

**EAST GOSHEN TOWNSHIP
PLANNING COMMISSION
Meeting Agenda
Wednesday, February 7, 2018
7:00 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**
 - 1. January 17, 2018**
- F. Subdivision and Land Development Applications
- G. Conditional Uses and Variances
- H. Ordinance Amendments**
 - 1. Discussion on residential development changes to the Zoning Ordinance.**
 - 2. Discussion on Paoli Pike Corridor Zoning Overlay District**
- I. 2018 Goals
- J. Any Other Matter
- K. Liaison Reports
- L. Correspondence

Bold Items indicate new information to review.

**East Goshen Township
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 | Comments |
|-------------------------|---|------------------------|-------------------|-------------------|----------------------------------|---------------------|---------------------------------------|------------------|---------------------------|----------------------------|---------------------|-----------------------|-----------------|
| No Applications | | | | | | | | | | | | | |

Bold = New Application or PC action required

Completed in 2018

| | | | | | | | | | | | | | |
|---------------------------------|-------|---|----------|---------|----------|----------|----------|---|---------|---------|---------|---------|------|
| Malvern Institute, 940 King Rd. | V, SE | P | 3/27/17 | 3/27/17 | NA | NA | 3/30/17 | 4 | 1/17/18 | 2/6/18 | 2/13/18 | 2/28/18 | |
| WCASD / EG Elem. | LD | P | 11/28/17 | 12/6/17 | 11/30/17 | 11/30/17 | 11/30/17 | | 2/7/18 | 3/6/18 | NA | 3/6/18 | APPD |
| 1665 E. Boot Rd | V | P | 12/1/17 | 12/1/17 | NA | NA | 12/7/18 | | 1/3/17 | 1/16/18 | 1/25/18 | 1/30/18 | APPD |

Draft
EAST GOSHEN TOWNSHIP
PLANNING COMMISSION MEETING
January 17, 2018

The East Goshen Township Planning Commission held a workshop meeting on Wednesday, January 17, 2018 at 7:00 p.m. at the East Goshen Township building. Members present were: Chairman Brad Giresi, Adam Knox, Dan Daley, Jim McRee, Ernest Harkness, Monica Close and Silvia Shin. Also present was Mark Gordon, (Township Zoning Officer); Janet Emanuel, Carmen Battavio, David Shuey and Mike Lynch (Township Supervisors); and Kristin Camp (Township Solicitor).

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> | <i>ZHB – Zoning Hearing Board</i> |

A. FORMAL MEETING – 7:00 pm

1. Brad called the meeting to order at 7:00 pm. He led the Pledge of Allegiance and a moment of silence to remember our first responders and military.
2. Brad asked if anyone would be recording the meeting and if there were any public comments about non-agenda items.
3. Brad reviewed the Tracking Log
4. Brad noted that the minutes of the January 3, 2018 meeting were approved.

B. CONDITIONAL USES AND VARIANCES

1. Malvern Institute (SE and Variances) – Brian Nagel (Attorney) explained that Malvern Institute has additional information to present on their application. Bob Plucienik, Chester Valley Engineers, explained the revised plan for a one-story addition instead of a second floor addition. Also in this revised plan the volleyball court is in the courtyard area. Everything else in this revised plan is the same as the original plan. He pointed out that the cross sections of neighbors' property show landscaping and the fence. Jason Birl, Architect, explained that the one-story addition will have 6,930 SF. The connecting link will be about 700 SF. The height on the building is 10 feet above grade. The maximum height of the 1-story addition is 15 feet and it has a basement below grade. The sound fence is 8 feet high. He passed around a sample. Any sound from MI will be absorbed by the material on the MI side of the fence. The fence is shown as a white line on the plan. Mark commented that samples he saw were industrial. Jason explained that the brochure doesn't show residential fencing. There are different wood grains to select from. He will try to have a sample for the BOS meeting. The cost for the fence is estimated to be \$250,000.

