

**EAST GOSHEN TOWNSHIP
PLANNING COMMISSION
Meeting Agenda
Wednesday, October 3, 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. September 5, 2018**
- F. Subdivision and Land Development Applications
- G. Conditional Uses and Variances**
 - 1. 1302 Wilson Drive / ESKE Development LLC / Child Daycare Center**
- H. Ordinance Amendments**
 - 1. Keeping of Domesticated Chickens**
- I. Old Business
- J. 2018 Goals
- K. Any Other Matter
 - 1. E. Strasburg Rd. Adopt a Highway Clean-up (Fall – October 6th / Rain Date October 20th)
- L. Liaison Reports
- M. Correspondence

Bold Items indicate new information to review or discuss.

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	Comments
1302 Wilson Dr. / ESKE Development / Child Daycare	CU	Sk	9/4/2018	9/4/2018	9/4/2018, 9/17/2018	NA	9/25/2018	1	11/7/2018	12/3/2018	11/13/2018	12/3/2018	

Bold = New Application or PC action required

Completed in 2018

1506 Meadowbrook Ln	SD/LD	P/F	2/26/2018	4/4/2018	2/27/2018	3/1/2018	3/1/2018	2	8/1/2018	8/21/2018	NA	9/3/2018	APPD
1339 E. Strasburg Rd.	CU	Sk	7/16/2018	7/16/2018	NA	NA	7/25/2018		8/1/2018	9/4/2018	9/4/2018	9/14/2018	APPD
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
September 5, 2018

The East Goshen Township Planning Commission held a regular meeting on Wednesday, September 5, 2018 at 7:00 p.m. at the East Goshen Township building. Members present were: Chairman Brad Giresi, Jim McRee, Ernest Harkness, Monica Close and Adam Knox. 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>	<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. There was no response.
3. Brad checked the log and noted there will be a workshop meeting on September 26, 2018.
4. The minutes of the August 1, 2018 meeting were approved as amended.

B. ORDINANCE AMENDMENTS

1. Incubator Uses - Jon Altshul reported on the work he and Mark Gordon have done on this subject. They are proposing the following definition of Incubator Uses:

A building or portion thereof that offers shared or partially shared office, light industry and manufacturing and /or laboratory space, common facilities and shared support services to multiple entrepreneurial companies.

Incubator Uses would be allowed by conditional use. Jon mentioned that Kristin Camp, Township Attorney, pointed out that we need a definition for “light industry”. Jim asked for the difference between “shared” and “partially shared”. Adam explained the different kinds of uses and recommended taking “partially” out, just use “shared”. Jon explained that the purpose of this is to promote start up businesses. Since the Township Ordinance requires a minimum of 5,000 sq.ft. for an office, Adam recommended removing this requirement. The Commission members continued to discuss conditional use, multiple business use and parking. Mark read the goal that is in the Township’s Comprehensive Plan pertaining to this. Although Dan Daley could not be at the meeting, he sent Brad an email with his comments. Parking is a concern because the number of employees will fluctuate. Everyone agreed to further investigate this.

C. LIASON REPORTS

1. Board of Supervisors – Janet reported that the BOS wants to set up a Sustainability Committee. East Goshen was given a Gold Level by the state of Pennsylvania based on what David Shuey and Jason Lang did. The BOS wants to try for a Platinum Level. They want some members of the ABC’s to be on this committee. Mark explained that the sustainability rating comes up in grant applications.

D. ANY OTHER MATTER

1. Marydell Pond Rehabilitation – Mark reviewed the application for an NPDES permit for this project. Monica made a motion to acknowledge the Act 67, 68 & 127 Notification of Application for the Marydell Pond Rehabilitation. Jim seconded the motion. The motion passed unanimously.

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: 9/28/2018

To: Planning Commission

From: Mark Gordon, Township Zoning Officer



Re: Conditional Use Application / ESKE Development LLC / Child Daycare Center

Planning Commission Members,

The Township has received a Conditional Use application for the vacant parcel at 1302 Wilson Drive. This parcel is located in the I-1 Light Industrial zoning district, has an area of 4 acres. The Use proposed is a Child Daycare Center, which is a permitted conditional use in the I-1 district. This applicant proposes to construct a 14000 s.f. building with associated playground area, parking, and driveway to accommodate the use.

At the time this memo was written the Staff had not yet received the Township Engineers review letter.

STAFF RECOMENDATION

The Township's engineer letter will be forwarded to the PC when received. The Conservancy Board will review the plan and forward comments to the PC for your meeting on 11/7/2018. Action by the PC is premature at this time.

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

September 25, 2018

Dear Property Owner:

The purpose of this letter is to inform you that East Goshen Township has received a Conditional Use application for 1302 Wilson Dr., West Chester PA 19380. The equitable owner, ESKE Development, LLC, is seeking approval to develop the property as a Child Daycare Center. The property is situated in the I-1, Light Industrial Zoning District of East Goshen Township. Child Daycare Centers are permitted in the I-1 Zoning District as a Conditional Use.

