

AGENDA
EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS

Tuesday, July 9, 2019
7:00 PM

1. Call to Order (7:00 PM)
2. Pledge of Allegiance
3. Moment of Silence – Supervisor Carmen Battavio
4. Announce that the meeting is being recorded
5. Chairman’s Report - none
6. Public Comment on non-agenda items – To be held after the conditional use hearing
7. Emergency Services Reports
 - a. WEGO – none
 - b. Goshen Fire Co – none
 - c. Malvern Fire Co -- none
 - d. Good Fellowship – none
 - e. Fire Marshal – none
8. Financial Report – none
9. Approval of Minutes and Treasurer’s Report
 - a. Minutes – none
 - b. Treasurers Report – none
10. Public Hearings
 - a. [Conditional Use application for a wood shop as a home occupation at 1422 Ardleigh Circle. Hearing continued from June 18, 2019. \(7:05 PM to 9:30 PM\)](#)
11. Old Business - none
12. New Business -none
13. Any Other Matter
14. Public Comment on non-agenda items – if necessary
15. Liaison Reports - none
16. Correspondence, Reports of Interest
17. Adjournment (9:30 PM)

Meetings & Dates of Importance

July 10, 2019	Planning Commission	07:00pm
July 10, 2019	Conservancy Board	07:00pm
July 11, 2019	Historical Commission	07:00pm
July 13, 2019	Escape the Blacksmith	08:00pm
July 16, 2019	Board Supervisors	07:00pm
July 18, 2019	Futurist Commission	07:00pm
July 22, 2019	Sustainability Advisory Committee	07:00pm
July 25, 2019	Pipeline Task Force	05:00pm

Newsletter Deadline for Fall of 2019: August 1st

The Chairperson, in his or her sole discretion, shall have the authority to rearrange the agenda accommodate the needs of other board members, the public or an applicant.

Public Comment – Pursuant to Section 710.1 of the Sunshine Act the Township is required to include an opportunity for public comment agenda which is intended to allow residents and/or taxpayers to comment on matters of concern, official action or deliberation which are or may be before the Board of Supervisors. Matters of concern which merit additional research will be placed on the agenda for the next meeting. The Board of Supervisors will allocate a maximum of 30 minutes for public comment at the beginning of each meeting. If necessary, there will be a second period for public comment prior to the end of the meeting.

Constant Contact - Want more information about the latest news in the Township and surrounding area? East Goshen Township and Chester County offer two valuable resources to stay informed about important local issues. East Goshen communicates information by email about all Township news through Constant Contact. To sign up, go to www.eastgoshe.org, and click the “E-notification & Emergency Alert” button on the left side of the homepage.

ReadyChesco - Chester County offers an emergency notification system called ReadyChesco, which notifies residents about public safety emergencies in the area via text, email and cell phone call. Signing up is a great way to keep you and your loved ones safe when disaster strikes. Visit www.readychesco.org to sign up today!

Smart 911 – Smart 911 is a new service in Chester County that allows you to create a Safety Profile at www.smart911.com that includes details you want the 9-1-1 center and public safety response teams to know about your household in an emergency. When you dial 9-1-1, from a phone associated with your Safety Profile that information automatically displays to the 9-1-1 call taker allowing them to send responders based on up-to-date location and emergency information. With your Safety Profile, responders can arrive aware of many details they would not otherwise know. Fire crews can arrive knowing exactly how many people live in your home and where the bedrooms are located. EMS personnel can know family members’ allergies or specific medical conditions. And police can access a photo of a missing family member in seconds rather than minutes or hours, helping the search start faster.

F:\Data\Shared Data\Agendas\Board of Supervisors\2019\2019-07-09_Board of Supervisors Agenda with time.doc



RYAN M. JENNINGS
p: 610.436.4400 Ext# 1440
f: 610.436.8305
e: rjennings@buckleyllp.com
118 W. Market Street, Suite 300
West Chester, PA 19382-2928

June 19, 2019

Via E-mail: mthompson@lambmcerlane.com

Mark P. Thompson, Esquire
Lamb McErlane
24 E. Market Street
P.O. Box 565
West Chester, PA 19381

Re: Conditional Use Application & Hearing - CZ Woodworking, LLC

Dear Mark:

Last evening, the East Goshen Township Board of Supervisors agreed to continue the above-referenced Conditional Use Hearing until Tuesday, July 9, 2019 at 7 p.m. The July 9th Hearing will not be re-advertised and will be the only agenda item before the Board that evening. The Board will conduct the Conditional Use proceedings until 9:30 pm. on July 9th, and at that time, will continue the matter to a subsequent, to be determined Hearing date, if necessary.

Thank you for your attention to this matter.

Very truly yours,

Ryan M. Jennings

Ryan M. Jennings

RMJ/rac

cc: Holly L. Setzler, Esquire (via e-mail only - hlsetzler@landissetzler.com)
Susan Line Boswell, Esquire (via e-mail only - susanlineboswell@aol.com)
Rick Smith, Township Manager (via e-mail only - rsmith@eastgoshen.org)

Memorandum

East Goshen Township
1580 Paoli Pike
West Chester, PA 19380

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

CONTINUED
TO 7/19/19

Date: 6/13/2019
To: Board of Supervisors
From: Mark Gordon, Township Zoning Officer *mlb*
Re: Conditional Use Application / Zumpano Home Occupation, 1422 Ardleigh Circle.

Board Members,

The Township has received a Conditional Use Application for a Home Occupation Use at 1422 Ardleigh Cir. The Owner, Mr. Zumpano, proposes to operate his custom wood working business from an accessory structure on the above referenced property in the residential R-2 zoning district.

Home Occupations are permitted in the R-2 district as a Conditional Use. The applicant must demonstrate that the use will meet the standards set forth in the conditional use section of the ordinance, §240-31, as well as those outlined for Home Occupations, which are listed in the accessory use section of the ordinance, §240-32.

The Planning Commission discussed this application at their May and June meetings; a significant number of surrounding residents attended each meeting. The surrounding residents expressed concerns that this Home Occupation will create noise levels that exceed the thresholds identified in the ordinance, creating nuisances not customary with a typical residential use.

In response to those concerns I met with Mr. Zumpano and his attorney on May 29th to measure sound levels at the property line. Mr. Zumpano and I both measured the noise levels with sound meters at the property lines, while three saws were running and cutting wood. The tools being used during the testing were: In-line saw (Table Saw), Chop Saw, Band Saw, dust collector and an air scrubber. We measured the sound with the doors and windows open, then closed, in three separate locations. No significant difference was observed with the windows and doors open or closed.

The applicant has submitted those measurements in his submission and I can verify the results as presented. During this test I did not observe sound levels sound levels that would require enforcement action. I did not, nor can I determine whether or not the sounds produced meet the definition in the ordinance for a "Pure Tone", we do not have the equipment to determine if a pure tone is being created by the use of the equipment tested.

