

**EAST GOSHEN TOWNSHIP
PLANNING COMMISSION
Meeting Agenda
Wednesday, October 1, 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. **September 3, 2014**
- F. Subdivision Applications
- G. Land Development Applications
- H. Conditional Uses and Variances
- I. **Ordinance Amendments**
 - 1. **Discussion on Solar Ordinance Amendment (as Principle Use)**
 - 2. 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**
 - 1. Solar and Wind
 - 2. Zoning Ordinance Updates
- N. Any Other Matter
- O. Liaison Reports
- P. Dates of Importance

Oct 01, 2014	Planning Commission	7:00 PM
Oct 02, 2014	Park Commission	7:00 PM
Oct 07, 2014	Board of Supervisors	7:00 PM
Oct 08, 2014	Conservancy Board	7:00 PM
Oct 09, 2014	Historical Commission	7:00 PM
Oct 13, 2014	Municipal Authority	7:00 PM
Oct 18, 2014	Harvest Festival	10 – 2 PM
	EGT Park	
Oct 20, 2014	Commerce Commission	7:00 PM
Oct 21, 2014	Board of Supervisors	7:00 PM
Oct 27, 2014	Comp Plan Task Force	7:00 PM??
Oct 28, 2014	Police Commission	5:30 PM

Winter Newsletter articles due: October 30, 2014

Winter Newsletter Approximate Mailing date: December 30, 2014

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
NO APPLICATIONS												
Bold = New Application or PC action required												

Completed in 2014

1662 E. Boot Rd	SD / LD	P	2/26/2014	3/5/2014	2/26/2014	2/26/2014	2/26/2014	2/28/2014	2	10/7/2014	10/21/2014	NA	10/30/2014	APP
1454 Glenbrook Ln.	V	Sk	8/27/2014	8/27/2014	NA	NA	NA	8/28/2014		9/3/2014	6/16/2014	9/25/2014	10/24/2014	APP
1641 Manley Rd.	LD	P	2/4/2014	2/5/2014	2/4/2014	2/4/2014	2/4/2014	2/19/2014		4/16/2014	5/6/2014	NA	5/6/2014	APP
1637 Manley Rd.	SD	P	10/24/13	11/6/13	10/24/13	10/24/13	10/24/13	10/28/2013		1/8/14	2/4/14	NA	2/4/2014	APP
1131 N. Chester Rd.	V	Sk	3/19/2014	3/19/2014	NA	NA	NA	3/26/2014		4/2/2014	4/22/2014	4/30/2014	5/8/2014	APP
1556 Millrace Ln.	V	Sk	4/24/2014	4/24/2014	NA	NA	NA	4/29/2014		5/7/2014	5/13/2014	5/21/2014	6/23/2014	APP
1336 Enterprise Drive	V	Sk	4/30/2014	4/30/2014	NA	NA	NA	4/30/2014		5/7/2014	5/13/2014	5/21/2014	6/27/2014	APP
Sunoco	ZHB	S	6/24/2014	6/24/2014	NA	NA	NA	6/25/2014		8/6/2014	8/19/2014	7/30/2014	8/22/2014	APP

Draft
EAST GOSHEN TOWNSHIP
PLANNING COMMISSION MEETING
September 3, 2014

The East Goshen Township Planning Commission held a regularly scheduled meeting on Wednesday, September 3, 2014 at 7:00 p.m. at the East Goshen Township building. Members present were: Chairman Dan Daley, Adam Knox, Al Zuccarello, George Martynick, Jim McRee and Monica Close. Also present was Mark Gordon, Township Zoning Officer, and Janet Emanuel, Township Supervisor.

COMMON ACRONYMS:

BOS – Board of Supervisors

CPTF – Comprehensive Plan Task Force

BC – Brandywine Conservancy

CVS – Community Visioning Session

CB – Conservancy Board

SWM – Storm Water Management

A. WORKSHOP – 7:00 PM

1. The minutes from the August 6, 2014 meeting were reviewed.
2. 1662 E. Boot Rd - Mark received the final review from the Township Engineer today.
3. 1454 Glenbrook Lane – Discussed this variance request for relief of 7 feet from the 20 foot side yard setback requirement in order to place an accessory building 13 feet from the side yard property line (240 sf shed).