Pursuant to Township policy, property owners within 1000 feet of the subject property are notified when Conditional use applications are received. **The meeting dates for this matter are listed below and subject to change without further written notice:**

October 3, 2018 – Planning Commission (7:00 PM)

October 10, 2017 – Conservancy Board (7:00 PM)

November 7, 2018 – Planning Commission (7:00 PM)

November 13, 2018 – Board of Supervisors (7:00 PM – Conditional Use Hearing)

These meetings will be held at the Township Administration Building and will be open to the public. The Application is available for review at the Township building during normal business hours. If any person who wishes to attend the hearing has a disability and/or requires an auxiliary aid, service or other accommodation to observe or participate in the proceedings, he or she should contact East Goshen Township at 610-692-7171 to discuss how those needs may be accommodated.

Sincerely,

Mark A. Gordon

Mark A. Gordon
Township Zoning Officer

Applicant's Narrative

Applicant: ESKE Development, LLC
Property: 1302 Wilson Avenue, West Chester, PA

The Applicant has requested approval for a child daycare center as that term has been defined under Section 240-6.B of the Township Zoning Ordinance. As such, this application:

- (a) Will not create a significant hazard to the public health and safety, including but not limited to fire, toxic or explosive hazards.
- (b) Will be suitable for the property in question.
- (c) Will be designed, constructed, operated and maintained so as to be in harmony with the character with the existing or intended development of the general vicinity.
- (d) Will not be detrimental to other property in the vicinity, including proper use of adequate setbacks, buffering, berming, locating of nuisance-causing facilities, screening and controls of operations to avoid conflicts. The Applicant does not believe additional screening, buffering and/or widths of setbacks will be required as a condition of any approval.
- (e) Will be suitable in terms of permitting the logical, efficient and economic extension of public services and facilities such as central water supply, sanitary sewage and police and fire protection. There will be adequate access for firefighting and other emergency service equipment.
- (f) The proposed use will not create significant traffic safety hazards or cause serious traffic congestion.
- (g) The proposed use will have no adverse impacts on any historic buildings on the subject property as there are none.
- (h) The Applicant has located and designed the proposed structures and other improvements in order to minimize disruption to existing natural topography, waterways, ponds, groundwater recharge, woods and other important natural resources on the site.

In accordance with Section 240-31.C(3)(i), the child daycare center:

- (1) Does not meet the definition of boarding house or treatment center.
- (2) The child daycare center will include a safe and fenced outdoor play area.
- (3) Any additional off street parking needed for the center will be provided on the same lot as the center. A minimum of ten (10%) percent of the required parking or at least four regular and/or one handicapped parking spaces will be designed and reserved for the convenient and safe pickup and drop off of persons.
- (4) The operation of the proposed center will be in accordance with the applicable state standards, including having a valid state license and/or registration as required.
- (5) The use will include constant supervision during all hours of operation.

Conditional Use Application and Checklist

East Goshen Township

To: Township Zoning Officer

Name of Applicant: ESKE Development, LLC

Applicant Address: 1390 Birmingham Road, West Chester, PA 19382

Telephone Number: (484) 574-2109 Fax: (610) 364-0192

Email Address: ajdiver@tamora.com

Property Address: 1302 Wilson Avenue, West Chester, PA

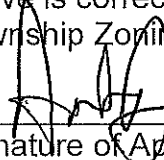
Tax Parcel Number: 53-3-1.2C Zoning District: I-1 Acreage: 4.002 acres

Description of proposed use:

A child daycare center as defined under Section 240-6.B of the Township Zoning Ordinance.

Conditional Use is provided in Zoning Ordinance Section: 240-19.C(26)

We hereby acknowledge that we have read this application and state that the above is correct and agree to comply with all provisions of the East Goshen Township Zoning Ordinance applicable to this project and property.



Signature of Applicant

8-28-18

Date

Attest: _____

*** Review the formal Planning Commission review procedure on page three.**

Conditional Use Application and Checklist

Township Administration use only:

This checklist outlines the steps and items needed to insure completeness of the application and to insure the application follows the process and conforms to the timeframe outlined by the state of Pennsylvania and East Goshen Township. This checklist is broken into two parts, the Application process and the Review Process. The application process must be completed in its entirety prior to the applications advancement into the Review Process.

