

**EAST GOSHEN TOWNSHIP
PLANNING COMMISSION**

Meeting Agenda

Wednesday, May 6, 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. **April 1, 2015**
- F. Subdivision and Land Development Applications
- G. Conditional Uses and Variances
- H. **Ordinance Amendments**
 - 1. **Beverage Café in the C-2 Zoning District**
- I. Comprehensive Plan Update
- J. Old Business
- K. **New Business**
 - 1. **SSPP Zoning amendment / Daycare as a second principal use**
- L. 2014 Goals
- M. Any Other Matter
- N. Liaison Reports
- O. Correspondence
 - 1. **Acknowledge letter from Janet Emanuel, Chair, Comp Plan Task Force, regarding presentation of the latest draft of the Comp Plan to all ABCs on Wednesday, June 10, 2015 at 7:00 pm.**
- P. Dates of Importance

May 06, 2015	Pension Committee	9:30 am
May 07, 2015	Park Commission	7:00 pm
May 11, 2015	Municipal Authority	7:00 pm
May 12, 2015	Board of Supervisors (as needed)	7:00 pm
May 12, 2015	Deer Committee	7:00 pm
May 13, 2015	Conservancy Board	7:00 pm
May 14, 2015	Historical Commission	7:00 pm
May 14, 2015	Farmer's Market Opens EGT Park	3-7 pm
May 19, 2015	Election Day (Board of Supervisors will not meet)	
May 20, 2015	Futurist Committee	7:00 pm
May 21, 2015	Commerce Commission	7:00 pm
May 25, 2015	Memorial Day: Township Offices Closed	
May 26, 2015	Board of Supervisors (as needed)	7:00 pm
May 27, 2015	Long Range Budget Planning	9 am-1 pm

Newsletter Deadlines for 2015:
Summer: May 6 Fall: August 31 Winter: October 30

Bold Items indicate new information to review.

Draft
EAST GOSHEN TOWNSHIP
PLANNING COMMISSION MEETING
April 1, 2015

The East Goshen Township Planning Commission held a regularly scheduled meeting on Wednesday, April 1, 2015 at 7:00 p.m. at the East Goshen Township building. Members present were: Chairman Dan Daley, Adam Knox, Al Zuccarello, Dan Landis, Jim McRee, and Monica Close. Also present was Mark Gordon, Zoning Officer; Janet Emanuel, Supervisor; and Ginnie Newlin.

COMMON ACRONYMS:

<i>BOS – Board of Supervisors</i>	<i>CPTF – Comprehensive Plan Task Force</i>
<i>BC – Brandywine Conservancy</i>	<i>CVS – Community Visioning Session</i>
<i>CB – Conservancy Board</i>	<i>SWM – Storm Water Management</i>
<i>CCPC – Chester Co Planning Commission</i>	

A. INFORMAL MEETING – 7:00

1. The tracking log was reviewed.
2. Minutes from March 4 and March 18 were reviewed.
3. Mark reported Swiss Farms has submitted their 3rd revision. The application narrative was reviewed.
4. Mark reviewed the application for 10A Reservoir Rd. It is a sketch plan to create a 3rd flag lot. This is considered a parent lot so it can be subdivided. There can be a maximum of 3 houses using the same driveway.
5. Mark mentioned that the BOS wants a review of the procedure for handling variance requests.

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 reviewed the tracking log.
4. Dan noted that the minutes of the March 4, and March 18, 2015 meetings were approved as corrected.

C. CONDITIONAL USES & VARIANCES

1. 1598 Paoli Pike – Swiss Farms (Zoning Decision Amendment) - Kaitlin R. Miceli, Esq., with Riley Riper Hollin & Colagreco, was present along with Al D'Iorio, Swiss Farms representative. Kaitlin explained the changes made in the current amendment. Jim moved to recommend that the Board of Supervisors support Swiss Farm's request to amend the Zoning Hearing Board decision and the variance request as outlined in the application because the requested relief will not significantly alter the character of the surrounding commercial properties. Al seconded the motion. The motion passed. Monica abstained.

2. 10A Reservoir Road – Sketch Plan for Dimensional Variance. Christine West, Owner, and David Crouthamel, MDC Builders were present. Mrs. West explained that the lot was previously subdivided. They want to created lot #3 and build a smaller house to live in. Mark reviewed other subdivisions on Reservoir Road and mentioned that this is a sketch plan not a surveyed plan. Mark reviewed utility lines and sewer. Dan advised her to be sure of the utility easements before they go any further. Storm Water Management was discussed. Mark explained that they will need to have a written agreement for the 3 lot owners regarding maintenance of the driveway. Dan feels they have no hardship and will have a difficult time at the Zoning Hearing Board. He advised them to consult with legal counsel now. Mark reviewed the 5 factors for a variance and advised them to have the property surveyed.