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 noted that the minutes of the August 6, 2014 meeting were approved.
4. Dan reviewed the Tracking Log and the BOS action date for 1454 Glenbrook was corrected to 9/16/14.
5. Dan asked if anyone had any comments on non-agenda items. There was no response.

C. SUBDIVISION APPLICATIONS

1. 1662 E. Boot Road/Renehan Building Group (SD/LD) Nicholas Vastardis, P.E. was present. He mentioned that the septic submissions were made for 3 new systems. The NPDES will be submitted. A letter of approval was received from the Conservancy Board. The CB is aware that they are requesting a waiver from the tree protection requirement due to the size of the basins. They may be 12-15 feet away from trees rather than the required 25 feet. The only area of concern is the septic area on lot 1. Mark pointed out that the builder has agreed to replace dead trees along the boundary with Clocktower. If any trees die as a result of the waiver, replacement will be 2, 2.5” caliper trees for each tree that dies. Mark explained the impact fees for the 2 new lots.

Adam made a motion to recommend that the Board of Supervisors approve the Preliminary/Final Land Development Plan and grant the waiver requests for 1662 E. Boot Road as depicted in the plans dated 2/13/14 last revised 8/25/14 for the creation of three new residential building lots with the following conditions:

1. The applicant shall address all remaining comments outlined in the Township Engineer’s review letter dated 9/3/14 prior to the Board of Supervisors executing the final plans.
2. The applicant will follow all applicable federal, state and local laws and secure all proper permits prior to construction of the improvements depicted on the plans.
3. The applicant shall pay an impact fee of \$396.25 per trip for the project prior to the issuance of a building permit.
4. Should the BOS approve the waiver from the tree protection requirement, applicant agrees to replace any trees that die prior to issuance of a final U&O.

1 Jim seconded the motion. There was no further discussion. The motion passed unanimously.
2 Nick accepted the conditions on behalf of the applicant.
3

4 2. 1454 Glenbrook Lane (Dimensional Side Yard Variance Request) Anthony J. Sivo,
5 homeowner, was present. He mentioned that he bought the house in 1998. He explained that he
6 needs to install a shed to store all of the equipment he has to maintain the property. This will
7 allow him to put his cars in the garage. The shed will be larger than 10x12 but not larger than
8 12x20. There will be no electric or water to the shed. There is a creek in the rear of his property.
9 He has never been flooded. Both of his neighbors are okay with this project. Mark commented
10 that this property is recorded as 1 acre and this will be considered an accessory building.

11 Public Comment: Henry and Catherine Lettiere, 1450 Glenbrook Lane, came to the meeting
12 because of the letter they received in the mail. This does not impact their property.

13 Al made a motion to recommend that the Board of Supervisors support this variance application
14 because the relief sought is minimal and will not alter the character of the neighborhood, with the
15 following conditions.

- 16 1. The applicant agrees to have the side yard property line in question surveyed and marked.
- 17 2. The floodplain line in the rear yard area of the property shall be identified and marked.
- 18 3. The applicant agrees to construct an appropriate storm water management system to
19 collect and manage the storm water runoff from the new impervious cover of the accessory
20 building.
- 21 4. The applicant will follow all applicable, federal, state and local laws and secure all proper
22 permits prior to construction of the improvements depicted on the plans.

23 Monica seconded the motion. There was no further discussion. The motion passed with 4 yes
24 votes and 2 no votes from Jim and George.
25

26 **D. ORDINANCE AMENDMENTS**

27 1. Solar – The Chester County review letter was received and reviewed. Mark explained that the
28 main comment was to add a 3 foot pathway along the edge of the roof to provide safe access for
29 firemen. This will also allow better access for maintenance of the roof. Mark provided a copy
30 with the changes.

