

**EAST GOSHEN TOWNSHIP**  
**PLANNING COMMISSION MEETING**  
**June 5, 2019**

The East Goshen Township Planning Commission held a regular meeting on Wednesday, June 5, 2019 at 7:00 p.m. at the East Goshen Township building. Members present were: Chair Brad Giresi, Ernest Harkness, Dan Daley, John Stipe, Michael Koza, and new member Edward Decker. Also present was Mark Gordon, (Township Zoning Officer).

**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 p.m.**

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.
4. The minutes of the May 1, 2019 meeting were approved as corrected.

**B. CONDITIONAL USES AND VARIANCES**

1. 1422 ARDLEIGH CIR. (Home Occupation – Wood Shop) -Mark Thompson, Attorney and Chris Zumpano, Applicant, were present. For those who weren't at the last meeting, Brad briefly explained the request. Mr. Thompson commented that, on Wednesday May 29, 2019, they met with Mark Gordon at the property to take decibel readings. They had all of the machines running, using wood, with the doors and windows open then shut, at 30 ft, 50 ft and 100 ft. The data is summarized in their report. No reading went beyond 60 decibels, which is the maximum. After the test was done, Mr. Zumpano moved the machines into his 2-car garage and did some wood working during the weekend, which was personal use. Mr. Thompson referred to the conditions on the proposed motion. They would like to change #4 – Mr. Zumpano would like to put up a sign and #7 he would like to change the hours of business to 7:00 am to 7:00 p.m.

Dan Dailey asked about the interior layout. Mr. Zumpano showed that there is a total of 672 s.f. The area for the business is 500 s.f.

Mr. Thompson explained that Conditional Uses are special exceptions where the applicant needs to demonstrate that this use will not impact neighboring properties. Home occupation is permitted in this area under the Township Code. Section 156.5 gives the types of uses that are prohibited and the decibels allowed.

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Dan commented that if there is a complaint for noise, the Zoning Officer will investigate. Also, Mr. Zumpano will have no employees so not all of the machines will run at the same time.

Mr. Thompson spoke about how the machines are used. Mr. Zumpano mentioned that for the next month he will be off site, not working in his shop.

Ernie asked about hours of work. Mr. Zumpano will work Monday thru Friday and would like to change the hours from 9:00 am – 5:00 pm to 7:00 am - 7:00 pm. Ernie asked if he was going to have a decibel test done by a certified engineer. Mr. Zumpano does not feel that more testing is necessary. The building is still under construction. Mr. Zumpano explained the type of insulation he used to help reduce noise.

Brad reviewed what a home occupation is and the requirements. Mr. Zumpano needs to provide clarification of the area of the building and layout. Since Mr. Zumpano wants a sign, it can only be on the building not the street and he needs to provide a sketch plan of the sign showing the location on the building. There is no outside storage. Two additional parking spaces are permitted. Delivery by trucks is limited to no more than 2 times per week, between 7 am & 10 pm.

John asked if he uses mats on the floor to help with mitigation of noise. Mr. Zumpano does use mats for comfort.

Ed asked about the meter. Mr. Zumpano got a new meter before the first meeting then felt that the Township should do the test. Mr. Gordon brought two different meters for the test.

Mr. Zumpano commented that he started his business in his house garage in Glen Mills on 1/3 acre. He never had a complaint. Currently he is working in a business building surrounded by residential properties. He has several residents that will give testimonials for him.

## PUBLIC

1. Gregory Jehanian, 1417 Bramble Lane - Mr. Jehanian explained that he made videos of the noise coming from Mr. Zumpano's property this weekend. He would like to show them. Mr. Thompson pointed out that what he recorded was coming from an open garage as a residential use. Mr. Jehanian spoke about decibels and went through sections of the Township Code, then showed his video.

2. Joe Corvino, 1420 Bramble Lane – Mr. Corvino pointed out that 55 decibels should be the maximum not 60. He heard the same sounds from this deck this weekend.

3. Andrea Voehringer, 1423 Ardleigh Cl - They moved here 8 years ago and it is a very quiet neighborhood. She is very surprised that a business like this is allowed in residential areas. She would like to have a certified reading done. If not all of the equipment was there and used for the test, what would it sound like with all of it.

4. Mr. Corvino had copies of an ad for employees that Mr. Zumpano put on Instagram and, on Facebook, a description of the use of the area as office, design center, showroom. Mark Gordon commented that these items are not part of the application. This can be done at the official hearing and get it on the record there.