Jason commented that the Smoking Pavilion will be 800 SF, 15 feet high, enclosed on 2 sides and located in front of the main building. The Smoke Eater is rated for 800 SF. Since the pavilion is not entirely enclosed they may have to use 2 Smoke Eaters. Jason explained how the exhaust will work.

Jack Zybur, engineer, explained the process of determining sound levels. Brian commented that the fence is a barrier, which provides reduction of noise. 1-story vs 2-story also is a reduction. Jack explained that all sounds are picked up; i.e. traffic, wild life, etc. The average is 40-60 decibels. Levels change based on the number of people. No patient activities went over the ordinance limits. About 10 decibels would go over the fence. Landscaping will not absorb all of the noise.

Lou Merlini, Manager, mentioned that MI has accepted the challenge to plan 15 years out. He explained that they are asking for more treatment space. They want a higher ratio of nurses to patients and more specific patient treatment areas. They are sensitive to the neighbors. MI has been here for 70 years. He explained how the drug addictions have changed through the years. They are here to help those in need. Brian mentioned that they plan to use the basement for in-house entertainment; i.e. movies. This addition is for treatment areas not bedrooms.

1 Brad asked if the 6900 SF includes the basement. Brian answered no. The 1st floor and basement will be
2 13,180 SF. This is a 59% increase in SF of all additional areas asked for in this plan.

3 Mark commented that the township saw a 1-story addition as completing the feeling of a court and less
4 impact on the neighbors. He recommended that they make a written list describing these changes for the
5 BOS meeting.

6 Brad asked about the space between the addition and the property line. Lou answered that they are
7 planning a walking trail. They will have cameras and stall to walk with the patients.

8
9 Public Comments:

10 Brad opened the meeting for public comments and asked them to focus on the new changes.

11 1. Carmen Battavio, 1607 Williams Way – He commented that the sound wall internal material would be
12 subject to mold and deterioration. Jason answered that they would replace the fence at that point.

13 Carmen asked if they will continue counseling/training for bad language. Brian answered that new
14 courses have been put in place. Lou commented that the staff is reminded in daily meetings.

15 Carmen asked if there were other ways for them to egress besides the doors. David Lumpkin, Executive
16 Director, commented that they reviewed the cameras and monitoring. The staff is trained to bring them
17 back in the building.

18 Carmen commented that at the peak for smoke eaters, they make a lot of noise.

19 2. Paige Fenimore, 3 Treemont Drive, Malvern – She mentioned the 49% increase. In 1982 the square
20 footage was 10,000. In 1996 another addition made it 16,000 SF. How did it get to the current 28,000
21 useable square feet? It is 59% increase which exceeds the 25% allowed.

22 3. Terry Relick, 12 Treemont Drive, Malvern – The increase from 49% to 59% increase is getting worse
23 for them. She provided photos of what they see from their property. She has lived there for 25 years and
24 feels MI hasn't done anything that they asked.

25 Brian spoke about the new landscaping plan which should improve things for them. He mentioned that
26 neighbors meetings that MI has held and most of the neighbors said they have experienced improvements
27 over the last 5 years.

28 4. Lisa O'Neill, 10 Brookmont – In her second floor rooms, she can hear what is going on. Jack Zyburu
29 mentioned that some sound will go over the fence but right now there is no fence so she should see an
30 improvement. She mentioned turnpike fences with vines growing on them. She feels vines will grow up
31 this fence too and feels MI won't maintain it.

32 Lou Merlini explained the grounds maintenance that they do.

33 She pointed out that a neighbor has maintained the MI property behind his property for years.

34 5. Greg O'Neill, 10 Brookmont Dr., Malvern – He asked about water runoff for the new addition. He
35 believes it is being built over a septic site.

36 Mark explained the storm water management plans that MI will be required to do. He pointed out that
37 the tile field is north of where the first story addition will go.