31 Adam made a motion to amend the Solar ordinance based on the Chester County review and
32 resubmit it to the County. Jim seconded the motion. The motion passed unanimously.
33

34 2. Wind Energy – The Township Solicitor asked what the intention is for drafting this
35 amendment. There was discussion about windmills used to aerate water in ponds to control algae
36 and solar and wind devices on the new football stadium in Phila. Dan feels it is a use by right for
37 smaller systems with certain standards. If it doesn't meet accessory use standards, then they have
38 to go through conditional use. Janet voiced concern about the constant noise the windmills make.
39 George read that the Northeast has the most varied weather and he's not sure wind energy would
40 be efficient here.
41

42 **E. ANY OTHER MATTER**

43 1. Comprehensive Plan Update – Mark submitted a request to the Chester County Planning
44 Commission for an extension of the VPP Grant. He included a matrix to get BOS comments in
45 time for adoption by June 2015.
46

47 2. Dunk'n Donuts – Mark mentioned that they did a traffic study but during the summer. So,
48 their engineer and the township engineer will do one more count since school is in session. Janet
49 mentioned that the BOS accepted the proposal so it could go to the Township Solicitor for
50 review. BOS concerns are traffic and signs.
51

52 3. Al mentioned that the West Chester Regional Planning Commission bank account was closed
53 and the funds went to the COG.

ADJOURNMENT

There being no further business, the meeting adjourned at 9:30 pm. The next regular meeting will be held on Wednesday, October 1, 2014 at 7:00 pm.

Respectfully submitted, _____
Ruth Kiefer, Recording Secretary

TOWNSHIP OF EAST GOSHEN
CHESTER COUNTY, PENNSYLVANIA

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE EAST GOSHEN TOWNSHIP ZONING ORDINANCE OF 1997, AS AMENDED, SECTION 240-19.C TO ALLOW SOLAR ENERGY SYSTEMS IN THE I-1 LIGHT INDUSTRIAL DISTRICT AS A PRINCIPAL USE OF THE LOT BY CONDITIONAL USE SUBJECT TO STANDARDS IN SECTION 240-31.C(3)(ww); SECTION 240-19.G TO ADD LOT AREA AND BULK REQUIREMENTS FOR SOLAR ENERGY SYSTEMS IN THE I-1 DISTRICT; AND TO ADD A NEW SECTION 240-31.C(3)(ww) TO ADD REGULATIONS FOR SOLAR ENERGY SYSTEMS THAT ARE BUILT AS A PRINCIPAL USE OF A LOT IN THE I-1 DISTRICT.

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 240-19.C shall be amended by adding a new subparagraph (32) which shall state as follows:

"(32) Solar Energy Systems as the principal use of a lot in accordance with the standards in §240-31.C(3)(ww)."

SECTION 2. Section 240-19.G shall be amended as follows:

Lot area, width, building coverage, height and yard regulations. The following requirements apply to each use in the I-1 District, unless a more restrictive provision in another section of this chapter applies. All uses in this district shall be serviced by centralized sewage disposal and centralized water supply systems.

I-1 Principal Uses

Requirements

Restaurant

**Bank,
Savings
and Loan,
Post Office,
Fire Station**

**All Other
Uses**

I-1 Principal Uses

Requirements	Restaurant	Bank, Savings and Loan, Post Office, Fire Station	All Other Uses
Minimum lot area	2 acres	2 acres	4 acres
Minimum lot width			
At building setback line	200 feet	200 feet	200 feet
At street line	150 feet	150 feet	150 feet
Maximum land coverage			
By buildings	30%	30%	30%
By total impervious cover	50%	50%	50%
Maximum building height			
Stories	3	3	3
Feet	35 feet	35 feet	35 feet

[do you think the all other uses regs are appropriate for this use? I was thinking 4 acres seemed high but Caln's ordinance required 5 acres.]

SECTION 3. Section 240-31.C(3) shall be amended to add a new subparagraph (ww) which shall provide as follows:

“(ww). Solar energy systems as the principal use of a lot.