5. Susan Boswell, Esq. attorney for Jennifer Biehn, 1424 Ardleigh Circle – The living room of their home directly faces the shed. There is no buffer. She requests that this be added as a condition. She agrees that this is a constant thing and there is concern about the noise all day. Fumes, dust, odors moving through the air is a concern. Testing by a third party certified engineer is requested.

Brad asked Mr, Zumpano how dust is handled. Mr. Zampuno explained that he uses a dust collection system, which automatically turns on when the machines turn on. He explained how it cleans the air, which effects him too. He does not strip furniture. His website is out of date and it was listed when he started his business. He spoke about the materials he uses which are natural. Finishes are wiped on not sprayed. Mark Gordon showed a view of Ms. Biehn's property.

6. Daniel Walsh, 1415 Bramble La. – There is no buffer between his house and Mr. Zumpano. Mark Gordon explained what a home occupation is and commented that landscaping can be added as a condition.

7. Louis Ottaviano, 1424 Ardleigh Circle – It is confusing because there is some personal and business use. Mark Gordon will manage it through communication. The permit has to be renewed every year. After approval it is administrative each year.

8. Justin Meiller, 1414 Bramble La - What tools were used for the test? Mark Gordon read the list of tools. Mr. Meiller's father had a wood working shop and Mr. Meiller spoke about the tools he used. He questions the results of the test. Has the impact on the value of the homes been considered? Mark Gordon commented that the standards are what the Planning Commission and Board of Supervisors have to go by.

9. James Cucinotta, 1342 Hollyberry La. – There are three properties for sale now in this development. He spoke about the concerns of the people. Mark Gordon mentioned that letters are sent to the property owners only.

10. Jim Williams, 1524 High Meadow La. – What kind of wood was used during the test? Mark Gordon replied that all were running hardwood during the test.

11. Diane Jehanian, 1417 Bramble La. – She feels that trees and shrubs won't provide enough protection from the noise.

### **Planning Commission Comments**

John feels a condition should be added to not allow CNC machines. Mr. Zumpano agreed.

Dan asked Mr. Zumpano about screening. Mr. Zumpano doesn't feel the view will change so he doesn't think screening will be needed.

Dan asked about using an acoustical engineer to do a test. Mr. Thompson feels the testing that was done is enough and shows they are in compliance. Mark Gordon mentioned that the Township has access to a sound engineer. Mr. Thompson will discuss it with Mr. Zumpano.

Susan Boswell commented that the request for screening is a visual issue for her client. Concerning changes to the application, she feels the hearing should be delayed until all items are corrected. She pointed out that the concern is the continuity of the sound.

Mark will check with the Township Solicitor. As of now the hearing is scheduled for June 18, 2019.

Ernie moved 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 hearing for the Home Occupation Permit.*
4. *The use shall have a sign on the property in accordance with the Township Ordinance.*
5. *The use shall not have more than one employee or independent contractor on site.*
6. *The use shall not conduct direct sales on the property.*
7. *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.*
8. *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.*
9. *The applicant shall follow all applicable federal, state, county and township laws, rules and regulations during the development of the property and operation of wood working shop and business.*

Mike seconded the motion. Dan suggested the addition of the following conditions:

10. *No CNC machine shall be used.*
11. *Applicant shall have sound readings done by an expert including additional tools.*
12. *Application shall be amended prior to the hearing to clarify the use of doors and windows in the business.*

Ernie accepted the amendments. John seconded the amended motion. Brad opposed the motion. The rest of the Commission members approved the motion. The motion passed. The applicant heard and understands the conditions.

**2. 1351 PAOLI PIKE (Sketch Plan)** – The Hankin Group – Planned Apartment Development. Neil Fisher represented the Applicant. Brad commented that the Hankin Group, equitable owner of 1351 Paoli Pike, has submitted a sketch plan for review and comment by the Township Planning Commission. The property consists of two lots with a combined lot area of approximately 8.1 acres and is located in the

Business Park (BP) zoning district. The Hankin Group is seeking feedback from the Planning Commission on developing the property as a Planned Apartment Development. The BP district is not currently zoned for this use. The applicant will require a zoning change to accommodate their proposed plan.