Planning commission recommendation:

At their meeting on June 5 the Planning Commission made the following motion:

Mr. Chairman, I move that the Planning Commission recommend that the Board of Supervisors approve the Conditional Use application of Mr. Christopher A. Zumpano to operate his "Fine Wood Working" business as a Home Occupation as outlined in §240-32J. of the Township Zoning Ordinance, with the following conditions:

- 1. The business shall be operated as stated in the Conditional Use application and the Home Occupation Application and testimony given.*
- 2. Should the nature or intensity of the business change or increase from how it was stated in the Conditional use and Home Occupation permit application or the testimony given during the Conditional Use application review process, the applicant shall apply to the Township for a modification to the approval(s).*
- 3. The layout of the wood shop shall not exceed 500 s.f. of floor area in the detached garage and shall be detailed on a plan and verified by the Township Zoning Officer prior to the conditional use hearing.*
- 4. The use **shall not** have more than one employee or independent contractor on site.*
- 5. The use **shall not** conduct direct sales on the property.*
- 6. The hours of operation of the use, and use of any equipment associated with the use, shall only occur Monday through Friday 7am to 7 pm*
- 7. Should noise from the business exceed the maximums outlined in §156 and create a noise violation as outlined in the Township code, the applicant shall work with the Township to implement noise mitigation measures in order to bring the use into compliance with the code; within a reasonable period of time.*
- 8. No CNC machines shall be utilized in the Home Occupation.*
- 9. The Applicant shall provide sound measurements performed by a certified professional acoustical engineer for all equipment and tools proposed to be utilized within the space under normal operating conditions (i.e. windows and doors open or closed) to exhibit compliance with the Noise/Nuisance Ordinance (decibels and pure tone)*
- 10. The Applicant shall amend their Application to reflect their desire to operate the Home Occupation with the doors and windows open prior to the Conditional Use Hearing.*
- 11. Applications (CU and Home Occ.) must be updated and resubmitted by the Applicant to address the following items:*
 - a. Provide Floor Plan, showing delineation of space being utilized for Home Occupation.*
 - b. Provide sketch of proposed sign, including dimensions and proposed location on the dwelling or mailbox.*
 - c. Revise Operating Hours.*

12. *The applicant shall follow all applicable federal, state, county and township laws, rules and regulations during operation of wood working shop and business.*

The PC motion carried 5-1

STAFF RECOMMENDATION:

At this time the applicant has not met the Planning Commission's recommended conditions. The applicant has requested to open and continue the hearing to July 2, 2019. The applicant is also requesting to have their expert witness testify via live video conferencing.

DRAFT MOTION:

Mr. Chairman, I move that the Board of Supervisors approve the Conditional Use application of Mr. Christopher A. Zumpano to operate his "Fine Wood Working" business as a Home Occupation as outlined in §240-32J. of the Township Zoning Ordinance, with the following conditions:

1. *The business shall be operated as stated in the Conditional Use application and the Home Occupation Application and testimony given.*
2. *Should the nature or intensity of the business change or increase from how it was stated in the Conditional use and Home Occupation permit application or the testimony given during the Conditional Use application review process, the applicant shall apply to the Township for a modification to the approval(s).*
3. *The layout of the wood shop shall not exceed 500 s.f. of floor area in the detached garage and shall be detailed on a plan and verified by the Township Zoning Officer prior to the conditional use hearing.*
4. *The use **shall not** have more than one employee or independent contractor on site.*
5. *The use **shall not** conduct direct sales on the property.*
6. *The hours of operation of the use, and use of any equipment associated with the use, shall only occur Monday through Friday 7am to 7 pm.*
7. *Should noise from the business exceed the maximums outlined in §156 and create a noise violation as outlined in the Township code, the applicant shall work with the Township to implement noise mitigation measures in order to bring the use into compliance with the code; within a reasonable period of time.*
8. *No CNC machines shall be utilized in the Home Occupation.*
9. *The Applicant shall provide sound measurements performed by a certified professional acoustical engineer for all equipment and tools proposed to be utilized within the space under normal operating conditions (i.e. windows and doors open or closed) to exhibit compliance with the Noise/Nuisance Ordinance (decibels and pure tone).*

10. *The Applicant shall amend their Application to reflect their desire to operate the Home Occupation with the doors and windows open prior to the Conditional Use Hearing.*
11. *Applications (CU and Home Occ.) must be updated and resubmitted by the Applicant to address the following items:*
 - a. *Provide Floor Plan, showing delineation of space being utilized for Home Occupation.*
 - b. *Provide sketch of proposed sign, including dimensions and proposed location on the dwelling or mailbox.*
 - c. *Revise Operating Hours.*
13. *The applicant shall follow all applicable federal, state, county and township laws, rules and regulations during operation of wood working shop and business.*

New

Please ask the applicant if they agree to these conditions

LAMB | M C E R L A N E ^{PC}
ATTORNEYS AT LAW

Mark P. Thompson, Esquire
Voice: (610) 430-8000
Direct: (610) 701-4407
Fax: (610) 692-0877
mthompson@lambmcerlane.com

June 13, 2019

Via Email: mgordon@eastgoshen.org

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

Re: Chris Zumpano Conditional Use Application for Home Occupation - East Goshen Township

Dear Mark:

Following up on my conversations with you and the Township Solicitor, my client would request a continuance of the conditional use hearing scheduled for June 18, 2019 before the Board of Supervisors in order to conduct a sound study as recommended by the Township Planning Commission last week. We would request that the hearing be continued to the Board's regular meeting night on July 2, 2019. My client's expert witness is available that evening to provide testimony by teleconference, which was indicated not to be an issue from the Township's perspective.

I would appreciate if you could confirm receipt of this request. Thank you.

Very truly yours,

LAMB MCERLANE, PC

By: 

Mark P. Thompson

Cc: Chris Zumpano
Kristin S. Camp, Esq.

Conditional Use Application and Checklist



East Goshen Township

To: Township Zoning Officer

Name of Applicant: Christopher Zumpano / CZ Woodworking

Applicant Address: 1422 Ardleigh Circle, West Chester, PA 19380

Telephone Number: 610 430-8000 Fax:

Email Address: czwoodworking@gmail.com / mthompson@lambmerlane.com

Property Address: 1422 Ardleigh Circle, West Chester, PA 19380

Tax Parcel Number: 53-4-107 Zoning District: R-10 Acreage: 1.6

Description of proposed use:

HOME OCCUPATION - WOOD SHOP

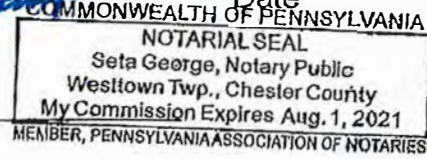
SEE ATTACHED

Conditional Use is provided in Zoning Ordinance Section:

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 Attorney for Applicant Date 3/29/19

Attest: Seta George



* 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: | _____ |

LAMB | McERLANE^{PC}

ATTORNEYS AT LAW

Mark P. Thompson, Esquire
Voice (610) 430-8000
Direct 610-701-4407
Fax (610) 692-6210
mthompson@lambmcerlane.com

March 29, 2019

Board of Supervisors, East Goshen Township
1580 Paoli Pike
West Chester, Pennsylvania, 19380

**Re: East Goshen Township Application for Conditional Use
Christopher Zumpano
Property: 1422 Ardleigh Circle, West Chester, PA 19380
UPI# 53-4-107
Property classification: LUC R-10**

Dear Board of Supervisors:

Please find enclosed a check in the amount of \$450.00 for the application of Christopher Zumpano ("Applicant") for conditional use for a home occupation in an accessory garage on the property at 1422 Ardleigh Circle (the "Property"). The Property consists of approximately 1.6-acres of land improved with a single-family dwelling where the Applicant resides with his family, as shown on the Aerial designated as Exhibit A-1. The Applicant proposes to conduct his handcrafted custom wood furniture making business as a Home Occupation in a garage on the Property.