Public Comments: Ginnie Newlin mentioned that, regarding SWM, 1" of rain on a 1 acre parking lot equals 27,000 gallons of polluted water.

1
2 **D. ORDINANCE AMENDMENTS**

3 1. Keeping of animals – Mark reviewed the draft ordinance regarding household pets. He
4 explained the recent incident with dogs in the township. The court gave restrictions regarding the dogs
5 and 3 were deemed dangerous. Janet explained there is a PA state animal law which trumps the
6 municipality. This ordinance is to give reasons for limiting the number of animals allowed.
7

8 **E. LIAISON REPORTS**

9 1. Board of Supervisors – Janet reported that the BOS selected McMahon to do the feasibility
10 study for the trail.

11 2. Variance Request Procedure – Mark explained that the BOS wants to review the
12 policy/procedure for the Planning Commission's handling of variance requests. The PC should take no
13 position on variances unless there are conditions they want to recommend. Janet explained the procedure
14 for the Zoning Hearing Board regarding variances. The Planning Commission wants more guidance from
15 the BOS.
16

17 **F. ADJOURNMENT**

18 There being no further business, the meeting adjourned at 9:15 pm. The next regular meeting will
19 be held on May 6, 2015 at 7:00 pm.
20

21
22 Respectfully submitted,

23 _____
Ruth Kiefer, Recording Secretary

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

Voice (610) 692-7171
Fax (610) 425-8950
E-mail rsmith@eastgoshen.org

Date: April 28, 2015
To: Board of Supervisors
From: Rick Smith, Township Manager
Re: Beverage Café in the C-2 Zoning District

The draft ordinance is attached that would permit a Beverage Café in a shopping center in the C-2 Zoning District. The changes required to allow for this use are underlined.

If the draft ordinance is acceptable to the Board the next step in the approval process is to send it to the Chester County Planning Commission and East Goshen Planning Commission for their formal review. We should be in a position to hold the public hearing to adopt the ordinance at the second meeting in June.

One other question for the Board to consider is that under the proposed ordinance a beverage café is permitted as a conditional use. Would the Board want to allow the applicant to proceed with the conditional use concurrent with the ordinance adoption process? Under this scenario the applicant would file his conditional use application, and the Board would schedule and conduct the hearing. However, the Board would not render a decision on the conditional use until the ordinance has been adopted.

Obviously, the applicant is proceeding at his own risk, since there is no guarantee that the ordinance will be adopted. However on the plus side the applicant could receive his approval two months sooner.

Cc: Planning Commission

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EAST GOSHEN TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA

ORDINANCE NO. ____-2015

AN ORDINANCE AMENDING THE EAST GOSHEN TOWNSHIP ZONING ORDINANCE OF 1997, AS AMENDED, SECTION 240-6 TO ADD A DEFINITION FOR BEVERAGE CAFÉ AND SHOPPING CENTER; SECTION 240-15.C TO ADD A NEW SUBPARAGRAPH (9) TO ALLOW A BEVERAGE CAFÉ IN A SHOPPING CENTER BY CONDITIONAL USE; SECTION 240-22.H TO ESTABLISH REGULATIONS FOR MENU BOARDS, BILLS OF FARE AND PRICE LISTS; SECTION 240-22.P TO AMEND THE SIGN REGULATIONS FOR SIGNS ERECTED IN THE COMMERCIAL DISTRICT; SECTION 240-31.C(3)(cc) TO ADD CONDITIONAL USE REGULATIONS FOR A BEVERAGE CAFÉ; SECTION 240-33 TO ADD A PARKING REQUIREMENT OF FIVE SPACES PER 1,000 SQUARE FEET OF GROSS FLOOR AREA FOR A SHOPPING CENTER; AND TO DELETE SECTION 240-20.G(3).

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:

Beverage Café – a building measuring not more than 3,500 square feet of gross floor area where beverages and light fare normally and customarily associated with coffee shops or tea rooms are served for on-site or off-site consumption and where the sales of such food shall not constitute more than forty percent (40%) of all sales. Beverage café may also offer for sale coffee beans, tea, containers, mugs, coffee or tea brewing equipment and other related products. A beverage café shall not be considered a fast food restaurant and may have a drive through lane.

