

**EAST GOSHEN TOWNSHIP  
PLANNING COMMISSION  
Meeting Agenda  
Wednesday, February 4, 2015  
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. **January 7, 2015**
- F. Subdivision and Land Development Applications
- G. Conditional Uses and Variances
- H. **Ordinance Amendments**
  - 1. **Solar (Accessory Use)**
  - 2. **Wooded Lot**
  - 3. **Rooftop Structures**
- I. Comprehensive Plan Update
- J. Old Business
- K. New Business
- L. 2014 Goals
- M. Any Other Matter
- N. Liaison Reports
- O. Dates of Importance
  - Feb 03, 2015 Board of Supervisors 7:00 pm
  - Feb 03, 2015 Pension Committee 9:30 am
  - Feb 04, 2015 Planning Commission 7:00 pm
  - Feb 05, 2015 Park Commission 7:00 pm
  - Feb 09, 2015 Commerce Commission 7:00 pm
  - Feb 09, 2015 Municipal Authority 7:00 pm
  - Feb 10, 2015 Deer Committee 7:00 pm
  - Feb 11, 2015 Conservancy Board 7:00 pm
  - Feb 12, 2015 Historical Commission 7:00 pm

**Newsletter Deadlines for 2015:**

**Spring: January 30**

**Summer: May 1**

**Fall: August 31**

**Winter: October 30**

**Bold Items indicate new information to review.**

East Goshen Township Planning Commission  
Application Tracking Log

Application Name	Application (CU, LD, O, SD, V, SE, CA)	Type (Sk, P, F)	Date Filed	Start Date	Date to Township Engineer	Date to CCPC	Date to Abutting Prop. / ABC's	Extension	PC NLT Action Date	BOS NLT Action Date	Hearing Date	Drop Dead date
NONE												
Bold = New Application or PC action required												

Completed in 2015

1131 N. Chester Rd.	SD	P/F	10/15/2014	11/5/2014	10/16/2014	10/16/2014	10/16/2014	10/16/2014	1/7/2015	1/20/2015	NA	1/24/2015	APVD
1331 E. Strasburg Ln.	ZHB	Sk	12/5/2014	12/5/2014	NA	NA	12/18/2014		1/7/2015	1/20/2015	1/21/2015	1/26/2015	CONT.

**Draft**  
**EAST GOSHEN TOWNSHIP**  
**PLANNING COMMISSION MEETING**  
**January 7, 2015**

The East Goshen Township Planning Commission held a regularly scheduled meeting on Wednesday, January 7, 2015 at 7:00 p.m. at the East Goshen Township building. Members present were: Chairman Dan Daley, Adam Knox, Al Zuccarello, Jim McRee, and Monica Close. Also present was Mark Gordon, Zoning Officer.

**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. INFORMAL MEETING – 7:00**

1. Dan reviewed the Tracking Log and agenda for this meeting.
2. Minutes from December 3, 2014 were reviewed.

**B. FORMAL MEETING – 7:00 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 reviewed the tracking log.
3. Dan noted that the minutes of the December 3, 2014 meeting were approved as corrected.

**D. CONDITIONAL USE & VARIANCES**

1. 1331 E. Strasburg Rd. – The applicants made their presentation. The PC discussed the application and the requested variances. Mark is going to look for prior decisions and plans for the parcel.

**Public Comment:**

1. Mr. Brian Heiss, 203 Margaret Lane – He is concerned about the size of the house. He does not feel it will fit in.

Jason Grothman, 1331 E Strasburg Rd. mentioned that he has cleaned up the property since he purchased it. Mr. Grothman intends to eventually take down the existing house and rebuild a new house on lot 2 for his family and sell lot 1.

Al made a motion to recommend that the Board of Supervisors support the variance requests because the requested relief will not significantly alter the character of the surrounding neighborhood with the following conditions:

- a. The applicant shall follow all applicable federal, state and local regulations and obtain all permits and approvals.
- b. The applicant agrees to connect both lots 1 and 2 to public water and public sewer.