Application Checklist:

<u>Item</u>	<u>Date Complete</u>
1. Completed Township Application Form:	. _____
2. All related materials submitted:	. _____
3. Township application and review fees paid:	_____

Application accepted as complete on _____ by _____

Official Signature: _____ Title: _____

Review Process Checklist

<u>Item</u>	<u>Date</u>
1. Start date:	.. _____
2. Date of first formal Planning Commission Meeting following Submission of complete application: .	. _____
3. Sent to Twp. Engineer:	.. _____
4. Date presented to Planning Commission:	.. _____
5. Abutting Property Letter sent:	.. _____
6. Date sent to CB:	. _____
7. Date sent To MA:	.. _____
8. Date sent to HC:	. _____
9. Date sent to PRB:	.. _____
10. Date sent to TAB:	.. _____
11. Date by which the PC must act:	. _____
12. Date by which Board of Supervisors must act:	. _____
13. Drop Dead Date; (Day 60):	.. _____
14. Conditional Use Hearing Date:	_____
15. Dates of hearing advertisement: _____ &	_____
16. Property Posted:	_____

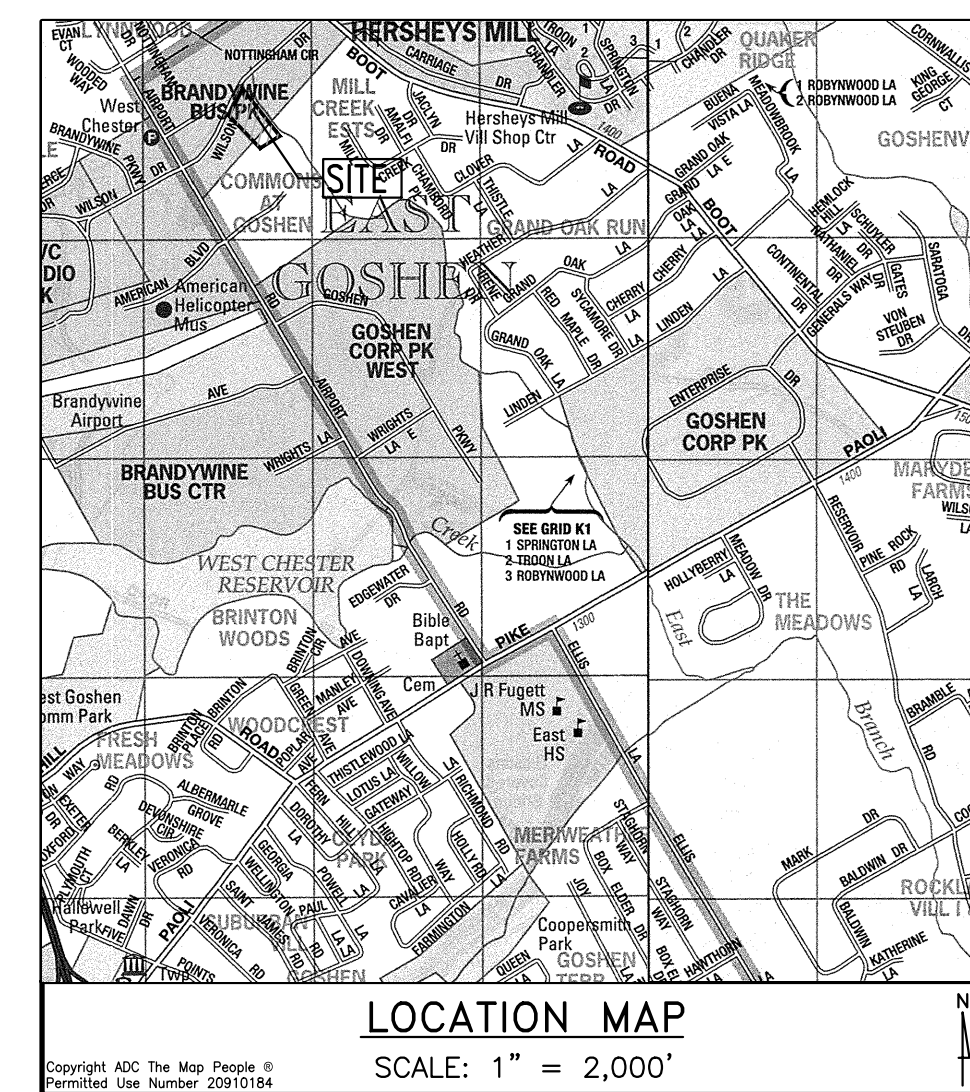
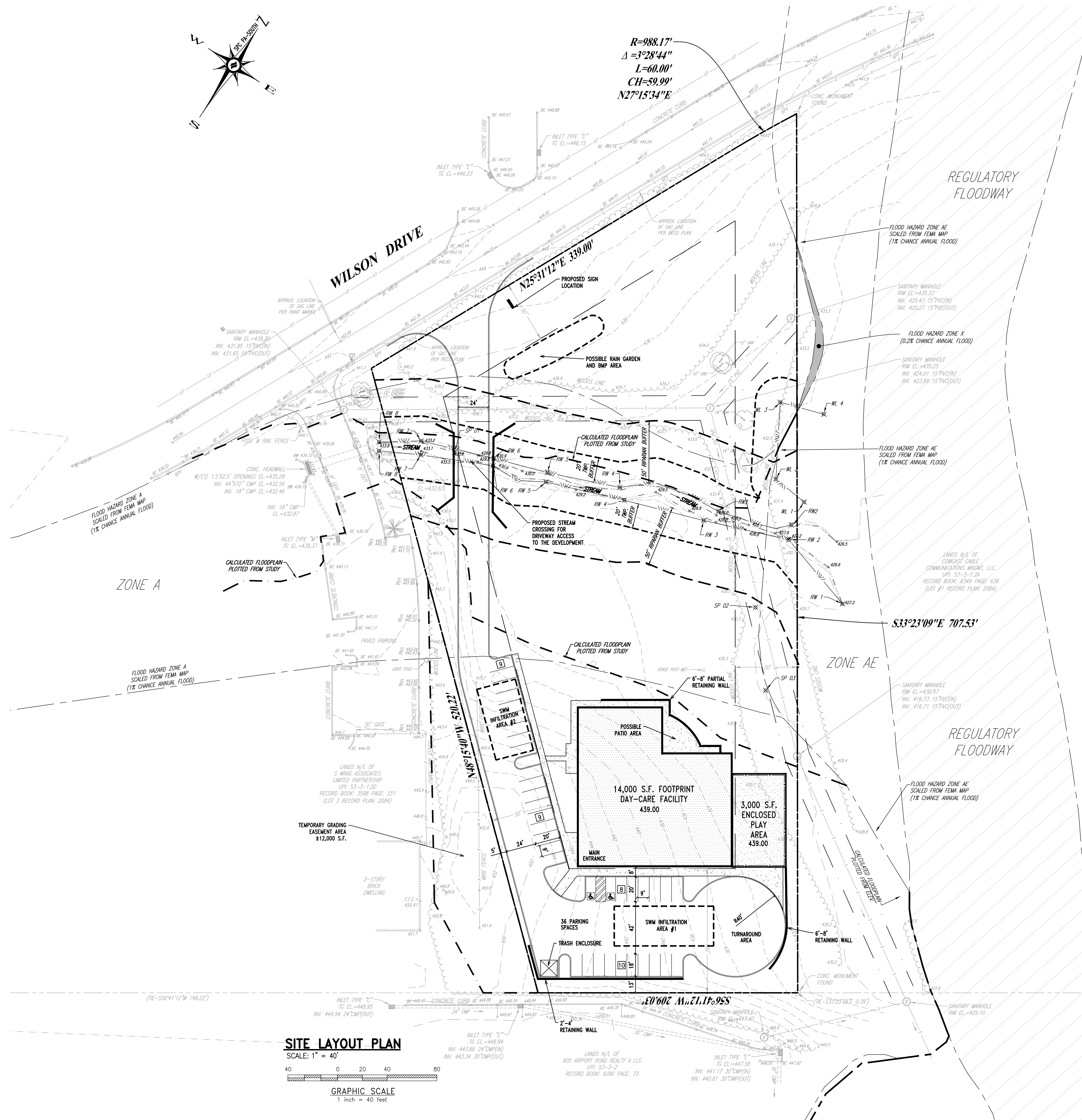
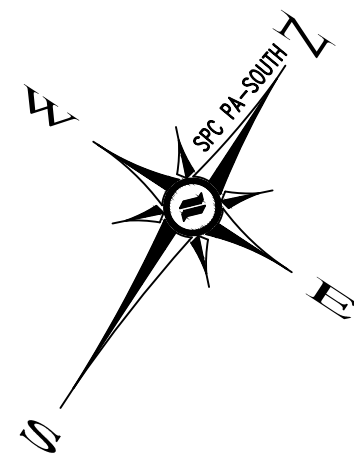
East Goshen Township Planning Commission

