

**EAST GOSHEN TOWNSHIP
PLANNING COMMISSION
Meeting Agenda
Thursday, September 14, 2017
6:00 PM**

- 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
- F. Subdivision and Land Development Applications
- G. Conditional Uses and Variances
- H. **Ordinance Amendments**
 - 1. **Zoning: Floodplain Ordinance, variances for accessory buildings**
- I. 2017 Goals
- J. Any Other Matter
- K. Liaison Reports
- L. Correspondence

Bold Items indicate new information to review.

Memorandum

East Goshen Township
1580 Paoli Pike
West Chester, PA 19380

Voice: 610-692-7171
Fax: 610-692-8950
E-mail: mgordon@eastgoshe.org

Date: 9/7/2017
To: Planning Commission
From: Mark Gordon, Township Zoning Officer
Re: Floodplain Ordinance Amendment

Planning Commission Members,

As you know, the Township adopted a new Floodplain Ordinance in July, which goes into effect on September 29th, along with the new floodplain maps. This adopted ordinance is currently being codified, so you will not see this ordinance in the current codification of the code.

Upon adoption, the Township forwarded the ordinance to FEMA for their records and upon further inspection by FEMA they recommended an amendment to the Variance section pertaining to accessory structures within the floodplain.

The newly adopted ordinance section reads:
240-26.B Variances

1. No Variance shall be granted within any Identified Floodplain Area that would cause any increase in the BFE.

As you can see in the attached amendment, FEMA has recommended additional language to specifically limit the maximum size of accessory structures in the floodplain and should the Township grant a variance for an accessory structure greater than 200 square feet (but no greater than 600 square feet) a Non-Conversion Agreement is required as a condition of receiving the variance.

Staff Recommendation:

Staff and Township solicitor have no objection to this amendment.

Draft Motion: Mr. Chairman, I move that the Planning Commission recommend approval of this amendment to the Township Floodplain Ordinance.

**EAST GOSHEN TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA**

ORDINANCE NO. _____

**AN ORDINANCE OF EAST GOSHEN TOWNSHIP,
CHESTER COUNTY, PENNSYLVANIA, AMENDING THE
EAST GOSHEN TOWNSHIP ZONING ORDINANCE OF
1997 IN ORDER TO CLARIFY CERTAIN ACCESSORY
STRUCTURES PROVISIONS AS SET FORTH IN CHAPTER
240, ARTICLE V WITH RESPECT TO FLOODPLAIN
REGULATIONS, AND TO PROVIDE FOR REQUIRED
SEVERABILITY, REPEALER AND CODIFICATION
PROVISIONS.**

BE IT ENACTED AND ORDAINED by the Board of Supervisors of East Goshen Township that the East Goshen Township Zoning Ordinance of 1997 is hereby amended as follows:

SECTION 1. Section 240.26.B. Floodplain Regulations, is hereby amended to delete and remove Section 240.26.B(8).B.1 in its entirety and replace it as follows:

- “1. No variance shall be granted within any Identified Floodplain Area that would cause any increase in BFE. Additionally, no variance shall be granted for a proposed accessory structure that exceeds 600 square feet in size. If a variance is granted for a proposed accessory structure that is in excess of 200 square feet (but which is not allowed to exceed 600 square feet), a signed Non-Conversion Agreement is required as a condition of receiving the variance.”

SECTION 2. 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 3. 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 4. Codification. General Code is hereby authorized to make non-substantive formatting and numbering changes necessary to clarify references to other sections of Township ordinances and/or codification and to bring the Ordinance into conformity with Township ordinances/codification.

SECTION 5. Effective Date. This Ordinance shall become effective on September 29, 2017 and shall remain in force and effect until otherwise amended by the Township.

ENACTED AND ORDAINED this _____ day of September, 2017.

ATTEST:

**EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS**

Louis F. Smith, Secretary

E. Martin Shane, Chairman

Carmen R. Battavio, Vice-Chairman

Charles W. Proctor, III, Esquire, Member

Janet L. Emanuel, Member

Michael P. Lynch, Member



THE COUNTY OF CHESTER



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Michelle Kichline
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Terence Farrell

Brian N. O'Leary, 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

August 21, 2017

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

Re: Zoning Ordinance Amendment – Floodplain Regulations
ZA-08-17-15044 - East Goshen Township

Dear Mr. Smith:

The Chester County Planning Commission has reviewed the proposed Zoning Ordinance 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 August 11, 2017. We offer the following comments to assist in your review of the proposed amendment.

DESCRIPTION:

1. The County Planning Commission has previously reviewed two versions of East Goshen Township's updated Floodplain Regulations, the latest of which occurred on June 22, 2017 (CCPC# ZA-06-17-14937). The current amendment submission addresses a minor revision to the Variance Procedures and Conditions in Section 240-26.B(8).B.1 of the proposed floodplain regulations.

COMMENTS:

2. The proposed ordinance language appears to follow the requirements of the Pennsylvania Department of Community and Economic Development (PA DCED). As stated in our previous review (CCPC# ZA-06-17-14937), it is our understanding that the pre-adoption review of the proposed ordinance language has been completed, so that the final draft floodplain ordinance has been reviewed and approved by PA DCED as compliant. The proposed amendment further clarifies variance provisions related to accessory structures to ensure full compliance with FEMA standards.

RECOMMENDATION: The County Planning Commission supports the adoption of the proposed zoning ordinance amendment.

We request an official copy of the decision made by the Township 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,

Paul Farkas
Senior Review Planner

cc: Dani-Ella Betz, Chester County Water Resources Authority