Dan seconded the motion. Monica abstained from the vote due to her employment with the applicants' attorney. The motion did not pass with a vote of 2 members for and 2 members against the application.

**E. SUBDIVISION AND LAND DEVELOPMENT**

1. 1131 N. Chester Road – Adam Brower from E B Walsh reviewed the application. There was discussion of the preliminary and final plan. The PC made a motion to recommend that the Board of Supervisors approve the Preliminary/Final Subdivision and Land Development Plan and grant the waivers requested for 1131 N. Chester Road as depicted on the plans dated 9/26/2014 last revised 11/20/2014 for the creation of one new residential building lot with the following conditions:

- a. The applicant shall revise the plans to address all remaining comments outlined in the Township Engineer's review letter dated 12/30/2014 prior to the Board of Supervisors execution of the final plans.
- b. 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.
- c. The applicant shall pay an Impact Fee of \$396.25 per trip for the project and the \$2,000 sanitary sewer tap in fee prior to the issuance of a building permit.
- d. The applicant agrees to replace any tree, within the tree protection zone, that dies prior to the issuance of certificates of use and occupancy with similar trees at a ratio of two (2) trees for each tree that dies.

Dan abstained from the vote because his employer did the plan. Adam took over as Chairman for the vote. The motion passed unanimously.

Al left the meeting early.

#### **E. ORDINANCE AMENDMENTS**

1. Public Utility Definition – The PC reviewed the draft ordinance. The PC made a motion to recommend that the Board of Supervisors adopt the Public Utility Ordinance as drafted updating the Zoning Ordinance with the appropriate definitions defined therein. The motion passed unanimously.

2. Wooded Lot Definition – The PC discussed the draft ordinance to define a "Wooded Lot". Jim made a motion to recommend that the Board of Supervisors consider adding the following definition for "Wooded Lot" to the Township Subdivision and Land Development Ordinance. This definition is consistent with the definition of "woods" in the Storm Water Management Ordinance.

##### **WOODED LOT -**

A wooded lot is any lot having two or more viable trees, six inches or greater in dbh, per 1500 square feet of gross lot area, exclusive of street right of way.

Monica seconded the motion. The motion passed unanimously.

3. Roof Top Structures – The PC discussed the draft ordinance for roof top structures due to the potential changes to the draft by the Board of Supervisors. No action taken.

#### **D. ANY OTHER MATTER**

1. 2015 Goals – The PC discussed their goals for 2015. It was decided to hold any Zoning Amendments until the Comprehensive Plan is complete.

2. PC Reorganization – Motions were made and passed to retain Dan Daley as Chairman and Adam Knox as Vice Chairman for 2015.

#### **E. ADJOURNMENT**

There being no further business, the meeting adjourned at 9:34 pm. The next regular meeting will be held on February 4, 2015 at 7:00 pm.

Respectfully submitted, \_\_\_\_\_  
*Ruth Kiefer, Recording Secretary*

# Memorandum

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**East Goshen Township**  
**1580 Paoli Pike**  
**West Chester, PA 19380**

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E-mail: [mgordon@eastgoshe.org](mailto:mgordon@eastgoshe.org)

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Date: 1/29/2015

To: Planning Commission

From: Mark Gordon, Zoning Officer *mlg*

Re: Solar Ordinance Amendment (Accessory Use)

Dear Commissioners,

The CCPC has reviewed the Solar Ordinance (Accessory Use) and has recommended adoption.

## Recommended Draft Motion:

Mr. Chairman, I move that we 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.O amending the regulations for solar energy systems that are built as an accessory use to the principal use on a lot.