Procedure for processing Subdivision, Land Development, Conditional Use, Variance, and Special Exception Applications

August 19, 2002

2nd Revision: March 2, 2006

1. In order for any application to be considered by the Planning Commission it must be submitted to the Township with all required documentation as per the Township Code and with all applicable fees paid. The Township will use a checklist to verify all required documentation has been submitted. Until the application is complete the application will not be considered "filed" by the Township staff. The Planning Commission will acknowledge receipt of the application at their next regularly scheduled meeting.
2. All materials to be considered at the next regular meeting of the Planning Commission must be submitted with at least eleven (11) copies to the Township Staff by not later than close of business the previous Tuesday. Any materials submitted after that time will be held for the following meeting and not provided to the Commission at the upcoming meeting.
3. The application review cycle for Subdivision and Land Development Applications shall begin with the next regular meeting of the Commission after the complete application is filed. The application review cycle for Conditional Use, Variance, and Special Exception Applications shall begin the day a complete application is filed with the Township.
4. Applicants should not distribute material to the Commission during a meeting unless it is directly related to the initial presentation of the application. All materials for the Planning Commission, including any material to be used at a meeting, must be delivered to the Township Staff not later than close of business the previous Tuesday.
5. The burden of supplying necessary materials to the Planning Commission in a timely manner is on the applicant. Late delivery of material may require an extension on the part of the applicant or a recommendation for denial of the application by the Planning Commission.
6. Formal application presentations to the Planning Commission will only be made at the regular meeting after the complete application is submitted and accepted by the Township staff.
7. The application will remain on the Planning Commission's agenda until such time as the Commission has made its recommendation to the Board of Supervisors and or Zoning Hearing Board.
8. Applicants are encouraged to attend each Planning Commission meeting in order to answer questions or address issues concerning their application.
9. Applications will be voted on only during the regular Planning Commission meetings.
10. The Chairman, in his sole discretion, may waive or modify any of this procedure.