The Applicant currently conducts his handcrafted wood-working business at a different location. The Applicant's new/proposed garage would be 672 sq ft on the first floor, with 500 sq ft designated as the wood working shop for the Home Occupation and the remaining square footage allocated for storage of personal household items such as bicycles and kids' toys, and with a 330sq ft "man cave" on the 2nd floor loft. The location of the proposed garage is shown on the diagram attached as Exhibit A-2. The Home Occupation on the Property is permitted by conditional use as follows:

First, Section 240-9. E governing accessory uses in the R-2 Low Density Residential District provides as follows:

E. Accessory uses. The following accessory uses shall be permitted in the R-2 District in accordance with the provisions of § 240-32 and/or such other section listed after each use:

(1) Home occupation, which may include day care as an accessory use....

Home occupation is defined by the Zoning Ordinance as follows:

A customary accessory use to a residential dwelling unit which is clearly incidental to the principal residential use of the dwelling unit, and which is carried on only within the dwelling unit or an approved accessory structure on the same lot on which the dwelling is located, and which complies with the standards for home occupations specified in § 240-32J of this chapter, and which is not a "No-impact home based business" as that term is defined in § 240-6 of this chapter.

Section 240-32.J of the Zoning Ordinance provides that "[a] home occupation shall be permitted by conditional use of the Board of Supervisors as an accessory use to a single-family detached dwelling. Such use must conform to the accessory use regulations of the zoning district in which the property is located and all standards listed in this section. Section 240-32.J(6) of the Zoning Ordinance provides that a home occupation must comply with all of the following standards (a) through (n). The Applicant's proposed compliance is set forth in bold for each section.

(a) Use. The home occupation must be an accessory use clearly incidental to the residential use of the dwelling and shall be conducted entirely within the principal dwelling unit where the owner of the dwelling and operator of the home occupation resides, or within a structure accessory to the principal residential dwelling located on the same lot as the principal residence.

The Applicant and his family reside in the dwelling on the Property and the proposed garage will be a structure accessory to the principal residential dwelling located on the same Property

(b) Size. The use shall not exceed a total area of 500 square feet, including any accessory space or structure and/or storage space.

The Applicant's new/proposed garage would be 672 sq ft on the first floor, with 500 sq ft designated as the wood working shop for the Home Occupation and the remaining square footage allocated for storage of personal household items such as bicycles and kids' toys, and with a 330sq ft "man cave" on the 2nd floor loft.

(c) Appearance. There shall be no change in the outside appearance of the dwelling unit, accessory structure and/or lot as they existed on the date of issuance of the home occupation permit arising from the home occupation use or other visible evidence of the

Board of Supervisors, East Goshen Township

March 29, 2019

Page 3

conduct of such home occupation, except for a sign which complies with the provisions in this section. The residential character of the neighborhood shall not be changed as a result of the home occupation.

The Applicant's new/proposed garage would look the same as any residential detached garage and there would no change to the residential character of the neighborhood as a result of the home occupation being inside the accessory garage.

(d) Nuisance. No equipment or process shall be used in a home occupation which creates noise, vibration, glare, fumes, odors, dust or electrical interference detectable to normal senses beyond the property line in excess of levels customarily generated by a residential use. No burning, heating or other process will take place which might produce toxic or noxious odors, fumes or gasses.

The Applicant's wood shop saws and other equipment will be operated inside the new garage with the doors closed to avoid any nuisance to the neighboring properties, which are between 60 to 95 yards in distance away from the proposed location of the garage on the Property as shown on the Aerial identified as Exhibit A-3.

(e) Storage. No outside storage, display or testing of materials, equipment or products shall be permitted. A dumpster shall not be brought onto the lot, or be utilized upon the lot, for the use of the home occupation.

The Applicant will have no storage of materials on the property related to the Home Occupation. All wood used for the operation is brought to the shop by the Applicant and disposed of off-site by the Applicant.

(f) Requirements. All home occupations shall comply with all requirements of any regulatory agency having jurisdiction over the occupation and related practices carried out upon the lot for which the permit is issued.

The Applicant will comply with any further government entity regulating the proposed Home Occupation.

(g) No violations. No permit shall be issued for any home occupation for a lot that is wholly or partly in violation of any Township ordinance.

There are currently no violations on the Property.

Board of Supervisors, East Goshen Township

March 29, 2019

Page 4

(h) Employees. Nonfamily members or nonresident family members working on the property shall not exceed one person, including any independent contractor. A person serving as an employee for the home occupation shall be considered an employee for the purpose of this section whether or not the person receives any remuneration.

The Applicant currently has no employees and agrees that he will have no more than one employee as part of the Home Occupation.

(i) Hours of operation. The home occupation shall not be open to the public before 7:00 a.m. or after 10:00 p.m., prevailing time.

The proposed Home Occupation is generally not open to the public, however such hours of operation for any possible persons visiting the Property associated with the use would be complied with.

(j) Parking. Any additional parking needs shall comply with the standards as enumerated for home occupations in § 240-33 of this chapter. There shall be a maximum of two additional spaces allowed. All parking for the home occupation shall occur only in either a side or rear yard.

The Applicant agree to designate two additional parking spaces for the Home Occupation in the either the side or rear yard as agreed to by the Zoning Officer.

(k) Servicing by truck. Pickup and delivery of parcels shall be limited to four vehicular trips per day and shall be permitted only between the hours of 7:00 a.m. and 7:00 p.m., prevailing time. Any event requiring the utilization of a tri-axle vehicle shall be limited to no more than two vehicle trips per week. Truck visits, for any purpose, shall be counted in the vehicular trip allowance specified below in Subsection J(6) below.

The Applicant does not anticipate any more than four delivery vehicle trips per day associated with the Home Occupation.

(l) Traffic. The traffic generated by the home occupation shall not exceed 16 vehicular trips per day, i.e., eight trips in and eight trips out.

The Applicant does not anticipate any more than sixteen vehicle trips per day associated with the Home Occupation.