# THE COUNTY OF CHESTER

**COMMISSIONERS**

Ryan Costello  
Kathl Cozzone  
Terence Farrell

Ronald T. Bailey, AICP  
Executive Director

**PLANNING COMMISSION**

Government Services Center, Suite 270  
601 Westtown Road  
P. O. Box 2747  
West Chester, PA 19380-0990  
(610) 344-6285 Fax (610) 344-6515



January 21, 2015

Louis F. Smith, Jr., Manager  
East Goshen Township  
1580 Paoli Pike  
West Chester, PA 19380

Re: Zoning Ordinance Amendment - Solar Energy Systems as an Accessory Use  
# ZA-12-14-11094 - East Goshen Township

Dear Mr. Smith:

The Chester County Planning Commission has reviewed the proposed amendment as submitted pursuant to the provisions of the Pennsylvania Municipalities Planning Code, Section 609(e). The referral for review was received by this office on December 23, 2014. We offer the following comments to assist in your review of the proposed amendment.

**DESCRIPTION OF THE AMENDMENT:**

1. East Goshen Township has proposed the following amendments to its Zoning Ordinance:
  - A. Add the definitions of the following terms in Section 240-6: mechanical equipment, solar access, solar energy system, and solar glare;
  - B. Amend the maximum height provisions for structures in Section 240-23.C(2), by identifying that this section shall not apply to solar energy systems; and
  - C. Replace the existing accessory use standards for solar energy systems in Section 240-32.O with the proposed language in Section 3 of the draft Ordinance.
2. The County Planning Commission also received a zoning amendment submission from East Goshen Township pertaining to solar energy systems as the principal use of a lot permitted by conditional use in the I-1 Light Industrial zoning district, which will be addressed by the Commission in a separate review (CCPC# ZA-12-14-11093).

**COMMENT ON THE AMENDMENT:**

3. The County Planning Commission has previously reviewed two earlier versions of this amendment, the latest of which occurred on October 10, 2014 (CCPC# ZA-9-14-10545). The revisions to the proposed ordinance language in the latest version of this amendment appear to be appropriate.

**RECOMMENDATION:** East Goshen Township should adopt the proposed zoning amendment.

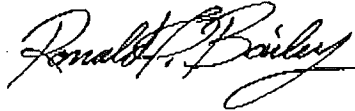
Page: 2

Re: Zoning Ordinance Amendment - Solar Energy Systems as an Accessory Use

# ZA-12-14-11094 - East Goshen Township

We request an official copy of the decision made by the Board of Supervisors, as required by Section 609(g) of the Pennsylvania Municipalities Planning Code. This will allow us to maintain a current file copy of your ordinance.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ronald T. Bailey".

Ronald T. Bailey, AICP  
Secretary

RTB/PF

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.

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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, except, solar energy systems shall be prohibited on properties designated as historic resources on the Township Historic Resource Inventory 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, in the case of a flat roof, 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. Roof top solar energy systems shall be placed a minimum of three (3) feet from any roof edge, valley or ridge in order to provide for adequate access paths on the roof. 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. The applicant shall present a plan that demonstrates that the vegetative cover proposed will

create a uniform vegetative cover underneath the solar panels.

- 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 highest 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 \_\_\_\_\_, 2015.

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

# Memorandum

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East Goshen Township  
1580 Paoli Pike  
West Chester, PA 19380

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Date: 1/30/2015  
To: Planning Commission  
From: Mark Gordon, Township Zoning Officer *mlg*  
Re: Wooded Lot

Commissioners,

The BOS looked at the Wooded lot ordinance and wanted a little more information on how this ordinance compares to "wooded lots" we have seen in the past.

I looked at the YMCA Lot, the Manley Road Lot and the recent 1131 N. Chester Rd. Lot.