Shopping Center- The multiple use of a single property for a group of nonresidential uses, such as, but not limited, to retail stores, restaurants and personal services, that are owned and maintained by a common entity. The shopping center shall be planned and designed as an integrated unit with

common vehicular and pedestrian access, parking, utilities and stormwater management facilities.

SECTION 2. Section 240-15.C shall be amended to add a new subparagraph (9) as follows:

“(9) Beverage café with or without drive through service in a shopping center.”

SECTION 3. Section 240-22.H shall be amended as follows:

“§240-22.H. Menu Boards, bills of fare or price lists.

- (1) Notwithstanding anything in this Ordinance to the contrary, menu boards for restaurants shall be permitted provided that all of the following conditions are met:
 - (a) the menu board is 3 square feet or less in area;
 - (b) the letters and numbers on the menu board are a maximum of 3 inches in height; and
 - (c) the sign is located on the building next to the entrance of the establishment or in the window next to the entrance to the establishment.
- (2) Notwithstanding anything to the contrary in this Ordinance, menu boards associated with a beverage cafe with a drive-through service in a shopping center permitted pursuant to Section 240-15.C(9) shall be permitted provided that all of the following conditions are met:
 - (a) the menu board shall not exceed eight feet in height, including the base, as measured from the elevation of the vehicle drive through;
 - (b) the menu board shall not exceed fifty square feet in area;
 - (c) the menu board shall be internally illuminated and may only be illuminated during normal business hours;
 - (d) the menu board shall only be permitted for use in conjunction with a beverage café with a drive-through service in a shopping center;
 - (e) the menu board shall be located so as not to obstruct traffic or sight lines of vehicles in a shopping center; and
 - (f) landscaping shall be planted to minimize the visibility of the menu board from any public street.”

SECTION 4. Section 240-22.P shall be amended as follows:

"P. Signs permitted in commercial districts. Only the following types of signs are permitted in a commercial district:

- (1) Exempt signs as provided in Subsection J.
- (2) Temporary signs as provided in Subsection I.
- (3) Signs relating to the principal use on a lot, with a maximum of one commercial establishment in accordance with the following regulations:
 - (a) Wall sign. One wall sign shall be permitted for the commercial establishment. Such sign shall not exceed two square feet in area for each linear foot of wall-signable area, but not exceed 60 square feet.
 - (b) A freestanding sign not to exceed 10 square feet in area. No more than one freestanding sign shall be permitted on each street frontage.
 - (c) A window sign not to exceed 20% of window area to which it is attached.
- (4) Signs relating to the principal use on a lot, including more than one commercial establishment are permitted in accordance with the following regulations:
 - (a) Wall sign. One wall sign shall be permitted for each commercial establishment. Such sign shall not exceed two feet in height or be longer than 75% of the linear length of the individual commercial establishment, with a maximum size of 32 square feet; provided that if the commercial establishment is in a stand-alone building in a shopping center that fronts on more than one street, one wall sign shall be permitted for each street on which the building has frontage.
 - [1] All newly placed wall signs attached to the same building:
 - [a] Shall be generally consistent in proportion with existing signs.
 - [b] Shall not be box-type signs if at least 75% of the existing signs are not box-type signs.

- [c] Shall maintain common vertical and horizontal lines with other signs in a manner consistent with the architecture of the building.
 - [d] Should be generally consistent in materials, font style and type size with other signs attached to the same building.
 - [2] An applicant for construction of a new principal building intended to include more than one establishment is strongly encouraged to submit a proposed set of standards that the building owner intends to use to control the types and colors of signs to ensure compatibility among the signs.
 - [3] See Subsection K which prohibits certain types of signs, such as flashing and above-the-roofline signs.
 - [4] Wall sign alternative. In lieu of the wall sign referred to in Subsection P(4)(a), each commercial establishment in the structure shall be permitted to erect one freestanding sign in accordance with the following requirements:
 - [a] Each freestanding sign shall have a maximum size of 10 square feet and a maximum height of 10 feet.
 - [b] Each freestanding sign shall be located immediately in front of its respective establishment.
 - [c] All portions of the freestanding sign shall be located no more than 10 feet from the respective establishment.
 - [d] The freestanding signs shall comply with all front, rear and side yard requirements and they shall comply with the setback requirements for the zoning district.
- (a) Freestanding signs.
- [1] A shopping center use in the C-2 District or within a PRD may have a freestanding sign with a maximum area of 120 square feet and a maximum height of 14 feet on each street frontage. No more than one freestanding sign shall be permitted on each street frontage.