SURVEY NOTES

1. RECORD OWNER/MAILING ADDRESS:
S. WINING ASSOCIATES
AIRPORT ROAD & WILSON DRIVE
PO BOX 1239 WEST CHESTER, PA 19380
2. SITE ADDRESS: 1302 WILSON DRIVE
WEST CHESTER, PA 19380
3. TAX PARCEL # : 53-3-1-2C
4. SOURCE OF TITLE: RECORD BOOK 3598, PAGE 251
5. LOT AREA: 4.00 ACRES
6. BOUNDARY, TOPOGRAPHIC AND PHYSICAL IMPROVEMENTS SHOWN ARE FROM FIELD SURVEY BY HOWELL KLINE SURVEYING, LLC. PERFORMED ON 8/13/2018.
7. CONTOURS PLOTTED FROM FIELD RUN TOPOGRAPHIC SURVEY BY HOWELL KLINE SURVEYING, L.L.C. - DATUM: NAD 88 (COMPUTED USING GEOID12A) & NAD 83 (2011) (EPOCH=2010.00000) (AS DETERMINED BY GPS OBSERVATION), SITE BENCH SANITARY MANHOLE LOCATED NEAR THE WESTERN PROPERTY CORNER, ELEVATION= 439.30, CONTOUR INTERVAL: 2 FEET.
8. UNDEVELOPED UTILITIES SHOWN WERE PLOTTED FROM OBSERVABLE EVIDENCE AT THE TIME OF SURVEY AND INFORMATION FROM PLANS SUBMITTED BY UTILITY COMPANIES. NO GUARANTEE IS MADE THAT UNDEVELOPED UTILITIES ARE ACCURATELY OR COMPLETELY SHOWN HEREIN.
9. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT, WHICH WOULD DISCLOSE ANY RIGHTS, RESERVATIONS, EASEMENTS, ETC., OF RECORD.
10. THIS PROPERTY IS PARTIALLY LOCATED WITHIN FLOOD HAZARD ZONES A, AE AN AREA OF 1% CHANCE ANNUAL FLOOD, AND X AN AREA OF 0.2% CHANCE ANNUAL FLOOD PER THE NATIONAL FLOOD INSURANCE RATE MAP OF WEST CHESTER COUNTY, PA. MAP NO. 422028010G, PANEL 210 OF 380, DATED SEPTEMBER 29, 2017. FLOOD PLAIN BOUNDARIES SHOWN HEREON WERE SCALED FROM THE ABOVE MENTIONED MAP.
11. WETLANDS BOUNDARY LINES WERE DELINEATED BY WOLF-BIO SERVICES, INC. AND FLAGG LOCATED BY HOWELL KLINE SURVEYING, LLC. PERFORMED ON AUGUST, 2018.

ZONING INFORMATION

240-19. I-1 LIGHT INDUSTRIAL DISTRICT
C. PERMITTED CONDITIONAL USES
(26) DAY-CARE CENTER, CHILD OR ADULT

<u>AREA AND BULK REGULATIONS</u>	<u>REQUIRED</u>	<u>PROPOSED</u>
MINIMUM LOT AREA (NET):	4.00 ACRES	4.00 ACRES
MINIMUM LOT WIDTH:		
BUILDING SETBACK LINE	200 FT	> 200 FT
STREET ROW LINE	150 FT	> 150 FT
MAXIMUM LAND COVERAGE:		
BUILDINGS	30%	< 30%
TOTAL IMPERVIOUS COVERAGE	50%	< 50%
MAXIMUM BUILDING HEIGHT		
STORIES	3	3
FEET	35 FT	< 35 FT.
MINIMUM FRONT YARD:	50 FT	> 50 FT
MINIMUM SIDE YARD:	50 FT EA.	> 50 FT EA
MINIMUM REAR YARD:	100 FT	> 50 FT


240-33.A.2 – OFF STREET PARKING
D.4. NURSERY/DAY-CARE CENTER

REQUIRED	PROPOSED
1 SP/EMPLOYEE - 22 EMPLOYEES = 22 SPACES	23 SPACES
1 SP/12 STUDENTS - 142 STUDENTS = 12 SPACES	12 SPACES

TOTAL REQUIRED = 34 SPACES 35 SPACES
(INCLUDES HANDICAPPED SPACES)