YMCA:

14.9 Acres

601 (12 in or larger) Trees = **Average of 40.33 trees/ac.**

1 Acre sampling resulted in 47 trees per acre

Total dbh of trees in 1 acre sampling

- resulted in 770 diameter inches
- 16.38 inch caliper / tree (average)

**NOTE: Only the trees with a dbh of 12" or larger were counted**

Manley Rd:

1.21 Acres

92 (12 in or larger) Trees = **Average of 76.03 trees/ac.**

No dbh information was provided

**NOTE: Only the trees with a dbh of 12" or larger were counted**

1131 N. Chester Rd:

1.989 Acres

88 (6 in or larger) Trees = **Average of 44.24 trees/ac.**

Total dbh of 1662 inches = 18.88 average caliper dbh/tree

**Note: 6" and larger trees were counted**

I propose that the PC review the recommendation of "Wooded Lot" that I have provided below and send a recommendation to the Board of Supervisors to add a definition for "Wooded Lot" to the Township Subdivision and Land Development ordinance.

## EGT SWM Ordinance

### Definitions

#### WOODS

Any land area of at least 0.25 acre with a natural or naturalized ground cover (excluding manicured turf grass) and that has an average density of two or more viable trees per 1,500 square feet with a DBH of six inches or greater. The land area to be considered woods shall be measured from the outer driplines of the outer trees.

### **Suggested Definition**

#### **WOODED LOT**

A wooded lot is any lot having more than two or more viable trees, six inches or greater in dbh, per 1500 square feet of gross lot area, exclusive of street right of way.

To quantify this definition, this is how we would apply the ordinance:

1 ac. = 43, 560 s.f.

43,560/ 1500 s.f = 29.04

29.04\*2= 58.08

58 viable trees (6" dbh or greater) per acre = Wooded Lot

**Using this new definition the three examples above result in the following:**

YMCA: Not a Wooded Lot

Manley Rd.: Wooded Lot

1131 N. Chester Rd.: Not a wooded Lot

**Note: If the YMCA had been required to count all trees 6" or greater this lot would have been met the requirements of a wooded lot. Without any definition in place for wooded lot, the staff determination for all of these was that they were wooded lots.**

#### **Question to consider:**

Should we also consider incorporating a total tree diameter threshold to the definition too?

#### **Draft Motion:**

Mr. Chairman, I move that we recommend that the Board of Supervisors consider adding the following definition for "Wooded Lot" to the Township Subdivision and Land Development ordinance. This definition is consistent with the definition of "woods" in the Storm water Management ordinance.

# Memorandum

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East Goshen Township  
1580 Paoli Pike  
West Chester, PA 19380

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Date: 1/27/2015

To: Planning Commission

From: Mark Gordon, Township Zoning Officer *mb*

Re: Rooftop Structures

Commissioners,

Attached is a draft ordinance for your review and consideration. This suggested amendment addresses the issue of screening rooftop structures in the BP and I zoning Districts. Due to the number of renovations to buildings in the BP and I districts the current rooftop structure screening requirements are creating a significant impact on property owners. Existing buildings have rooftop structures that are currently not screened however when those structures need to be changed due to renovations, these structures either get bigger to serve a larger part of the building or the structures need to be relocated on the roof top.

The Township position today is that a building owner may replace rooftop structures "in-kind" without screening the structure since there is no change in the location or size of the structure. However when the owner needs to relocate the structure the screening requirement "kicks in".

The staff recommendation to address this is reflected in this amendment.

**Draft Motion:**

Mr. Chairman, I move that we recommend that the Board of Supervisors adopt the zoning ordinance amendments addressing the screening requirements for rooftop structures in the BP and I zoning districts.



**EAST GOSHEN TOWNSHIP**  
**CHESTER COUNTY, PENNSYLVANIA**

**ORDINANCE NO.        - 2015**

**AN ORDINANCE OF EAST GOSHEN TOWNSHIP,  
CHESTER COUNTY, PENNSYLVANIA, AMENDING  
CHAPTER 240 OF THE EAST GOSHEN TOWNSHIP  
CODE, TITLED, "ZONING", TO AMEND THE  
DESIGN AND LANDSCAPING CONTROLS FOR  
THE I-2 LIGHT INDUSTRIAL DISTRICT IN SECTION  
240-19.F; TO ADD DESIGN AND SCREENING  
REQUIREMENTS FOR THE I-2 DISTRICT IN  
SECTION 240-20.H AND TO AMEND THE DESIGN  
AND LANDSCAPING CONTROLS IN THE BP  
DISTRICT IN SECTION 240-21.F.**

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

**SECTION 1.** The design and landscaping controls for the I-1 Light Industrial District found in Section 240-19.F shall be revised to state as follows:

"F. Design and landscaping controls. The following shall apply within the I-1 District:

(1) All applicable controls in § 240-27C and E.