- [2] All other freestanding signs shall not exceed 10 square feet in area nor five feet in height. No more than one freestanding sign shall be permitted on each street frontage.
- (c) Window signs. The cumulative size of window signs is not to exceed 20% of the window area to which it or they are attached. Such signs may contain the names or businesses of the occupants of the facilities.
- (d) All signs on the structure shall be of the same design and lit in a similar manner and shall be architecturally compatible with the structure.
- (5) Sign bonus. Each permitted 10 square feet maximum freestanding sign in a commercial district may be increased in size to a maximum of 20 square feet if the sign is not internally illuminated and is constructed of relief-cut wood (other than plywood).
- (6) Any sign (as defined in § 240-6, which includes but is not limited to graphics and logos) attached to or incorporated into functional elements of a building or development (including but not limited to awnings, canopies or murals) that serve an advertising or use identification purpose shall be considered to be a sign, and specifically shall be regulated by all provisions of this section for the applicable zoning district."

SECTION 5. Section 240-31.C(3)(cc) shall be amended as follows:

"(cc) Restaurant and beverage café.

- [1] Any restaurant or beverage café with a drive-through shall be designed to allow safe pedestrian movement on the property and with sufficient stacking capacity to prevent backups of traffic onto a street.
- [2] All outdoor trash dumpsters shall be totally screened as required by § 240-27C(4)."

SECTION 6. The chart in Section 240-33 shall be amended to add the following use:

"E.13. Shopping Center 5 spaces per 1,000 square feet of gross floor area of all buildings in the shopping center whether attached or detached (not including loading and unloading space)."

SECTION 7. Section 240-20.G(3) shall be deleted.

SECTION 8. 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 9. 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 10. Effective Date. This Ordinance shall become effective in five (5) 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

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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: 4/30/2015
To: Planning Commission
From: Mark Gordon, Township Zoning Officer 
Re: SS Peter and Paul Church / Daycare Use

Planning Commission Members,

The Township Staff has had several conversations with the management of the SS Peter and Paul Church, 1327 Boot Rd., regarding their desire to operate a Daycare Center in Parish Hall of the church in conjunction with the Church and Primary School uses on the property.

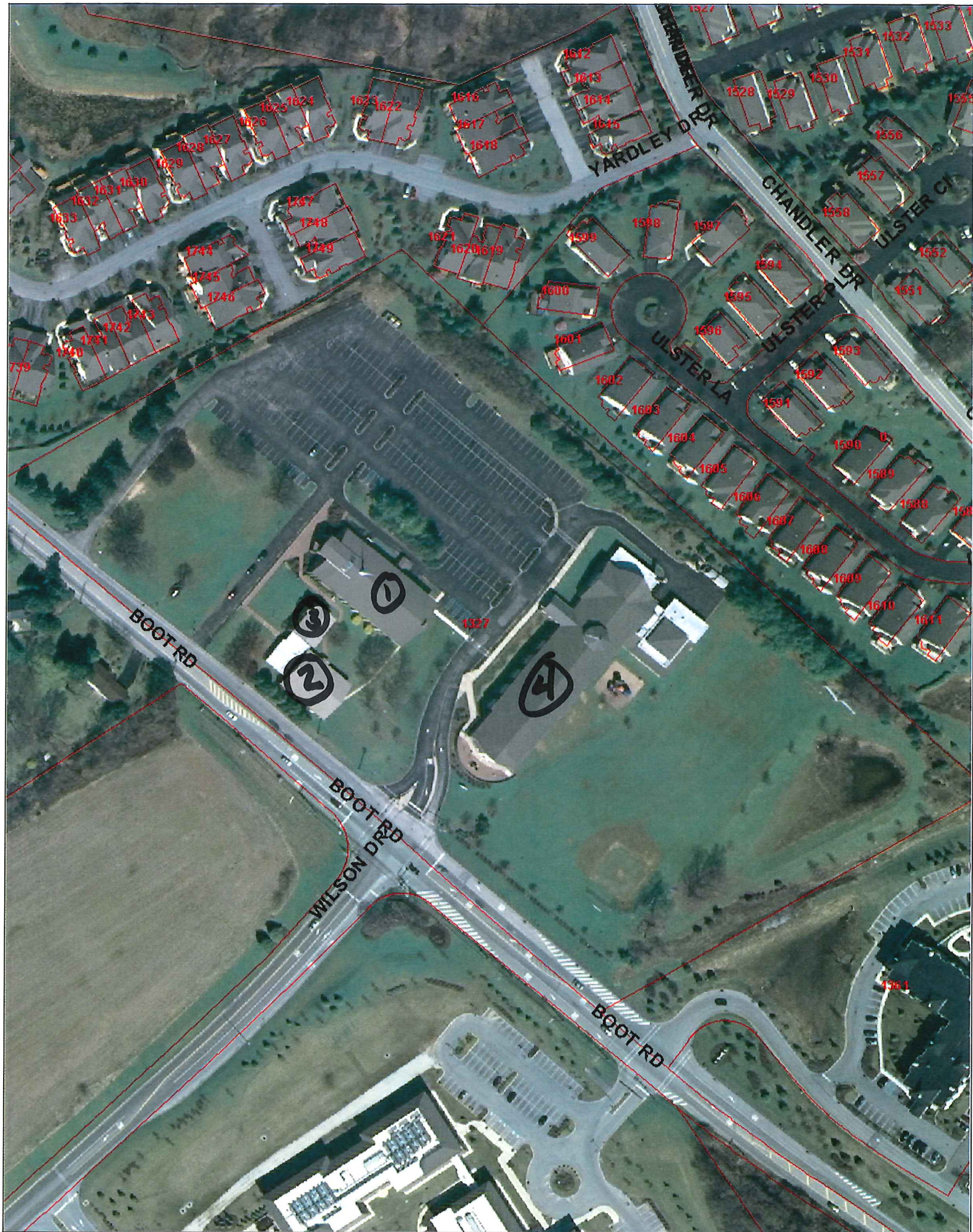
The Church is located in the R-2 District
Daycare as a primary Use is not permitted in the R-2