(m) Sign. Only one nonilluminated identification sign, not to exceed two square feet, shall be permitted. Such sign shall generally be of neutral color(s) (such as earth tones) and not day-glow or garish colors. The allowable sign may be placed on the exterior of the residence or as an attachment to a mailbox post which is installed in the public right-of-way and meets the approval of the U.S. Postal Service and which houses an approved mailbox. A sketch of any proposed sign shall accompany the conditional use application.

The proposed Home Occupation will have one sign compliant with the provisions of this Section

(n) Solid waste and sewer discharge. The business activity may not generate any solid waste or sewage discharge, in volume or type, which is not normally associated with residential use in the neighborhood.

The Applicant uses specific woods for each project with any waste generated being minimal. There is no additional sewage waste anticipated as part of the proposed use.

In support of the application, I have attached additional photographs of the location of the Applicant's current wood-working shop, which is located directly adjacent to residential uses. We request that this application be placed on the next Township Planning Commission meeting for review and that a hearing be scheduled before the Board of Supervisors.

Please feel free to contact me with any questions you may have concerning this application.

Respectfully,

LAMB MCERLANE PC

By: 

Mark P Thompson

Enclosures

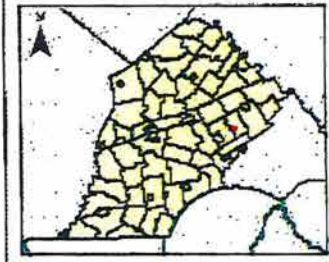
cc: Christopher Zumpano

Map



1 inch = 200 feet

COUNTY OF CHESTER
PENNSYLVANIA



Find UPI Information

PARID: 5304 0107000
 UPI: 53-4-107
 Owner1: ZUMPAÑO CHRISTOPHER
 Owner2: ZUMPAÑO AMY
 Mail Address 1: 1422 ARDLEIGH CIR
 Mail Address 2: WEST CHESTER, PA
 Mail Address 3:
 ZIP Code: 19380
 Deed Book: 9829
 Deed Page: 977
 Deed Recorded Date: 11/5/2018
 Legal Desc 1: SS ARDLEIGH CIR - B OF
 ERA
 Legal Desc 2: 1.6 AC & DWG LOT 8
 Acres: 1.6
 LUC: R-10
 Lot Assessment: \$ 72,590
 Property Assessment: \$ 202,860
 Total Assessment: \$ 275,450
 Assessment Date: 12/14/2018
 Property Address: 1422 ARDLEIGH CI
 Municipality: EAST GOSHEN
 School District: West Chester Area

Map Created:
Friday, March 29, 2019



County of Chester

Limitations of Liability and Use:
 County of Chester, Pennsylvania makes no claims to the completeness, accuracy, or content of any data contained herein, and makes no representation of any kind, including, but not limited to, the warranties of merchantability or fitness for a particular use, nor are any such warranties to be implied or inferred with respect to the information contained herein.
 For information on data services please list at:

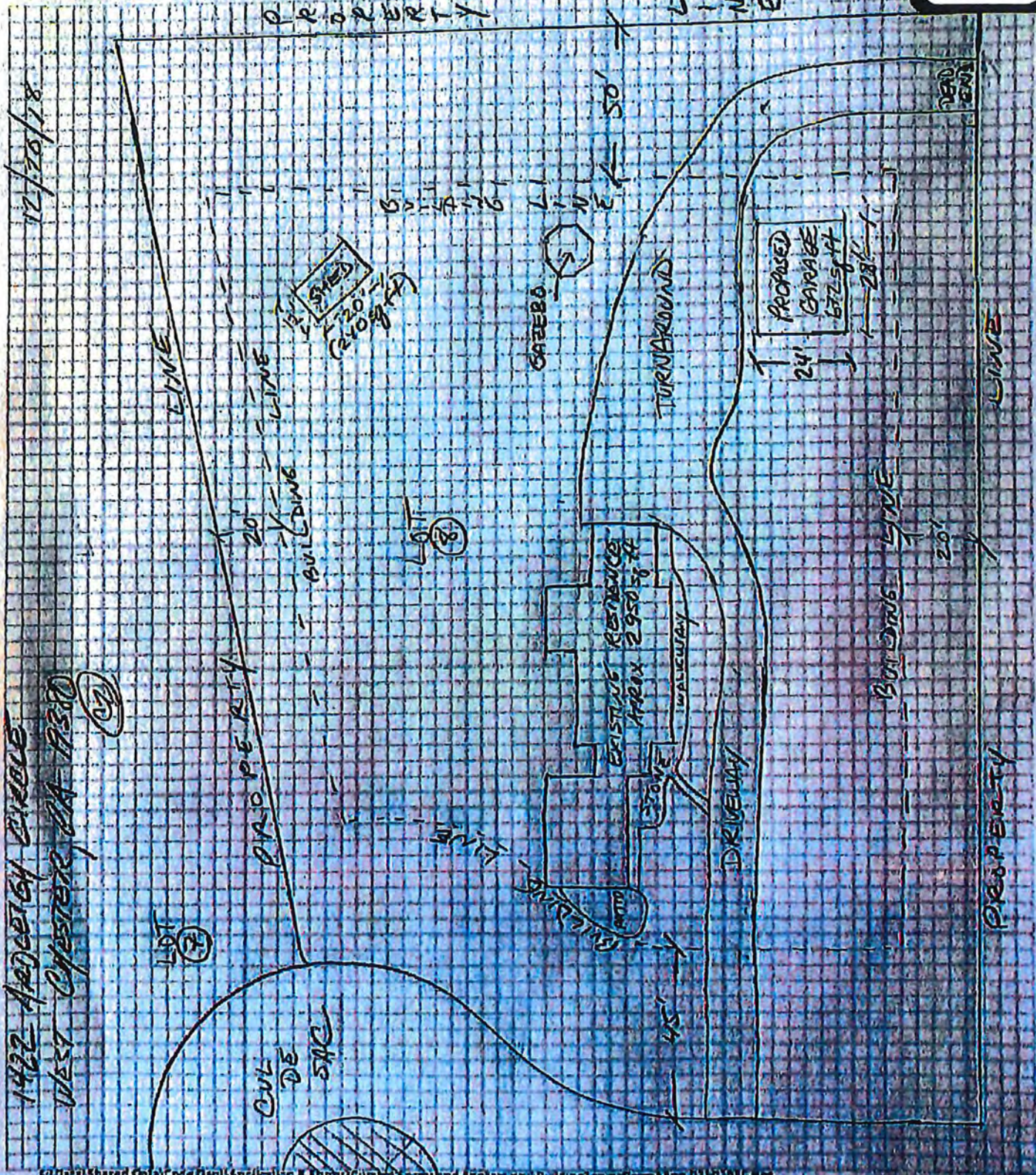
1-STATE LEGAL

EXHIBIT
A-1

EAST GOSHEN TOWNSHIP
BUILDING & ZONING PERMIT APPLICATION
 1580 PAOLI PIKE WEST CHESTER, PA 19380-6199
 PHONE (610)-692-7171 FAX (610)-692-8950