38 6. Joanne Murphy, 20 Brookmont Dr., Malvern – She asked what the number of beds is now and will it
39 be increased. Lou commented that there are 80 beds. Adam explained that MI is capped at 80 beds
40 forever. Brian explained the conditions attached to this plan. She asked, if branches from the MI
41 landscaping come down on her property, will MI that care of it. Lou answered yes. Mark pointed out
42 where the evergreen screening will be planted. This is part of Phase 1.

43 7. Diane Weldman, 5 Line Road – She lives across the street and can see the backyards of the neighbors
44 who back up to MI. She suggested some landscaping so the fence isn't the only thing seen.

45 Brian commented that this is on the east side of the MI property, which is forested so the fence could be
46 excluded from there. Lou feels that landscaping could be done. He explained all the inspections and
47 licensing that MI has to have done. It is public information. Dennis Dea, Chief Clinical Officer,
48 explained all of the agencies and what they inspect. He mentioned where the results of the inspections
49 can be found.

50
51 Brad mentioned that a list of conditions has been developed which contains new ones based on neighbors
52 input. The motion will be made and each condition reviewed.

1 Jim moved that the Planning Commission take no position on the special exception and variances
2 requested by the Malvern Institute or the legal argument advanced by the Applicant with respect to the
3 right to expand the legal non-conforming treatment center use based on the doctrine of natural expansion.
4 Should the Zoning Hearing Board determine that the applicant has met its legal burden and is entitled to
5 expand the non-conforming use, the Planning Commission recommends that the ZHB impose the
6 following conditions on the Applicant in order to mitigate the impacts that the non-conforming use has on
7 the surrounding community. The PC also recommends that the Board of Supervisors authorize the
8 Township Solicitor and the Township Engineer to enter an appearance at the Zoning Hearing to advocate
9 the Board of Supervisors' position on the recommended conditions.

10 Conditions:

- 11 1. Applicant shall restrict the drug and alcohol treatment programming at the King Road facility (the
12 "facility") to in-patient treatment only.
- 13 2. Applicant shall limit the number of patients receiving treatment at the Facility to a maximum of 80
14 patients on-site at any one time. Applicant shall forward a letter to the Commonwealth of PA Department
15 of Drug and Alcohol Programming or successor licensing agency agreeing to permanently cap the
16 licensing of the Facility to 80 in-patients in perpetuity.
- 17 3. Applicant shall add a camera at the front entrance as an addition to its existing camera system. The
18 eastern parking lot gate shall be locked by 11 p.m. to ensure that any vehicle entering the site must
19 approach the main building. Applicant shall have no less than one security guard on site during the
20 nighttime shift when the clinical staff is reduced in number. In addition, Applicant shall implement and
21 maintain the use of security cameras, which are continually monitored by properly trained staff including
22 a certified clinical supervisor during the overnight shift.
- 23 4. Applicant may build only a one-story addition as identified in the site plan to facilitate the expansion
24 of the use. The new addition shall be set back a minimum of 45 feet from the property line.
- 25 5. Applicant agrees to submit a land development application that includes the proposed improvements to
26 the Property which are approved in the Zoning Hearing Board Decision and which are consistent with the
27 testimony and exhibits presented at the Zoning Hearing and with the conditions of approval within 180
28 days of final unappealable and unappealed zoning approval.
- 29 6. Applicant shall submit and implement a landscape plan in accordance with §240-27.C.(2) of the East
30 Goshen Code for the western, southern and eastern portions of the property together with the planned
31 (deer resistant) understory landscape buffer planting restoration at the eastern property boundary as part
32 of its land development application.
- 33 7. Applicant agrees to plant and maintain the aforesaid buffer yard landscaping in accordance with §240-
34 27.C.(3), as long as the Property is used as a Treatment Center, subject to accommodation of the sound
35 fence within said buffer yard landscaping. The sound fence shall be appropriately screened with
36 evergreen landscaping to mitigate its appearance from neighboring properties.
- 37 8. Applicant shall install and maintain 8 foot high sound fencing, as described, along the entire western,
38 southern and eastern boundaries of the Property except within the floodplain and adjacent areas as shown
39 on the plans. The 8 foot sound fencing shall extend to the King Road right of way line, so long as the
40 fencing does not impede sight distance for motorists exiting the Facility's driveway or the driveway for
41 950 King Road. Any new recreation facilities shall be subject to review and approval of the Township
42 Engineer for determining appropriate sound attenuation measures. The proposed sound fencing shall be
43 detailed on the Land Development Plan and shall be continually maintained by the owner.
- 44 9. Applicant shall install a fence along the right of way line for King Road up to and around the pump
45 station to meet the street line on the eastern side of the property. The entrance shall include a monitored
46 camera. This fencing and the aforesaid sound fencing shall be connected and are intended to limit ingress
47 and egress to the main entrance.
- 48 10. Applicant shall identify the fencing types and styles and provide details, samples and/or images, if
49 available, of each style of fencing in the land development plan. The fencing shall be approved by the
50 Board of Supervisors during land development.
- 51 11. Applicant shall agree to permit no recreational activity in the area between the existing and/or
52 proposed building and the southern and western property lines other than the garden, the greenhouse, and
53 the pedestrian walking paths.