The Church was approved in approximately 1980. In 1999 the church approached the Township to amend the zoning ordinance to permit the K-8 Primary School, and it was approved in ~2000. The two uses are approved as a conditional use as a "Private Primary school and church or place of worship."

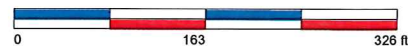
The Church is going to discuss the new Daycare use with the Board of Supervisors on Tuesday night and again with you on Wednesday evening.

I have enclosed an aerial map of the SSPP property for you use. I have also labeled it with the following:

- #1 Church
- #2 Parish Hall and Offices
- #3 Rectory
- #4 Primary School



SSPP Church and Primary School, 1327 Boot Rd



East Goshen Township
1580 Paoli Pike
West Chester, PA 19380

Voice (610) 692-7171

Fax (610) 425-8950

E-mail rsmith@eastgoshen.org

Date: April 29, 2015

To: Board of Supervisors

From: Rick Smith, Township Manager

Re: St. Peter and Paul - Day Care

St. Peter and Paul is looking into the possibility of operating a day care at their property on Boot Road. The current use of their property is a "Private primary school and church or place of worship".

On Friday (4/24) we met with Brian Nagle to discuss what would be required for them to have a day care at St. Peter and Paul.

In order to accomplish this:

- The zoning would need to be amended to allow for a "day care" as a second principal use.
- A conditional use may be required.
- They would need to obtain the required permits from the state
- They would need to obtain building permits to re-configure space in their administration building or rectory.

If possible they would like to have it in operation when school starts in September. I suggested that Brian attend the Board's meeting on May 5, to see what if any comments the Board has on this proposal and the Planning Commission meeting on May 6.

As you know we are in the process of updating the signal permit for Boot Road and Wilson Drive for a left turn arrow, so getting potential day care parents in and out of the property should not be an issue. Obviously the internal circulation would need some scrutiny give the private school use. A day care (as a principal use) is permitted as a conditional use in the C-1, C-2, C-4, I-1 and I-2 zoning districts.

Cc: Planning Commission 

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

April 29, 2015

East Goshen Comprehensive Plan 2015

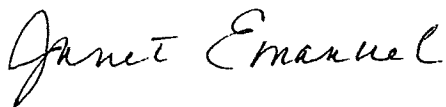
Dear ABC members,

The Comprehensive Plan Task Force, with assistance from all the ABCs, has been working for many months with multiple consultants to prepare the 2015 Comprehensive Plan. At times, it has seemed to be a never-ending process, but the end is finally in sight!

Tom Comitta is planning several meetings to get input from different sources on the latest draft of the Plan. The presentation to the ABCs is scheduled for Wednesday, June 10, 2015 at 7:00 pm. I realize that date conflicts with a Conservancy meeting so if you cannot attend on Wednesday, you may want to attend the presentation to the general public on the following evening.

I hope you will all come to see what your efforts have created and to offer comments so we produce an outstanding and usable Plan. The goal is to have the Plan approved before the end of this year.

Thanks for all your help.



Janet Emanuel
Chair, Comp Plan Task Force