EXHIBIT
A-2
 ALL-STATE LEGAL

6. SITE PLAN: Show existing features of the property, property lines, easements and project dimensions.



12/20/18

1422 Ardmore Circle
 West Chester, PA 19380

EXHIBIT

A-3

ALL-STATE LEGAL



90
YDS

75
YDS

65
YDS

60
YDS

70
YDS

EAST GOSHEN TOWNSHIP
HOME OCCUPATION, HOME RELATED BUSINESSES & NO-IMPACT
HOME-BASED BUSINESS APPLICATION

1580 PAOLI PIKE WEST CHESTER, PA 19380-6199
PHONE (610)-692-7171 FAX (610)-692-8950

The purpose of this application is to apply for a permit for a home occupation, home related business or no-impact home-based business as defined in section 240-6 of the East Goshen Township Code and regulated by the provisions of sections 240-32.J (Home Occupations), 240-32.K (Home Related Business) and 240-32.U (No-impact Home-based Business).

(Please Print)

Applicant Information:

Name: Christopher A. Zumpano
Address: 1422 Ardleigh Circle
West Chester, PA 19380
City, State, Zip: West Chester, PA 19380
Phone: (443) 350-1350

Property Information:

Property Owner's Name: Christopher A. Zumpano
Phone Number: (443) 350-1350
Address: 1422 Ardleigh Circle West Chester, PA 19380
TPN: 53-4-107
Square Footage of Dwelling Unit: 2900sq ft (Home) 1000sq ft (Detached Garage)

Proposed Use

Type of use:

- Home Occupation
- Home-Related Business
- No-impact Home Based Business

Nature of your business: Fine Woodworking
Business Name(If Applicable): CZ Woodworking, LLC
Square Footage Devoted to Business: 500sq ft

EAST GOSHEN TOWNSHIP

HOME OCCUPATION, HOME RELATED BUSINESSES & NO-IMPACT HOME-BASED BUSINESS APPLICATION

1580 PAOLI PIKE WEST CHESTER, PA 19380-6199
PHONE (610)-692-7171 FAX (610)-692-8950

Questions

per day

Will you have customers or clients visit your business?	<input checked="" type="checkbox"/> Y	<input type="checkbox"/> N	Approx 6/year
Will you have non-family employees on-site?	<input checked="" type="checkbox"/> Y	<input type="checkbox"/> N	1
Will you have non-family volunteers on-site?	<input type="checkbox"/> Y	<input checked="" type="checkbox"/> N	
Will you have independent contractors on-site?	<input checked="" type="checkbox"/> Y	<input type="checkbox"/> N	N/A
Will you have deliveries made to you on-site?	<input type="checkbox"/> Y	<input checked="" type="checkbox"/> N	
How will deliveries be made?			
Will you conduct direct sales of products or services on-site?	<input type="checkbox"/> Y	<input checked="" type="checkbox"/> N	
Will you erect a sign? (If yes, attach plan of sign)	<input type="checkbox"/> Y	<input checked="" type="checkbox"/> N	
Do you have a business vehicle(s)?	<input checked="" type="checkbox"/> Y	<input type="checkbox"/> N	Personal Truck
Does your vehicle(s) have a sign attached?	<input type="checkbox"/> Y	<input checked="" type="checkbox"/> N	and Trailer
How will you advertise your business?			(non-commercial)
What are your hours & days of operation?			No Advertising (*Social Media Only)
Does your business require a license or permit from any federal, state or county agency?	<input type="checkbox"/> Y	<input checked="" type="checkbox"/> N	Mon-Fri 8am-5pm

Please list all vehicles and equipment associated with your business:

Vehicles	Number	Weight (for vehicles)
GMC Sierra 1500	Qty 1	4500 LBS
7x14 Enclosed Trailer	Qty 1	2000 LBS

What other businesses are operated from your property?

None

Type of Home:

- Single Family Detached Dwelling
- Multi-family Dwelling

This application must be accompanied by the following:

- Plot plan of the property showing all structures, driveways and existing landscaping.
- Plan showing proposed off-street parking areas, landscaping and sign location.
- Floor plan of the building used for the proposed business, with business space clearly delineated.
- Copy of all permits or licenses required by other agencies.

Engineered plans are not required; however, the plan must include sufficient detail so that the Township can determine if the requirements for the proposed use have been met.


EAST GOSHEN TOWNSHIP
HOME OCCUPATION, HOME RELATED BUSINESSES & NO-IMPACT
HOME-BASED BUSINESS APPLICATION

1580 PAOLI PIKE WEST CHESTER, PA 19380-6199
PHONE (610)-692-7171 FAX (610)-692-8950

Certification

I hereby certify that the owner of record authorizes the proposed use, I have been authorized by the owner to make this application, and I agree to conform to all applicable requirements related to the proposed use. This application has been examined by me and to my knowledge and belief is a true, correct and complete application.

By action of applying for a permit, the applicant grants permission for the Zoning Officer to inspect the property prior to the issuance of a permit and during the conduct of the proposed use.

Signature: 
Name: Christopher A. Zupano
Date: 4/22/19

OFFICIAL USE ONLY

Determined to be: Home Occupation No-Impact HRB Prohibited
Permit required: Y N
Conditional Use: Y N

Attach photos of exterior of property:

APPROVAL:

YES
 NO

Official Signature: _____ Date: _____

Permit No: _____



CZ Woodworking, LLC

1422 Ardleigh Circle | West Chester, PA | 19380

Updated Decibel Readings – “CZ Woodworking Proposed Workspace”

Re: Noise Concerns

Prepared for: East Goshen Township Planning Commission (et al)

Prepared by: Christopher A. Zumpano - with Mark Gordon as witness to readings.

Date Recorded: 5/29/2019 @ 9am

Location of Readings: CZ Woodworking Proposed Workspace, 1422 Ardleigh Circle / West Chester, PA 19380

Purpose:

The intent of this documentation is to provide accurate decibel readings of the proposed workspace and common machinery used. This data will help to provide answers to any ambiguity that may arise in regards to the noise levels of the intended workspace at 1422 Ardleigh Circle. The readings were all recorded with a UA-961 Digital Sound Level Meter at an accuracy of +/- 2.0 dB, along with Mark Gordon's decibel meter (brand/model N/A) for a comparative reading level at the same locations. Readings were recorded outside of the shop from the adjacent property lines, with machines running (motors on and blades engaged) and in-use (i.e solid wood being sent through each machine at time of recording) and with windows/doors both open and closed.

Recordings:

Please see Pg 2 below.

