

**EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS MEETING
1580 PAOLI PIKE
TUESDAY, OCTOBER 22, 2019
FINAL APPROVED MINUTES**

Present: Chairwoman Janet Emanuel; Vice-Chair Marty Shane; Members Mike Lynch, David Shuey and Carmen Battavio; Township Manager Rick Smith; Township Solicitor Kristin Camp; Director of Finance and Assistant Township Manager Jon Altshul; Township Zoning Officer Mark Gordon; Dan Daley, John Stipe and Brad Giresi (Planning Commission); Erich Meyer (Conservancy Board); Christina Morley (Pipeline Task Force).

Call to Order & Pledge of Allegiance

Janet called the meeting to order at 7:03 p.m. and asked Tom Comitta to lead the pledge of allegiance.

Moment of Silence

Carmen called for a moment of silence to honor our troops and first responders.

Recording

Janet announced that the meeting was being livestreamed on the Township's YouTube Channel.

Chairman's Report

Janet announced that the Board met in Executive Session prior to tonight's meeting for a legal matter.

Presentation on Paoli Pike/Goshenville Traditional Neighborhood Development Overlay Districts

Mark Gordon presented a Powerpoint presentation on the Traditional Neighborhood Development (TND) Overlay Districts. A copy of the presentation can be found here: <https://eastgoshen.org/wp-content/uploads/2019/10/102219-Powerpoint-Presentation-rev.-5-with-headers.pdf>

At the conclusion of the presentation, Carmen noted the Township's commitment to preserving the past and asked Mark whether the proposal would open the door to developers taking advantage of the Township. Mark observed that the design standards in the TND districts are modest and tasteful, and that the Township works carefully with developers to ensure that the Township's concerns are being addressed. Rick noted that the 50-foot buffer between zoning districts in the TND would give adjacent residential districts more protection from encroaching development than they have now. Carmen also asked if the percentage of certain types of uses could be capped at a certain percentage of all uses in the TND districts. Kristin explained that this would not be allowed under the PA Municipal Planning Code, but that the proposed area and bulk requirements effectively achieve the same purpose.

Kristin asked Mark to clarify if the TND districts were overlays in which case the existing underlying zoning districts would not go away. Mark confirmed that these are overlay districts. Rick noted that only a handful of new uses would be permitted relative to the existing zoning.

Mike noted that one of the major new uses permitted would be apartments and asked how this proposal would be fundamentally different than the Hankin proposal that was discussed last week. Kristin responded that the area and bulk requirements in the TND districts allow for much less density than in the Hankin proposal.

Marie Cattie, 630 Meadow Drive, observed that most Township residents she's spoken with are opposed to more townhouse and apartment development in general and higher density development in particular. She also asked how many dwellings would be permitted at the Perrano and Perakis properties. Mark responded that under current R-2 zoning, approximately 15 single family homes would be permitted at the Perrano site and that under the TND-2 proposal, as many as 60 townhomes would be allowed there. Mark also noted that under the current R-3 zoning, the Perakis property currently allows for twins, but not townhomes, and that about 32 townhomes would be permitted there under the TND-2. Ms. Cattie also asked the Board whether the ordinance amendments could be adopted in pieces and not all at once. She added that she supports the construction of the Paoli Pike Trail.

Christina Morley, Pipeline Task Force, asked Mark when planning on the TND project began. She observed that since the planning work began, Sunoco has been installing new pipelines which could pose a threat to human health and that she has safety concerns about having more people out and more businesses operating with the pipelines nearby. She stated that she is opposed to more development and that she would like the Township to survey residents about whether they want more open space or development.

Leo Sinclair, 217 Lochwood Lane, raised concerns about allowing public utility facilities in the TND. Mark observed that public utility facilities, which include infrastructure like sanitary sewer pump stations, are currently allowed in these zoning districts now. Rick observed that public utilities like PECO can currently appeal to the Public Utility Commission for a certificate of need as a public utility, in which case they are exempt from local zoning and which makes regulating them at the local level very difficult. Janet observed that this occurred when the PECO substation was originally built at the corner of Strasburg and North Chester Roads. Mr. Sinclair also asked what current uses would not be allowed. Janet observed that there are none, as the Township wants to minimize the potential for non-conforming uses. Mr. Sinclair also asked about what would be done with "abandoned" uses, such as if Sunoco were to abandon the gas station along Paoli Pike. Rick indicated that abandonment of commercial property is highly unlikely.