(2) New structures built after April 7, 2015 shall incorporate a complete visual screen for all rooftop structures (except roof mounted solar panels), including but not limited to heat pumps, cooling towers and other mechanical equipment. All rooftop structures (except roof mounted solar panels) shall be screened from view by a single piece of the building structure which is aesthetically compatible in design, materials and color with the building facade and which is at least equal in height to the highest rooftop structure. (See examples in Sketch D in the Appendix.)

(3) For structures built prior to April 7, 2015, an existing rooftop structure may be replaced with a new rooftop structure of the same (or smaller) size in the same location. If the replacement rooftop structure is larger than the existing rooftop structure or is placed in a new location on the roof, or if a new rooftop structure is proposed to be installed, the rooftop structure shall be painted to match the majority of other rooftop structures."

**SECTION 2.** Section 240-20 shall be revised to add a new subparagraph H to add design and screening requirements for the I-2 Planned Business, Research and Limited Industrial District which states as follows:

"H. Design and screening.

(1) New structures built after April 7, 2015 shall incorporate a complete visual screen for all rooftop structures (except roof mounted solar panels), including but not limited to, heat pumps, cooling towers and other mechanical equipment. All rooftop structures (except roof mounted solar panels) shall be screened from view by a single piece of the building structure which is aesthetically compatible in design, materials and color with the building facade and which is at least equal in height to the highest rooftop structure. (See examples in Sketch D in the Appendix.)

(2) For structures built prior to April 7, 2015, an existing rooftop structure may be replaced with a new rooftop structure of the same (or smaller) size in the same location. If the replacement rooftop structure is larger than the existing rooftop structure or is placed in a new location on the roof, or if a new rooftop structure is proposed to be installed, the rooftop structure shall be painted to match the majority of other rooftop structures."

**SECTION 3.** The design and landscaping controls for the BP Business Park District found in Section 240-21.F shall be revised to state as follows:

"F. Design and landscaping controls. The following shall be applicable for all uses in the BP District:

(1) All applicable controls in § 240-27C and E.

(2) New structures built after April 7, 2015 shall incorporate a complete visual screen for all rooftop structures (except roof mounted solar panels), including but not limited to heat pumps, cooling towers and other mechanical equipment. All rooftop structures (except roof mounted solar panels) shall be screened from view by a single piece of the building structure which is aesthetically compatible in design, materials and color with the building facade and which is at least equal in height to the highest rooftop structure. (See examples in Sketch D in the Appendix.)

(3) For structures built prior to April 7, 2015, an existing rooftop structure may be replaced with a new rooftop structure of the same (or smaller) size in the same location. If the replacement rooftop structure is larger than the existing rooftop structure or is placed in a new location on the roof, or if a new rooftop structure is proposed to be installed, the rooftop structure shall be painted to match the majority of other rooftop structures.

(4) Businesses are strongly encouraged to provide informal outdoor eating areas for employees, such as picnic tables with landscaping and trash receptacles."

**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 \_\_\_\_\_, 2015.

ATTEST:

**EAST GOSHEN TOWNSHIP  
BOARD OF SUPERVISORS**

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Louis F. Smith, Secretary

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E. Martin Shane, Chairman

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Senya D. Isayeff, Vice-Chairman

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Carmen Battavio, Member

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Charles W. Proctor, III, Esquire, Member

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Janet L. Emanuel, Member