- 1 12. Applicant shall identify the existing and proposed active recreation areas on the land development
2 plan.
- 3 13. The Facility shall be restricted to one outdoor smoking area for patients (smoking pavilion). The
4 Applicant shall agree to require all patients to smoke within the limit of the smoking pavilion. Staff and
5 visitors shall be restricted to smoking in the front of the building.
- 6 14. The smoking pavilion shall be equipped with a “Smoke Eater” type of ventilation and filtration
7 system to minimize the effects of smoke for the surrounding property owners.
- 8 15. Applicant shall screen the new smoking pavilion from the neighboring properties to the west and
9 north with a temporary 8 foot sound fence which shall remain in place until the one story addition project
10 is complete.
- 11 16. The Applicant shall demonstrate during the land development application review that the “Smoke
12 Eater” system can effectively ventilate and filter cigarette smoke in the proposed smoking pavilion.
- 13 17. The Applicant shall install sound attenuation blankets or similar sound dampening material inside
14 the existing emergency generator fencing to mitigate noise from the generator.
- 15 18. The Applicant shall install the 8 foot sound fencing and deer resistant understory landscape buffer
16 plantings in the wooded area on the eastern side of the Property prior to the installation of any walking
17 paths and/or meditation areas on the east side of the Ridley Creek. The fencing and landscaping shall be
18 shown on the landscape plans submitted with the land development application and shall be approved by
19 the Board of Supervisors as part of land development.
- 20 19. The Applicant shall implement the Malvern Institute 15 year renovation plan as presented to the
21 Zoning Hearing Board in the order as outlined in the application and shall implement all of the 1-2 year
22 site improvements prior to the issuance of any building permits.
- 23 20. Applicant shall agree to construct and maintain all walking paths with pervious wood chips.
- 24 21. The Applicant shall comply with the parking allocation presented on the plans.
- 25 22. Applicant shall agree to only permit outdoor patient activities on the property between the hours of 7
26 AM and 10 PM with the following exceptions: A maximum of 8 patients at any one time, with active
27 staff supervision shall be permitted to use the smoking pavilion between 10 PM and 11:30 PM. A
28 maximum of 4 patients at any one time with active supervision from staff shall be permitted to use the
29 smoking pavilion between 11:30 PM and 7 AM.
- 30 23. The following site improvements shall be completed prior to the commencement of any other
31 improvements listed in the 15 Year Renovation Timeline:
- 32 a. Completion of all parking lot renovations
 - 33 b. Completion of all sound fence installation
 - 34 c. Installation of the smoking pavilion to include the installation of screening and smoke
35 mitigation measures.
 - 36 d. Installation of sound blankets inside the generator fencing.
 - 37 e. Installation of plantings as required on the land development landscape plan.
- 38 24. In the event that the Applicant’s requested relief is granted, the Applicant shall agree to record a
39 copy of the Zoning Hearing Board Decision with the Chester County Recorder of Deeds.
- 40 Ernest seconded the motion. Brad opened the meeting for comments. After some discussion a vote was
41 taken. The motion passed unanimously.