[1] A solar energy system shall be permitted in the I-1 District as a principal use of the lot by conditional use approval of the Board subject to the specific criteria in this section. Additionally, any ground mounted solar energy system that is built as an accessory use in any zoning district which exceeds 1,000 square feet of land area may be permitted subject to conditional use approval of the Board and subject to the specific criteria in this section.

[2] 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.

[3] The solar panels shall not exceed a maximum height of eight (8) feet. Any buildings or structures associated with the solar energy system, other than the solar panels themselves, shall not exceed a maximum height of 25 feet.[or do we keep it at 35ft?]

[4]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.

[5] The minimum setback between the solar energy system and any property line shall be equivalent to the applicable building setback requirement for the underlying zoning district.

[6]The solar energy system shall be enclosed by a fence, barrier or other appropriate means to prevent or restrict unauthorized persons or vehicles from entering the property. Clearly visible warning signs shall be placed on the fence or barrier to inform individuals of potential voltage hazards. All mechanical equipment associated with the solar energy system shall be completely enclosed by a minimum eight (8') foot high fence with a self-locking gate. The fences shall be maintained for as long as the solar energy system is located on the property.

[7]Solar panels shall be placed such that concentrated solar radiation or glare shall not be directed onto nearby properties or roadways.

[8]The solar energy system shall comply with all relevant Federal Aviation Administration rules and regulations, if any.

[9]All power transmission lines from a ground mounted solar energy system to any building or other structure shall be located underground.

[10]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.

[11] A solar energy system shall not be constructed until a building/zoning permit has been approved and issued.

[12]The design of the solar energy system shall conform to applicable industry standards and codes.

[13]The solar energy system shall not be artificially lighted, except to the extent required by safety or by any applicable federal, state or local authority.

[14]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.

[15]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.

DO WE WANT TO PROHIBIT ON LOTS WITH HISTORIC RESOURCES?

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

Memo
East Goshen Township
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Date: March 5, 2014

To: Commerce Commission
Conservancy Board
Historical Commission
Municipal Authority
Park Commission
Planning Commission

From: Rick Smith, Township Manager

Re: Annual Goals

At their meeting on March 4, 2014 the Board of Supervisor approved the following goals for the ABC's. As previously noted, these goals will be listed on your upcoming agendas. Any actions taken towards their completion will then be reflected in the minutes, which will eliminate the need for preparing regular status reports.

The Board also noted that each ABC should be credited for taking the time and effort to develop the other goals presented at the Planning Session. The ABC's are free to pursue their additional goals; however, from the Board's perspective, the goals listed below should take priority.

All ABC's

- Review current mission statement and provide the Board of Supervisors with changes, if needed – June 1, 2014
- Submit an article for each newsletter – Due date for newsletter

Commerce Commission

- Hold annual breakfast and lunch meetings – December 31, 2014
- Complete Workforce Development project – June 30, 2014

Conservancy Board

- Develop signage and information for a rain barrel demonstration project at Township Building – April 30, 2014
- Investigate alternatives for recycling containers and provide recommendation to the Board of Supervisors – July 1, 2014

Historical Commission

- Identify the specific basis or criteria for why each resource is on the Historic Inventory List – December 31, 2014
- Conduct the Living History at the Plank House & Blacksmith Shop – September 1, 2014

Municipal Authority

- Obtain PA DEP approval for the Act 537 Plan revision for the Reservoir Road Pump Station – December 31, 2014
- Develop a recommendation on covers for the SBRs – August 1, 2014

Park and Recreation Commission

- Develop a five year capital improvement plan for the Tot Lot – July 31, 2014
- Identify the participant recreation needs of various age groups – August 31, 2014

Planning Commission

- Complete review of the solar & wind regulations and provide recommendation to the Board of Supervisors – May 30, 2014
- Present Comprehensive Plan Update to the Board of Supervisors – July 31, 2014
- Complete review of the Zoning Ordinance and provide recommendation to the Board of Supervisors - December 31, 2014.