240-33.B.7(c) – HANDICAPPED PARKING

<u>REQUIRED PARKING SPACES ON LOT</u>	<u>REQUIRED</u>	<u>PROPOSED</u>
26-50	2	2



DLHowel

Civil Engineering
Land Planning
Environmental
www.DLHowell.com

1250 Wrights Lane
West Chester, PA 19380
Phone: (610) 918-9002
Fax: (610) 918-9003

11

8	DATE	DESCRIPTION
7		
6		
5		
4		
3		
2		
1		

CONDITIONAL USE
SITE LAYOUT PLAN

CLIENT: TAMORA BUILDING SYSTEMS
PROJECT: DUCKINGS EARLY LEARNING CENTER
LOCATION: WILSON DRIVE
EAST GOSHEN TOWNSHIP, CHESTER CO., PA

DATE:	09/17/18
SCALE:	1"=40'
DRAWN BY:	JTE
CHECKED BY:	JSR
PROJECT NO.:	3405
CAD FILE:	3405 PR-Student FP.dwg
PLOTTED:	09/17/18
DRAWING NO.:	SK-1
SHEET	1 OF 1

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: 9/28/2018
To: Board of Supervisors
From: Mark Gordon, Township Zoning Officer
Re: Keeping of Domesticated Chickens



Dear PC Members,

The revised "Keeping of Domesticated Chickens" ordinance is provided for your review as well as the CCPC review letter. The CCPC review comments have merit and I believe the PC should consider incorporating some language to address them.

Recommendation:

Staff recommends that the PC review and discuss the CCPC view comments and consider some edits to the ordinance to address the comments.

EAST GOSHEN TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE EAST GOSHEN TOWNSHIP ZONING ORDINANCE OF 1997, AS AMENDED, AT SECTIONS 240-6 AND 240-32.A, IN ORDER TO ALLOW FOR THE KEEPING OF DOMESTICATED CHICKENS WITHIN THE TOWNSHIP, TO CLARIFY PROVISIONS WITHIN SUCH SECTIONS RELATED TO THE KEEPING OF ANIMALS, FOWL, HOUSEHOLD PETS AND DOMESTICATED CHICKENS, AND TO DELETE SECTIONS OF THE ZONING ORDINANCE TO REMEDY CONFLICTING LANGUAGE.

WHEREAS, it has been determined by the Board of Supervisors of East Goshen Township that the keeping of domesticated chickens should be permitted in the Township to enable residents of single-family detached dwellings to keep a small number of female chickens on a noncommercial basis while limiting the potential adverse impacts upon surrounding properties; and

WHEREAS, additional amendments were needed to the Zoning Ordinance in order to insure consistency throughout the Zoning Ordinance related to the keeping of animals, fowl, household pets and domesticated chickens; and

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 replace the definition of Fowl as follows:

"FOWL – Any of the larger domestic birds used for food such as turkey, geese or ducks. A chicken is a type of domesticated fowl subject to separate regulations set forth in Section 240-32.A of this Zoning Ordinance."

SECTION 2. Section 240-14.E.(8)(e) shall be removed and marked as "Reserved".

SECTION 3. Section 240-19.E.(13) shall be removed and marked as "Reserved".

SECTION 4. Section 240-36.(D) (1) (i) shall be removed and marked as “Reserved”.

SECTION 5. Section 240-32.A shall be removed and replaced to read as follows:

“A. Keeping of Animals, Fowl, Household Pets and Domesticated Chickens.

- (1) Number of household pets. Household pets, as defined in § **240-6**, may be kept as an accessory use to a residential dwelling in any zoning district, provided that their keeping is clearly incidental and subordinate to the principal use of the residential dwelling, and subject to the restrictions set forth in the chart below for dogs:

Dwelling Type	Maximum Number of Dogs 3 Months or Older
Apartment, townhouse, semidetached or single family detached	4
Single-family detached on 3 or more acres	4 plus 1 additional dog for each acre of lot area in excess of 2 acres

- (2) Commercial use. Commercial breeding or use of pets and animal husbandry shall not be permitted as an accessory use under this section.
- (3) Large animals may be kept as an accessory use to a single family detached dwelling in any zoning district provided that their keeping is clearly incidental to the principal use of the residential dwelling. For purposes of this section, a "large animal" shall be defined as an animal standing over 30 inches at the shoulder or weighing over 200 pounds. Large animals (such as cattle, horses and pigs, but excluding dogs) and fowl (excluding domesticated chickens which are separately regulated below) shall be stabled or housed in buildings which are a minimum of 100 feet from any lot line. In order to keep large animals for private, recreational use of the residents of the property where the large animals are kept, there must be a minimum of two acres for the first large animal and one acre for each additional large animal. In order to keep fowl (excluding domesticated chickens), goats or pigs for private, recreational use of the residents of the property where the fowl, goats or pigs are kept, there must be a minimum of two acres to keep up to 4 fowl, goats or pigs and 1/2 acre for each additional animal. All grazing and pasture areas for horses, goats and pigs must be fenced.
- (4) The person with the responsibility for the care of the animals shall keep the animals off private property which he/she does not have permission to use, and shall regularly collect and properly dispose of fecal matter from the animals in a sanitary manner that avoids nuisances for neighbors. Waste matter shall not be allowed to be carried

by stormwater into waterways or onto other lots.