42
43 **ADJOURNMENT**

44 There being no further business, Dan moved to adjourn the meeting. Adam seconded the motion.
45 The meeting adjourned at 10:00 pm. The next meeting will be held on Wednesday, February 7, 2018
46 at 7:00 pm.

47
48 Respectfully submitted, _____
49 *Ruth Kiefer, Recording Secretary*

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: 2/1/2018
To: Planning Commission
From: Mark Gordon, Township Zoning Officer
Re: New Residential Development Regulations

Dear Commissioners,

As a follow-up to our last conversation about new residential development regulations concerning our remaining larger underdeveloped parcels I found the following to support the concept.

The Township Comprehensive Plan:

Objective 6.7 – Continue to provide for a variety of housing options within the Township to accommodate a diverse population.

Recommendation 6.7.1 – Evaluate the Zoning Ordinance in Light of housing choices for changing demographics and income diversity.

Objective 6.8 – Preserve the Character of existing residential housing neighborhoods.

Recommendation 6.8.1 – Consider adopting provisions in the Zoning and Subdivision & Land Development Ordinance that encourage innovative design for new residential development while respecting the character of surrounding neighborhoods.

Paoli Pike Corridor Master Plan:

The Land Use Overview of the Paoli Pike Corridor Master Plan identifies a demand for additional housing units in the Township. Based on the population projections and the build out analysis, more diverse housing options are needed.

Staff Recommendation:

Staff is of the opinion that there is support in both the PPCMP and the Comp Plan to warrant moving forward with a planning effort to develop an amendment to the existing

SFOD ordinance or a to develop a new residential openspace development that will meet these identified goals and objectives.

Draft Motion:

Mr. Chairman, I move that the Planning Commission recommend that the Board of Supervisors authorize the Staff and the Planning Commission to begin the process of drafting a zoning ordinance to permit semidetached dwellings and/or townhouse dwellings as an option for a residential openspace development option.

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: 2/1/2018
To: Planning Commission
From: Mark Gordon, Township Zoning Officer
Re: Paoli Pike Corridor Zoning Overlay

Dear Commissioners,

As you know the Township Board has tasked the PC with developing a new Township Zoning Overlay for the Paoli Pike Corridor. This will effectively convert the vision of the PPCMP into a text amendment to the Zoning Ordinance.

This endeavor is highlighted in the following Township Planning Initiatives:

The Township Comprehensive Plan:

Objective 7.1 – Promote the enhancement of Business opportunities in the Town Center.

Recommendation 7.1.1 – Consider infill development and redevelopment options

Paoli Pike Corridor Master Plan:

The Land Use Overview of the Paoli Pike Corridor Master Plan identifies initiatives needed to enhance the Paoli Pike Corridor and Goshenville (Town Center), they are:

- Zoning Ordinance Text Amendment
 - Zoning Map Amendment
 - SALDO Amendments
- Ref 5-12 of the PPCMP

Staff Recommendation:

Staff is of the opinion that there is support in both the PPCMP and the Comp Plan to warrant moving forward with a planning effort to develop the following:

- Zoning Ordinance Text Amendment
- Zoning Map Amendment
- SALDO Amendments

Draft Motion:

Mr. Chairman, I move that the Planning Commission recommend that the Board of Supervisors authorize the Staff to solicit a proposal from Thomas Comitta Associates to develop the following ordinance amendments in order to implement the Paoli Pike Corridor Master Plan Recommendations.

- Zoning Ordinance Text Amendment
- Zoning Map Amendment
- SALDO Amendments