENFORCING AUTHORITY

Any sworn Law Enforcement Officer.

Commander, Investigative Services Section
Pennsylvania State Police
1800 Elmerton Avenue
Harrisburg, PA 17110
717-783-5529

LAW NUMBER

Title 35 P.S. Health and Safety, Chapter 13A, Amended by Act 204 of 2004, November 30, 2004.

Memorandum

East Goshen Township
1580 Paoli Pike
West Chester, PA 19380


Voice: 610-692-7171

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E-mail: mgordon@eastgoshe.org

Date: 7/30/2014

To: Planning Commission

From: Mark Gordon, Township Zoning Officer 

Re: Wind Generated Energy Systems / Windmills

Dear Commissioners:

Currently the Zoning Ordinance permits Wind Energy Generation Systems as Accessory Uses in the:

1. R-3 (Medium Density Suburban Residential)
2. R-4 (High Density Suburban Residential)
3. I-1 (Light Industrial) Districts.

It seems to me that these districts were chosen for this use because of the topography. All three of these districts have higher elevations thus making it more feasible for wind energy uses.

§240-6 Definitions

WINDMILL

A machine that is worked by the wind by means of vanes that radiate from a central shaft, which is used to produce energy or perform work.

[Amended 5-7-2002 by Ord. No. 129-K-02]

§240-23 General regulations

C.

Maximum height of buildings and structures.

[Amended 5-7-2002 by Ord. No. 129-K-02]

(1)

Unless specifically permitted, no building or structure shall exceed the maximum height of buildings specified in this chapter, except that the regulations shall not apply to church steeples which are usually placed above the roof level and are not intended for human occupancy.

(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.

§240-32 Accessory uses

T.

Windmill.

(1)

All windmills shall be enclosed by a fence at least four feet in height which is located at least five feet from the base of such windmill.

(2)

No windmill shall be permitted that permits any vane, sail or rotor blade to pass within 10 feet of the ground.

(3)

All electrical wiring leading from a windmill shall be located underground.

(4)

No windmill (except the blades) shall exceed the maximum building height of the zoning district in which it is located.

(5)

A windmill shall be located at least two times its total height (including blades) from any building or property not owned by the owner of the windmill, or any street line.

Recommendation:

The parameters outlined in the ordinance for Wind Energy have worked to this point and the accessory use standards make sense. I don't believe there are appropriate areas for windmills as a principle use in East Goshen Township. Allowing wind energy systems in all districts as an accessory use would seem the most appropriate change so long as the existing standards can be met.