- (5) Domesticated Chickens. Domesticated female chickens may be kept as a noncommercial accessory use to a single family detached dwelling in any zoning district upon property with a minimum lot area of one (1) acre, provided their keeping is clearly incidental and subordinate to the principal use of the residential dwelling, and subject to the additional restrictions:
- a. A maximum of five (5) chickens may be kept on a lot that has a lot area equal to or greater than 1 acre and less than 2 acres.
 - b. A maximum of ten (10) chickens may be kept on a lot that has a lot area equal to or greater the 2 acres and less than five acres.
 - c. A maximum of 20 chickens may be kept on a lot that has a lot area equal to or greater than 5 acres.
 - d. Roosters are prohibited.
 - e. The chicken coop and run must be located to the rear of the dwelling. The chicken coop must provide at least 4 sq. ft. per chicken if it is attached to an exterior run and 6 sq. ft. per chicken if it does not have an exterior run. The chicken coop and/or run shall be located a minimum of 20 ft. from the rear property line and 15 ft. from any side property line. The fence used for the run shall have a minimum height of 4 ft. and a maximum height of 6 ft.
 - f. It shall be unlawful for the owner of chickens to allow the same to run at large upon any public land, including, but not limited to, sidewalks, streets, roads, alleys, parks, or upon another person's private property.
 - g. All owners of chickens must maintain sanitary living conditions for the chickens so that the keeping of chickens does not become a public or private nuisance. All chicken feed must be stored in closed containers. Owners shall remove feces at least once a week. The feces must be double-bagged and placed in the trash for collection.
 - h. Permits. An owner wishing to keep chickens on his/her property must obtain a zoning permit from the Zoning Officer for the use and the structures. A storm water permit shall also be required and shall follow the guidelines outlined for storage sheds. An applicant seeking to obtain a permit to maintain chickens must submit an application on forms provided by the Township and pay the applicable permit fee as determined by resolution of the Board of Supervisors.
 - i. Denial, suspension or revocation of permit. The Township shall deny a permit if the applicant has not demonstrated compliance with all of the provisions of this section. A permit to keep domesticated chickens may be suspended or revoked by the Township where the Township finds that the keeping of the chickens

creates a public nuisance or for any violation of, or failure to comply with, any of the provisions of this section or with the provisions of any other applicable ordinance or law."

SECTION 6. 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 7. 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 8. Effective Date. This Ordinance shall become effective in five (5) days from the date of adoption.

ENACTED AND ORDAINED this _____ day of _____, 2018.

ATTEST:

**EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS**

Louis F. Smith, Secretary

E. Martin Shane, Chairman

Carmen Battavio, Vice-Chairman

Charles W. Proctor, III, Esquire, Member

Janet L. Emanuel, Member

Michael Lynch, Member



THE COUNTY OF CHESTER



COMMISSIONERS

Michelle Kichline
Kathi Cozzone
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

September 26, 2018

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

Re: Zoning Ordinance Amendment – Keeping of Domesticated Chickens
East Goshen Township – ZA-09-18-15581

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 31, 2018. We offer the following comments to assist in your review of the proposed amendment.

DESCRIPTION:

1. East Goshen Township proposes the following amendments to its Zoning Ordinance:
 - A. Revise the existing definition of "Fowl" in Section 240-6;
 - B. Delete Section 240-14.E.(8)(e), pertaining to the "keeping of animals or fowl" as an accessory use to a lawful dwelling unit in the C-1 Community Commercial District;
 - C. Delete Section 2430-19.E.(13), pertaining to the "keeping of animals or fowl" as an accessory use in the I-1 Light Industrial District;
 - D. Delete Section 240-36.(D)(1)(i), pertaining to "keeping of animals or fowl" as an accessory use in a single-family open space development;
 - E. Delete Section 240-32.A in its entirety, to be replaced by the proposed language in Section 5 of the draft Ordinance, "Keeping of Animals, Fowl, Household Pets and Domesticated Chickens." The proposed ordinance language includes the addition of Section 240-32.A.(5), pertaining to the keeping of domesticated female chickens as a noncommercial accessory use to a single family detached dwelling in any zoning district with a minimum lot area of one (1) acre. The proposed keeping of domesticated chicken standards address the following issues:
 - The maximum number of chickens permitted per lot is provided;
 - Roosters are prohibited;
 - Setback standards and minimum square footage requirements for chicken coops and runs are provided;
 - Chickens are prohibited from running at large; and
 - Sanitary condition requirements, and permit requirements, are provided.

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Re: Zoning Ordinance Amendment – Keeping of Domesticated Chickens

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COMMENTS:

2. We suggest that the following issues be considered by the Township for this zoning amendment:

- A. We suggest that the Township consider providing a definition for a chicken coop and run.
- B. The Township should require that chicken coops and runs be fully enclosed, to prevent entry by predators or the escape of chickens.
- C. Although the keeping of chickens is for non-commercial purposes, the Township should consider whether they want to allow for the incidental sales of eggs.
- D. The Township should require that the slaughtering of chickens shall be conducted in a fully-enclosed structure.