Thank you,

Chris Zumpano

Owner/Operator/Craftsman

CZ Woodworking, LLC



WEBSITE

PHONE

EMAIL

www.CZWoodworking.com

(443) 350-1350

czwoodworking@gmail.com

Decibel Readings

Machines Running Simultaneously:

JET 10" Table Saw

JET 14" Band Saw

DEWALT 12" Chop Saw

JET Air Filtration Unit

DELTA 1.5HP Dust Collector

30ft (Behind Shop):

Ambient – 55-56 dB

Windows/Doors Open

Reading 1 – Approx. 58.5 dB

Reading 2 – Approx. 60 dB

Windows/Doors Closed

Reading 1 – Approx. 56-57 dB

Reading 2 – Approx. 60 dB

50ft (Left of Shop):

Ambient – 52-53 dB

Windows/Doors Open

Reading 1 – Approx. 59-60 dB

Reading 2 – Approx. 60 dB

Windows/Doors Closed

Reading 1 – Approx. 58.2 dB

Reading 2 – Approx. 58 dB

100ft (Front of Shop):

Ambient – 56-57 dB

Windows/Doors Open

Reading 1 – Approx. 58-59 dB

Reading 2 – Approx. 59 dB

Windows/Doors Closed

Reading 1 – Approx. 56 dB

Reading 2 – Approx. 57-59 dB

****R1 = Chris Zumpano**

****R2 = Mark Gordon**

WEBSITE

PHONE

EMAIL

www.CZWoodworking.com

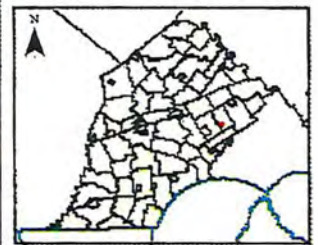
(443) 350-1350

czwoodworking@gmail.com

Map



COUNTY OF CHESTER
PENNSYLVANIA



Find Owner Information

PARID: 5304 01070000
 UPT: 53-4-107
 Owner1: ZUMPAÑO CHRISTOPHER
 Owner2: ZUMPAÑO AMY
 Mail Address 1: 1422 ARDLEIGH CIR
 Mail Address 2: WEST CHESTER PA
 Mail Address 3:
 ZIP Code: 19380
 Deed Book: 9839
 Deed Page: 977
 Deed Recorded Date: 11/5/2018
 Legal Desc 1: SS ARDLEIGH CIR - E OF
 BRA
 Legal Desc 2: 1.6 AC & DWG LOT S
 Acres: 1.6
 LUC: R-10
 Lot Assessment: \$ 72,590
 Property Assessment: \$ 202,860
 Total Assessment: \$ 275,450
 Assessment Date: 12/14/2018
 Property Address: 1422 ARDLEIGH CI
 Municipality: EAST GOSHEN
 School District: West Chester Area

Map Created:
 Thursday, May 30, 2019



County of Chester

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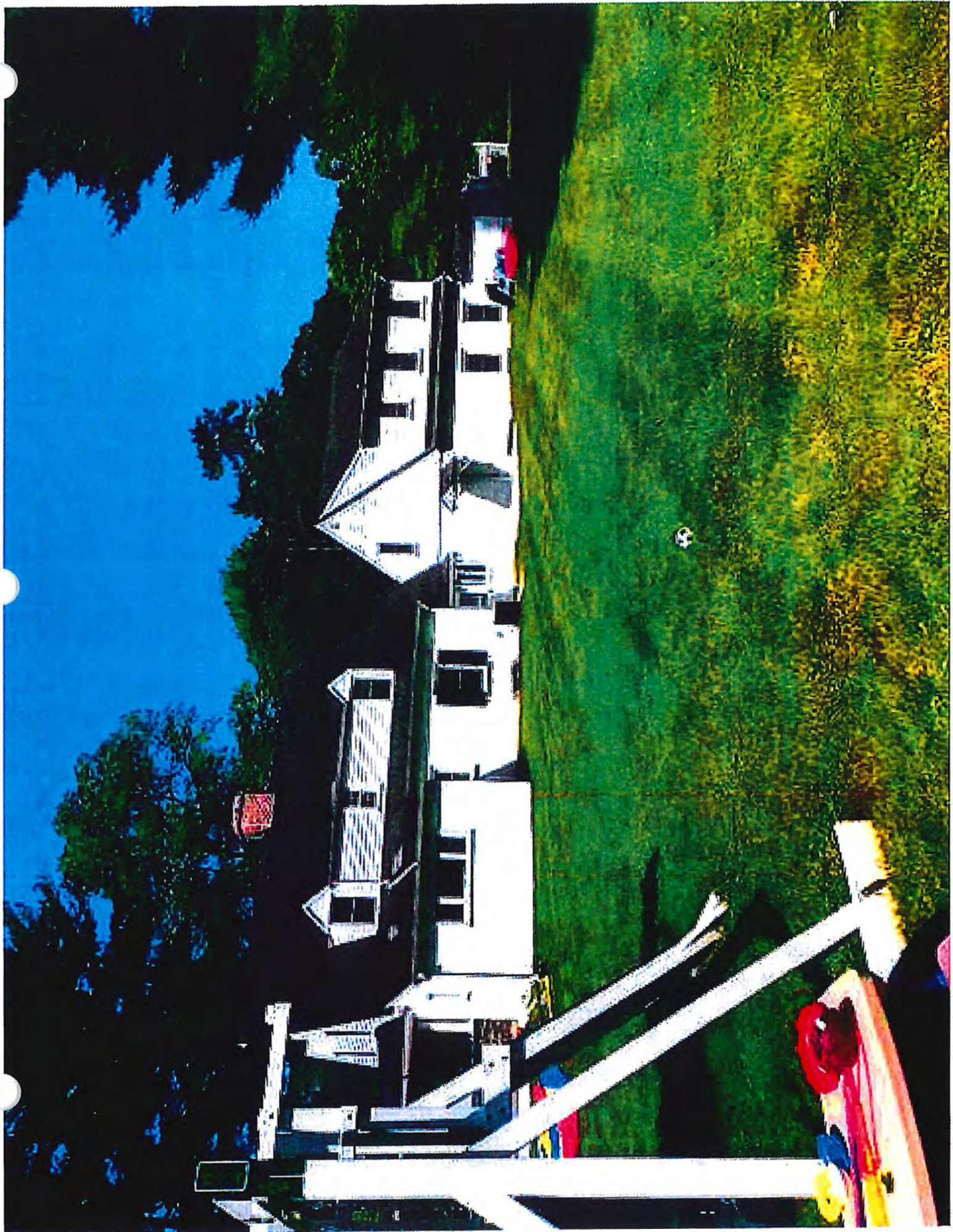












EAST GOSHEN TOWNSHIP
PLANNING COMMISSION
1580 PAOLI PIKE, WEST CHESTER, PA 19380-6199

June 10, 2019

East Goshen Township
Board of Supervisors
1580 Paoli Pike
West Chester, Pa. 19380

Re: 1422 Ardleigh Cir. / CZ Woodworking / Conditional Use

Dear Board Members:

