

EAST GOSHEN TOWNSHIP
PLANNING COMMISSION MEETING
October 5, 2016

The East Goshen Township Planning Commission held a regularly scheduled meeting on Wednesday, October 5, 2016 at 7:00 p.m. at the East Goshen Township building. Members present were: Chairman Adam Knox, Lori Kier, Jim McRee, Dan Daley, Monica Close, and Brad Giresi. Also present was Mark Gordon, Township Zoning Officer and Janet Emanuel, Township Supervisor.

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. FORMAL MEETING – 7:00 pm

1. Adam called the meeting to order at 7:00 pm. 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 and if there were any public comments about non-agenda items. There was no response.
3. Adam reviewed the Tracking Log and determined no need for a workshop
4. Adam noted that the minutes of the September 7, 2016 meeting were approved as amended.

B. SUBDIVISION & LAND DEVELOPMENT

1. 1420 E Strasburg Road (Subdivision/Land Development) – Mark noted that the applicant/developer had, on July 26, 2016, submitted a letter granting a 60 day extension to the Board of Supervisors.

C. CONDITIONAL USE/VARIANCES

1. 1349 Morstein Rd (Conditional Use – Home Occupation) John McDonald and Gina McDonald, homeowners, were present. Mr. McDonald thanked the Planning Commission members and residents for their time. He reviewed the edited narrative he submitted after the last meeting. This gave more detail about how the home occupation will operate. He also mentioned that this will be a part-time job for him. He already has a full-time job.

Commission Member Comments:

Monica – asked about the delay process. Mr. McDonald responded that PA State Police must respond within 15 days.

Lori – asked if he considered internet only occupation. Mr. McDonald responded that only special cases will be done at his home.

Jim – asked about the reference to “owners” in the narrative. Mark stated that Mr. McDonald is the applicant.

Brad – asked about vehicular ingress and egress. Mr. McDonald responded that there is space at the bottom of his driveway where cars can turn around easily even with 2 cars parked there.

Dan – asked about signing for deliveries. Mr. McDonald responded that all delivery services require an adult signature. They won’t leave the package without a signature.

Dan – asked about inspections. Mr. McDonald responded that the ATF can come once a year unannounced to do an audit. The PA State Police can come any time as often as they want.

Hours of operation were discussed. Friday 10-3 is for the ATF. Appointments between 9-5 Mon-Sat. He will accept a condition of 1 in home transaction per day. He feels there will only be 1 transaction per month but doesn’t want to commit to that.

Brad commented that the intent is not to limit his business but to limit the amount of vehicular traffic.

Public Comments:

Gary Zenker, 1243 Eastwick Circle – He is concerned about guns being delivered to the house and bad things that can happen in the neighborhood if they are stolen. He feels something more secure needs to be done to make it safe.

Alan Tompkins, 1303 Barkway Lane – He commented that many of the residents are unhappy with this request. He asked what the Township will do about accessing the amount of unhappiness and how will it be presented to the BOS.

Monica Holland, 1230 Waterford Road – She asked if the fact that the community is unhappy has any impact on the Commission’s decision. She pointed out that with internet orders that come to him, this could still be for a stranger.

Lisa Kilheffer, 240 Corwen Terrace, West Whiteland Township – She asked if the hours of operation could be based on the times the school buses are there. Mr. McDonald explained that the bus has to stop at his driveway to pick up his children because there are no sidewalks. He will agree to school bus hours if needed. He feels that most firearm customers prefer to go to a store and not have to wait for the process he has to go through to approve them. No firearms come with ammo.

She also asked if this has to be disclosed when someone in the neighborhood is selling their home. The answer was no but this is public information.

She also asked if he will be participating in gun shows. Mr. McDonald answered no.

Ron Heier, 1405 Allan Lane – He pointed out that there is no mention of the ingress/egress in the conditions on the draft motion. Mark will add this.

Lou Ann Atkinson, 1305 Barkway Lane – She asked if the name of his business will reference firearms and will the Morstein address show. Mr. McDonald answered that the name of his business will be Capital City Arms. The address will not be on his website but all information will be on the ATF website.

Dwight Morrow, 1230 Waterford Road – He asked what types of guns will be involved. Mr. McDonald answered whatever is covered by his license.

Julieta Calmon, 1549 Tanglewood Drive – She spoke with Westtown East Goshen Police Chief Brenda Bernot who told her federal regulations do require a safe. Mr. McDonald answered that he does have a safe and will use it when necessary.

Louis Giangliulio, 1242 Waterford Road – Asked what special conditions will the Township impose for safety. Adam commented that he is comfortable with the safe in a locked room and restricted hours.

Jim recommended that the residents report anything unusual to the Township.

Brad read the section from the ordinance, which states that the permit is annual and an inspection will be done at that time.

Adam moved that the Planning Commission recommend that the Board of Supervisors approve the conditional use application for the home occupation of Mr. McDonald at 1349 Morstein Road, West Chester, PA 19380 with the following conditions:

1. Applicant shall adhere to all testimony and evidence presented at the conditional use hearing.
2. Applicant shall maintain his federal firearms license issued by the Bureau of Alcohol, Tobacco and Explosives.
3. Applicant shall only sell or transfer the type of firearms permitted by his federal license.
4. Applicant shall maintain a license to sell firearms issued by the Commonwealth of Pennsylvania.
5. Applicant shall comply with any other applicable federal, state or local licenses or permits necessary to operate as a firearms dealer at all times while conducting the home occupation.
6. Applicant shall store the firearms in a safe until the customer has passed the background check and all paperwork is completed.
7. If deliveries of firearms are made to Applicant’s home address by the USPS, UPS, Federal Express or another similar delivery carrier, Applicant or his wife must personally sign for the delivery.

8. Applicant shall adhere to all applicable federal laws and regulations and state and local ordinances in the operation of the home occupation.
9. The hours of operation for the business shall be by appointment only between 9 am – 5 pm, Monday to Saturday.
10. Applicant shall limit the number of home customers to one per day.
11. Applicant shall demonstrate to the Township Zoning Officer safe ingress/egress to his location.

Jim seconded the motion. Discussion:

Don Houser, 1347 Morstein Road – He asked the commission members one question – Would you want this in your neighborhood?

Jim pointed out that there was reference to “owners” in the narrative. After discussion, it was decided that the motion will be amended to add Gina McDonald as an applicant. The word “applicant” throughout the motion will be changed to “applicants”.

Adam moved to accept these changes. Jim seconded the motion to amend the original motion. The motion passed unanimously.

Mark announced that the Conditional Use Hearing will be held at the Board of Supervisors’ meeting on October 18 at 7:00 p.m. He also explained the process to the residents.

D. OLD BUSINESS

1. DAS Ordinance - Mark met with representatives of Crown Castle. They are proposing 6 sites in the Township (near the High School, in the Corporate Park, at Wellington and the Giant shopping center). They discussed the right of way agreement. We should hear back from the County shortly. Dan added that Crown Castle showed them pictures of the different types of systems. Right now Verizon is the primary user and they can add 3 more.

2. Zoning Ordinance Review – Signs – Tabled until the November meeting.

E. LIAISON REPORT

Board of Supervisors - Janet mentioned that they discussed this home occupation request and they feel certain types of businesses should not be permitted in residential areas. They want the Planning Commission to amend the ordinance to disallow certain types of businesses as home occupations.

F. ADJOURNMENT

There being no further business, the meeting adjourned at 9:10 pm. The next regular meeting will be held Wednesday, November 2, 2016 at 7:00 pm.

Respectfully submitted, _____
Ruth Kiefer, Recording Secretary