Mr. Fisher explained who the Hankin Group is and developments they have constructed:

1. Eagleview – a mixed use planned community
2. New Kent Apartments in East Goshen built about 45 years ago.

The Hankin Group looks at things long term. This property is part of the Goshen Corporate Park. There is also an historic house on the property, which in the historic resources is called the Hunt House. Corporate centers are changing. They are retrofitting corporate centers to include residential and retail. Great Valley Corporate center is an example. He pointed out the things that make East Goshen unique – the Paoli Pike trail, YMCA, Goshen Corporate Park and Goshenville. They are considering making the historic house a restaurant. The landscaping will stay with the house. He showed where the property is. He spoke about the entrance across from Meadow Drive, which may be able to get a traffic signal. He feels there is adequate traffic to meet PennDOT's requirements. He explained the materials that will be used on the apartment buildings. There will be 1 & 2 bedroom apartments – a total of 175 units. About 10-15% of the apartments will be furnished to be used by business travelers for 6 -12 months.

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Dan recused himself from this project.

Ernie asked about access from the corporate center and traffic flow. Neil commented that with traffic in general the more access points the more traffic. Putting a light at Meadow Drive will improve traffic on Paoli Pike. Neil is amazed to see how many people are walking in the corporate park but have no place to go, thus, the breakfast/lunch restaurant. Getting people on the trail is important.

Mike asked if there was any retail planned. Neil replied no.

John asked about 4 floors at 45 ft high when the current is 3 floors 35 ft high. Neil commented that the Goshenville plan is to increase height. John mentioned that when New Kent closed their retail they never connected to the shopping center. Neil mentioned that they will participate when the planned spurs from the trail are done.

Ed asked what the distance would be to the light at Reservoir Road. Neil commented about 1,000 feet. There would be timing of all the lights on Paoli Pike.

### PUBLIC

1. Nicholas Lebresco, 634 Meadow Dr. – Any turn lanes or widening at Meadow Drive? Neil mentioned that Paoli Pike is a state road so they have to go to PennDOT. They need to get a traffic study done, then go to PennDOT for approval and then something will be done based on that approval. Mr. Lebresco mentioned that traffic to the schools in the am is bad. How close will the buildings be to Paoli Pike. Neil explained how right of way determines how far back they will be placed.

2. Michele Truitt, 1430 Grand Oak La. – She asked about parking. She feels there will be about 560 residents. Neil commented 1.4 spaces for 1 bedroom and 2 spaces for 2 bedroom.

3. Dean Moore, 618 Meadow Dr. – He commented about the impact on the value of the homes. Neil commented that no home values have ever dropped because of their building. He explained that when you look at Exton, they are bringing residential to help build the retail. He spoke about Eagleview and the changes that included businesses, who found it easier to get employees in the mixed use community.

4. Brian Cattie, 630 Meadow Dr. – He feels that traffic lights slow the traffic down. Neil mentioned that traffic trips are different based on the use. Mr. Cattie doesn't want a multi-family building there. Ernie pointed out that currently a business could build there with no problem.

5. Amarildo Capuni, Vice President, Techniplast, Enterprise Dr. – He is familiar with Hankin and the quality of their work. Mr. Capuni has seen changes. There is a need for daily, weekly, monthly rental. Are the furnished units going to be only long term? The traffic flow is increasing now. Cars for this may be about 300. Current employees use Enterprise Dr. to walk at lunch. They have asked to put a path in the corporate park. Parking may be a problem, which could flow to QVC or the ball field. Neil acknowledged that extended stay use has increased. They will talk with the businesses to meet their need.

Hankin would support a trail around Enterprise Dr. Mr. Capuni mentioned that the baseball field is used by leagues. Neil spoke about recreational facilities at New Kent. They will do the same here.

6. Elizabeth Uebele, 639 Meadow Dr. – She has been here since 1980. The view is changing and she doesn't like it. She is concerned about a 4 story building.

Brad thanked everyone for coming. The next meeting is July 10<sup>th</sup> because of the holiday.

#### **ANY OTHER MATTER**

Brad reminded the Commission members of the BOS meeting on **June 25 at 6:00 pm** with Tom Comitta to present the TND proposal. Everyone should try to be there.

#### **ADJOURNMENT**

There being no further business, Dan made a motion to adjourn the meeting. Ernie seconded the motion. The meeting was adjourned at 10:40 pm. The next regular meeting will be held on **Wednesday, July 10, 2019** at 7:00 p.m. because of the holiday.

Respectfully submitted, \_\_\_\_\_  
*Ruth Kiefer, Recording Secretary*