At their meeting on June 5, 2019 the Planning Commission voted in favor of the following motion for the above referenced Conditional Use Application:

Mr. Chairman, I move that the Planning Commission recommend that the Board of Supervisors approve the Conditional Use application of Mr. Christopher A. Zumpano to operate his "Fine Wood Working" business as a Home Occupation as outlined in §240-32J. of the Township Zoning Ordinance, with the following conditions:

- 1. The business shall be operated as stated in the Conditional Use application and the Home Occupation Application and testimony given.*
- 2. Should the nature or intensity of the business change or increase from how it was stated in the Conditional use and Home Occupation permit application or the testimony given during the Conditional Use application review process, the applicant shall apply to the Township for a modification to the approval(s).*
- 3. The layout of the wood shop shall not exceed 500 s.f. of floor area in the detached garage and shall be detailed on a plan and verified by the Township Zoning Officer prior to the conditional use hearing.*
- 4. The use **shall not** have more than one employee or independent contractor on site.*
- 5. The use **shall not** conduct direct sales on the property.*
- 6. The hours of operation of the use, and use of any equipment associated with the use, shall only occur Monday through Friday 7am to 7 pm*
- 7. Should noise from the business exceed the maximums outlined in §156 and create a noise violation as outlined in the Township code, the applicant shall work with the Township to implement noise mitigation measures in order to bring the use into compliance with the code; within a reasonable period of time.*
- 8. No CNC machines shall be utilized in the Home Occupation.*

9. *The Applicant shall provide sound measurements performed by a certified professional acoustical engineer for all equipment and tools proposed to be utilized within the space under normal operating conditions (i.e. windows and doors open or closed) to exhibit compliance with the Noise/Nuisance Ordinance (decibels and pure tone)*
10. *The Applicant shall amend their Application to reflect their desire to operate the Home Occupation with the doors and windows open prior to the Conditional Use Hearing.*
11. *Applications (CU and Home Occ.) must be updated and resubmitted by the Applicant to address the following items:*
 - a. *Provide Floor Plan, showing delineation of space being utilized for Home Occupation.*
 - b. *Provide sketch of proposed sign, including dimensions and proposed location on the dwelling or mailbox.*
 - c. *Revise Operating Hours.*
12. *The applicant shall follow all applicable federal, state, county and township laws, rules and regulations during operation of wood working shop and business.*

The motion carried 5-1

Sincerely



Mark A. Gordon
Township Zoning Officer

Mark Gordon

From: Diane Jehanian <mrsdmj@comcast.net>
Sent: Monday, June 3, 2019 11:19 PM
To: pcchair@eastgoshen.org; jemanuel@eastgoshen.org; mshane@eastgoshen.org; cbattavio@eastgoshen.org; mlynch@eastgoshen.org; dshuey@eastgoshen.org; mgordon@eastgoshen.org
Subject: CZ Woodworking

Dear Mr. Gordon, Mr. Giresi & Board of Supervisors,

This email is in regard to CZ Woodworking.

I am Diane Jehanian and I reside at 1417 Bramble Lane. My husband, Greg, and I have lived in East Goshen for almost 22 years and love our quiet neighborhood and the beauty of Chester County. My concern is the negative impact that Mr. Zumpano's woodworking business will have on our neighborhood.

I applaud Mr. Zumpano for pursuing his dream and operating, what appears to be, a successful custom woodworking business. I understand his desire to walk out of his backdoor and walk into his work shop.

Many of the homes on Ardleigh Circle and Bramble Lane are valued at over a half million dollars. I believe that having a noisy business right in the neighborhood would negatively impact the value of the homes. Let's face it, who wants to live near a woodworking shop with loud machinery running throughout the day. This is a residential area, not an industrial area.

I realize the decibels of his machinery are a major consideration in the decision making process. In our neighborhood, sound is carried like the wind throughout this open area. The acoustics of our neighborhood is truly like an amphitheater. Realistically, a property line is not an invisible sound barrier!!! As was mentioned at the last planning commission meeting, my neighbor, Dan Walsh, could hear my husband's generator running. To remind you, Dan lives about 1,000 feet from my home. **SOUND CARRIES!** I believe that's the larger issue than the decibels. This past Saturday, I could hear the loud whining of Mr. Zumpano's machinery as I sat in my home with **ALL** my windows closed! At first, I thought I was listening to Greg's video of the woodworking machinery and then I realized it was not a video but his machinery running in real time! I couldn't believe what I was hearing. He has been running his **LOUD, HIGH-PITCHED, WHINING** machinery for the past week and not only on weekdays, but on the weekend. My husband, Greg Jehanian, sent each of you an email with 8 YouTube links of recordings of the sound of Mr. Zumpano's machinery. These YouTube links give you the truth of what our neighborhood should expect on a daily basis if this business is approved.

Before Mr. Zumpano moved his business to Ardleigh Circle, this lovely neighborhood was a quiet, peaceful haven for the residents of Ardleigh Circle and Bramble Lane and I am truly disheartened that if this permit for home occupancy passes all of this will come to an end. We will be continually dealing with the noise of this business. Is that fair to this community?

Mr. Gordon, at the last meeting you said you know your residents and told Mr. Zumpano that this will be an uphill battle. Well, it looks like you have thrown Mr. Zumpano a lifeline to help him in this "uphill" battle by recommending he obtain his permit. Unfortunately, I believe your decision will have a detrimental impact on this community for decades to come. To please one resident while dismissing the legitimate concerns of the rest of the neighborhood is mind-boggling.

In closing, I would like to pose a few questions.

- Would YOU enjoy having this woodworking shop in your neighborhood or next to your backyard?
- Would YOU like the tranquil serenity of your home to be interrupted by the high-pitched whining of woodworking machinery, for example, table saws, buffers, sanders, planers, routers, etc?
- Do YOU think this would be an asset to YOUR neighborhood?
- If YOU were to sell YOUR home, would the noise pollution in the neighborhood be a deterrent to a potential buyer?

If not, then how can you condone this for our neighborhood?

Again, I wish Mr. Zumpano all the best as he pursues his dream but not at the expense of the neighborhood. I am sure he could find another location to move his operation.

Respectfully Yours,
Diane Jehanian

Mark Gordon

From: Greg Jehanian <gmjehanian@comcast.net>
Sent: Monday, June 3, 2019 7:44 PM
To: mgordon@eastgoshen.org
Subject: Agenda for the 6/5/2019 Planning commission

Mr. Gordon, In case you haven't been forwarded this email by the BOS I'm resending it to you personally. As I explain in this email sent this morning I couldn't find your email on the township website under the PC tab.