Additional information on this subject is provided in the County Planning Commission's Backyard Chicken Keeping eTool, which is available online at:
www.chescoplanning.org/MuniCorner/Tools/Chickens.cfm.

This eTool includes a model ordinance which contains information for the Township to consider in its development of the proposed ordinance language. A pdf of the model ordinance is available at: www.chescoplanning.org/SharedContent/Tools/pdf/ChickensModel.pdf.

RECOMMENDATION: East Goshen Township should consider the comments in this letter before acting on 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



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September 28, 2018

EGOST 00127

Mark A. Gordon
Director of Code Enforcement/Zoning Officer
East Goshen Township
1580 Paoli Pike
West Chester, PA 19380

**RE: ESKE Development, LLC, 1302 Wilson Avenue
Conditional Use**

**RECEIVED AFTER
AGENDA
WAS PRINTED**

Dear Mark:

As requested, we have reviewed the following information, regarding the referenced submission:

- *"Conditional Use Site Layout Plan for Ducklings Early Learning Center"* (one sheet) dated September 17, 2018, prepared by D.L. Howell;
- *"Applicant's Narrative"*; and
- Conditional Use Application.

The applicant, ESKE Development, LLC of West Chester, on behalf of the owner, S. Winig Associates of West Chester, is requesting conditional use approval for a child daycare center, per §240-19.C(26). The project site is UPI No. 53-3-1.2C (4.0 acres), located at 1302 Wilson Drive (T-552). If the conditional use is granted, the applicant would subsequently seek land development approval. The plan proposes a 14,000 SF footprint building, 3,000 SF enclosed play area, 35 parking spaces and access via Wilson Drive. The parcel is located within the I-1 Light Industrial District.

We offer the following comments:

1. An enclosed play area is proposed within the required side yard setback. Per §240-6, "yard" is defined as *"an open space...which restricts the locations of buildings and structures and which is required to be unoccupied and obstructed from the ground up..."*. However, per §240-23.D(10), a *"recreational...yard"* is an exception to this requirement. Further, a safe and fenced in outdoor play area is a requirement of §240-31.C(3)(i)[2]. We recommend the Zoning Officer review this further.
2. All applicable PaDEP permitting will be required for the proposed crossing of the existing watercourse, wetlands and floodplain. (§240-26.B(5)(a)[1]) All other improvements are located outside of the FEMA flood hazard zone and floodplain, with a finished floor elevation of the building and play area approximately 6 to 8 feet above the floodplain elevation.
3. A common access drive with the adjacent property to the southwest should be considered. (§240-27.B(2)(b))
4. The applicant should review the requirements of §240-27.C & §240-27.E regarding design controls for industrial park districts prior to any land development submission.

5. The Township should review the standards for conditional uses per §240-31.C(2).
6. We recommend a traffic study be submitted. If required by the Township, traffic studies shall be submitted with the conditional use application per §240-31.C(2)(f)[3]]. The applicant should review the requirements of §240-31.C(2)(f) and §205-39 prior to submitting.
7. All 90-degree parking shall be 20 feet in depth, unless two feet of low landscaped area is provided. (§240-33.C(10)) The parking along the southeastern property boundary is only 18 feet in depth; it is unclear if the required landscaped area is being provided.
8. The existing parcel appears to be generally wooded. The applicant should review the requirements of §205-61 and §205-63 regarding trees prior to any land development submission.
9. A grading easement is proposed on the adjacent property to the southwest, it is unclear if this has been authorized by that owner.
10. It appears emergency access may be feasible via either UPI Nos. 53-3-2 or 53-3-1.20 and should be considered for this use, as there is only single access via a structure over a watercourse.
11. The proposed access at Wilson Drive does not appear to be aligned properly with the existing access across the street (UPI No. 53-3-1.6); this access should be designed to prevent vehicle conflicts and provide appropriate alignment for opposing vehicles.
12. The applicant should address bus service for the use, including ingress/egress, queuing and loading, as applicable; turning templates should be provided.
13. There does not appear to be any overflow parking available for special events or similar. Further, due to the single access and emergency vehicle needs, it may be appropriate to restrict parking along the access drive.

Should you have any further questions or comments, please contact the undersigned.

Sincerely,

PENNONI



Nathan M. Cline, PE
Township Engineer

cc: Rick Smith, Township Manager (via e-mail)
Mark Miller, Director of Public Works (via e-mail)
ESKE Developments, LLC, c/o Anthony Diver, The Tamora Group (via e-mail)
John A. Jaros, Esq., Riley Riper Hollin & Colagreco (via e-mail)
Joseph Russella, PE, D.L. Howell (via e-mail)
Kristin Camp, Esq., Buckley Brion (via e-mail)