Dan Truitt, 1430 Grand Oak Drive, stated that any amendments to the zoning ordinance along Paoli Pike should be a non-starter after last week's meeting. Janet and Mike observed that the TND would provide for much less apartment dwelling density than

what was envisioned in the Hankin proposal and in a location much more central to the Town Center. Mr. Truitt also expressed concern about the 15 foot build-to line in the TND-1 and how that may fundamentally change the character of the Township.

Michelle Truitt, 1430 Grand Oak Lane, expressed concern that a future developer could make a future request to extend the TND districts beyond what is currently proposed. She also asked about how the TND would impact the Goshen Corporate Park. Janet clarified that this proposal would only impact the Goshen Executive Center and not the rest of the Corporate Park. Ms. Truitt submitted a petition opposing the TND ordinance amendments and the Hankin proposal.

Brian Sweet, 646 Meadow Drive, expressed concerns that the apartment density provision in the TND-1 area and bulk requirements would increase apartment density by about 10% beyond what it is elsewhere in the Township and that residential density would be increased by a factor of two in the TND-2. He noted that one of the reasons that we have vacancies on our commercial corridor is because the Township has allowed developers to dictate the changes to our zoning ordinance.

Kevin Perrot, 1416 Grand Oak Lane, expressed opposition to the Paoli Pike Trail and the broader 750-mile Philadelphia Trail Circuit. He noted that the crossing of the Chester Valley Trail at Ship Road is dangerous and indicated that the Paoli Pike Trail may raise similar safety issues. Marty provided Mr. Perrot with some background on the planning process for the Trail and the proposed TND ordinance. Marty observed that any change along Paoli Pike as a result of the TND is likely to occur very slowly. Mike reiterated that any new development along Paoli Pike would be gradual and that the Township is trying to strategically manage development. David observed that technically the Paoli Pike Trail is not part of the Philadelphia Trail Circuit and that it is intended for use by East Goshen residents specifically.

John Hertzog, 940A Cornwallis Drive, noted that he lives about half a mile from the TND-2 district and worried about encroaching development on his property. He asked if anyone in attendance participated in the planning process for the TND ordinance proposal. He also asked if the matter could be put on a voter referendum. David explained that a voter referendum was not legal under state law for this type of policy decision.

Marian Wilson, 406 Summit House, asked if the Trail would be ADA-accessible, to which Mark responded that it would be. She expressed opposition to the Trail. She stated that she is against development and fears that similar development patterns that occurred in Newtown Square could happen in East Goshen as well.

Mr. Sinclair noted that the Township has spent \$1.6 million on the Paoli Pike Trail to date and asked Jon to provide the audience with an explanation for how the Trail was being paid for. Jon explained the interplay between the proceeds of the 2017 general obligation bonds and the \$3.6 million in grants that the Township has already received. He reiterated that the net costs for the Township, after grants, would be about \$3 million.

Mr. Truitt asked how many residents attended the various Planning Commission meetings at which the TND ordinance was discussed. Mark responded that it was normal for 15-20 residents to attend. Mr. Truitt also asked if tax rates would go down now that the debt for Applebrook Park has been paid off. David noted that the Township has not raised tax rates in 17 years, despite the fact costs continue to rise. Mr. Truitt also asked for clarification on electoral and non-electoral debt, which Rick provided.

Susanne Carson, 628 Thorncroft Drive, reiterated the concern she's heard from other Township residents about not allowing more apartments in the Township.

Jeff Dean, 1252 Upton Circle, expressed concern that the 20-foot build-to line in the TND-2 was too close to the road for dwelling units and that the 15-foot build to line in the TND-1 could fundamentally change the character of the Township. He also asked if there's anything to prevent a developer from building an apartment building with first-floor retail in the TND-1 and then not filling the retail stores. Mark responded that this is a possibility, but it's more likely that the developer would simply build an apartment building with no retail instead, which would be permitted.

Kay Coup, 916 N. Chester Road, expressed concern about traffic along Route 352 and Paoli Pike if the Perakis Property were to be developed. Mark explained that any developer would be required to do a traffic study and take appropriate steps to mitigate any traffic impact at that site.

Marty made a motion to direct staff and the Planning Commission to consider the comments received at tonight's meeting and make revisions to the draft ordinance as appropriate. Mike seconded. The motion passed 4-1, with Carmen opposed.

Adjournment

There being no further business, Mike made a motion to adjourn at 9:00pm. David seconded. The motion passed 5-0.

Respectfully submitted,
Jon Altshul
Recording Secretary