From: Greg Jehanian <gmjehanian@comcast.net>

Subject: Agenda for the 6/5/2019 Planning Commission meeting

Date: June 3, 2019 at 8:41:25 AM EDT

To: pcchair@eastgoshen.org, jmanuel@eastgoshen.org, mshane@eastgoshen.org, cbattavio@eastgoshen.org, mlynch@eastgoshen.org, dshuey@eastgoshen.org

My name is Greg Jehanian and I reside at 1417 Bramble Lane with my wife Diane Jehanian for the past 21 years. Our lives have been greatly impacted by nuisance noise produced by CZ Woodworking this past week. During the 5/1/2019 meeting our neighbors voiced their concerns also. My concern has always been about the extremely loud sound levels that are produced while running a woodworking business.

In the Motion to Draft memo dated 5/31/2019 by Mark Gordon he notes that the sounds levels were acceptable to township standards. I beg to differ. I had asked to be present at the testing of such measuring to see what the noise being tested would sound like on my side of the property. I was never notified by Mark Gordon about the testing date.

However, In a weird twist I was actually notified of the testing. You see, as it turns out my "senses" alerted me as noted in township codes, section 240-9 section E, governing accessory uses in the R-2 Low Density Residential District as follows:

(d) *Nuisance.* No equipment or process shall be used in a home occupation which creates *noise*, vibration, glare, fumes, odors, dust or electrical interference *detectable to normal senses beyond the property line in excess of levels customarily generated by a residential use.*

My senses of hearing were alerted to this testing that Mark Gordon notes in his above memo, and I've been subject to this horrible noise everyday since, even through this past weekend! Yes, it seems CZ Woodworking shows zero regards for his own stated business hours, creating horrible machining noises on Saturdays and Sundays at his own discretion.

Here's a sample of the nuisance noise...

<https://youtu.be/bZJ59-cPYDE>

It seems CZ Woodworking has been operating every day forward from the sound testing preformed at the property with Mark Gordon. I have Video and sound recording evidence from my property as far away as 300 ft from our shared property line in the opposite direction of CZ Woodworking. The actual distance from my furthest recording to the CZ Woodworking shop is about 350 to 400 taking in account that I'm never closer than 50 feet to our shared border and his shop is at least 50 feet on over on his property.

The audio and video you will hear clearly shows that the whining of CZ Woodworking machines can be heard hundreds of feet away from our adjoining property lines. My recordings are time stamped from 5/28 thru 6/2.

While filming these series of short, one to two minute videos, there are times you can clearly hear their machinery over propeller planes flying above and even a jet airliner can be heard overhead. Any quick search on the internet finds that propeller planes flying overhead at 1000 ft produce decibel readings in excess of (88dB).

I plan to bring my portable projector to the 6/5/2019 Planning Commission meeting to present my concerns to the board and to the public.

I've attached a link to the YouTube videos of the noise pollution coming from CZ Woodworking. Please keep in mind that the decibel readings taken on the CZ Woodworking property by Mark Gordon and Mr. Zumpano were literally unchanged with any combination of windows and doors opened or closed. It is now my opinion that working inside his shop will not do anything to change the noise coming from CZ Woodworking.

Lastly, I would appreciate if someone could forward this email to Mark Gordon as I couldn't find his email on the EGT website.

Eight videos showing noise violations found on my youtube account...

Sunday 6/2/2019- <https://youtu.be/HCLmek8bGts> from my driveway.

Saturday 6/1/2019- <https://youtu.be/svE6-JBjRtk> from my driveway.

Friday 5/31/2019- <https://youtu.be/-qsIPPwH3fY> From my barn 400 feet to the actual noise.

Friday 5/31/2019- <https://youtu.be/1FAAFpvXOn4> from my barn with tape measure.

Friday 5/31/2019- <https://youtu.be/294CCiHFE6M> behind my house.

Friday 5/31/2019- <https://youtu.be/6Usa2Knff9Y> from my driveway.

Wednesday 5/27/2019- <https://youtu.be/ioKZkHNtIEo> from my driveway.

Thank you for your time.
Respectfully,

Greg Jehanian

Mark Gordon

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Wednesday 5/27/2019- <https://youtu.be/ioKZkHNTlEo> from my driveway.

Thank you for your time.
Respectfully,

Greg Jehanian

Mark Gordon

From: Dan Turley <dturley@verizon.net>
Sent: Tuesday, June 4, 2019 1:48 PM
To: 'Mark Gordon'
Cc: schutte5322@verizon.net
Subject: RE: Hankin proposal

Mark, my wife and I can't be at the meeting due to a previous engagement but I want to let you know my thoughts on this issue.

Clearly, more cars on an already dangerous Paoli Pike will make it less safe. Nobody could argue that it would have no effect.

The advantage to the township, as I see it, is purely monetary since it will increase tax revenue.

Approving the Hankin proposal then would be to take the money at the expense of safety. Doesn't make sense does it?

Dan Turley
636 Meadow Drive

-----Original Message-----

From: Mark Gordon [mailto:mgordon@eastgoshen.org]
Sent: Monday, June 3, 2019 9:02 AM
To: 'Dan Turley'
Subject: RE: Hankin proposal

Mr. Turley,
Their request identifies 175 apartment units at this time.
-Mark

Mark A. Gordon, CFM
Director of Code Enforcement / Zoning Officer East Goshen Township
1580 Paoli Pike
West Chester, PA 19380
O: 610-692-7171
F: 610-692-8950
mgordon@eastgoshen.org
www.eastgoshen.org

-----Original Message-----

From: Dan Turley [mailto:dturley@verizon.net]
Sent: Saturday, June 1, 2019 10:54 AM
To: mgordon@eastgoshen.org
Subject: Hankin proposal

Mark, how many apartment units are they planning?
Dan Turley
636 Meadow Drive

Mark Gordon

From: Karen Spofford <spoffkm@aol.com>
Sent: Tuesday, June 4, 2019 2:50 PM
To: mlynch@eastgoshen.org; dshuey@eastgoshen.org; mshane@eastgoshen.org;
rsmith@eastgoshen.org; mgordon@eastgoshen.org; jemanuel@eastgoshen.org;
cbattavio@eastgoshen.org
Cc: EdSpofford@gmail.com
Subject: Planning Commission & King Road Meetings

Dear Board of Supervisors,

Due to prior commitments my husband and I are not able to attend the Zoning or King Road Intersection meetings on Wednesday evening. Please consider our input:

- **Planning Commission request by Hankin for a zoning variance:** As demonstrated by the East Goshen community members just a few months back we are not in favor of providing zoning variances that will allow multi-family, high density dwellings. These requests and submitted drawings are not in keeping with the current feel and density of East Goshen. Please consider as obligated and then reject Hankin's request for a variance.
- **King Road & 352 Intersection zoning variance:** Please go back to the drawing board and creatively come up with another solution to the traffic issues at the above mentioned intersection. New Jersey is doing away with their traffic circles why is East Goshen then considering one as a viable option? PA drivers are not familiar with traffic circles and the change at such a busy intersection will not lead to positive traffic flow improvements.

Warmest regards,

Karen & Ed Spofford
East Goshen residents and homeowners for 27 years

Karen Spofford
(h) 610.695.0916
(w) 610.296.4139
(c) 610.585.6950