

**EAST GOSHEN TOWNSHIP**  
**PLANNING COMMISSION MEETING**  
**March 4, 2020**

The East Goshen Township Planning Commission held a regular meeting on Wednesday, March 4, 2020 at 7:00 p.m. at the East Goshen Township building.

Members present are highlighted:

**Chair – Ernest Harkness**

Vice Chair – John Stipe

**Dan Daley**

**Edward Decker**

**Michael Koza**

Mark Levy

**Michael Pagnanelli**

Also present were:

**Mark Gordon, Zoning Officer**

**Martin Shane, Township Supervisor**

**Mike Lynch, Township Supervisor**

**Christina Morley & Gerald Sexton & Judy DiFonzo– Pipeline Task Force Members**

**Dan Truitt, Resident**

**COMMON ACRONYMS:**

*BOS – Board of Supervisors*

*BC – Brandywine Conservancy*

*CB – Conservancy Board*

*CCPC – Chester Co Planning Commission*

*CPTF – Comprehensive Plan Task Force*

*CVS – Community Visioning Session*

*SWM – Storm Water Management*

*ZHB – Zoning Hearing Board*

**A. FORMAL MEETING – 7 p.m.**

1. Ernie 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. Ernie asked if anyone would be recording the meeting and if there were any public comments about non-agenda items. There was no response.
3. Ernie checked the log.
4. The minutes of the February 8, 2020 meeting were approved.

**B. OLD BUSINESS**

1. Zoning Ordinance Review – Incubator Ordinance - Ernie commented that this will be discussed next month. He received some comments and will share them next month. Dan mentioned that June 2011 was the last time the Commission reviewed the business plan.

**C. NEW BUSINESS**

1. Review Model Ordinances for Pipelines – Christina Morley mentioned that sample documents are on the CATO and CCPC websites. The blank spaces can be filled in as each municipality wants. It is recommended language, but you can tailor it to your municipality's needs. Ernie mentioned that he read that ACT 13 sec 33/34 were too restrictive on local municipalities. Christina explained that the current Draft is dated Dec. 2014. Pipeline safety is a shared responsibility by local, state and the pipeline. This is designed to create safety zones to separate development from pipelines. One section is regulating pipelines and the other is regulating development. Dan Daley commented that the zoning section is putting regulations on the pipeline. As long as the Township Solicitor okays it he has no problem with it. This regulates pipeline above ground facilities. Mark Gordon commented that the municipality can regulate any structure.

Dan Daley doesn't feel that the Land Development is for East Goshen because we are all developed. We have multiple pipelines coming through East Goshen. Dan provided a map for everyone that shows the pipelines and the area on the sides of each line are about 1,000 feet. It restricts homeowners from putting additions, sheds on their property near a pipeline. All setbacks are currently in the Zoning Ordinance. Christina commented that the intent is not to restrict homeowners. It is to prevent future construction such as another Wellington near the pipeline that is difficult for people to exit or a childcare opening in a home near a pipeline.

Dan Daley recommended a review be made of the parcels still available for development to see how they would be impacted by this restriction.

Gerald mentioned that properties and structures can be repurposed, so you have to be careful of what they want to use it for.

Mike Koza feels there is nothing left to develop near a pipeline. He feels this is very restrictive.

Ernie mentioned that the concept of a "consultation zone" should be looked at.

Mark Gordon commented that the Ducklings is a new high on-site population zone.

Ernie is concerned about the length of setbacks. An above ground valve is high risk compared to a pipe below ground. He reviewed the risk assessments.

Christina recommended that the Commission contact Eric Freedman to come to a meeting to discuss this. In all of her research what was remarkable was that many cities who want to do these setbacks couldn't because they didn't have the necessary data and couldn't afford it. However, East Goshen has been one of the area townships that had risk assessments done so we have the data. The assessments were done by Quest and you can use canary software to review it.

Dan Daley explained what the canary software can do. No one has done an assessment with specific locations.

Ernie pointed out some things covered in the Quest report.

Christina commented that the probability of something happening along the pipeline is 1 in 7 years.

Gerald spoke about the acceptable risk. The Planning Commission should send their ideas to the Pipeline Task Force so they can get answers for them. He feels we definitely need setbacks in consultation zones.

Mike Lynch mentioned that John Gaadt was the consultant that helped with East Bradford's ordinances.

East Bradford adopted a Land Development ordinance 5 years ago. They have 2 or 3 pipelines. They do have a lot of open space.

Marty mentioned that he has been on both County boards and isn't aware of this. All pipelines have to be included. The township staff will have to determine what properties would be affected. This could diminish residential property value and owners could sue because of the restriction that wasn't on their property when they purchased it. This is referred to as a "taking". He spoke about corporate parks and their value to the community. The risk assessments are all different. Is it worth doing? Has everything from a safety perspective been done for the safety of the residents.

Christina commented that if this was enacted 40-50 years ago, developments wouldn't be on the easements because there would have been setback and buffers. But development was done without this. She feels this has to be part of the onward ordinance. It is where we live, shop, and go to school. She is asking that this be done so we can have a safe community.

Dan Truitt commented that public safety is a first priority. He would encourage the Commission to think about what happens after an explosion. Evacuation. It is unwise to keep packing people in a high-risk area. He spoke about his neighborhood and how they would have to get out. He suggested that this be crafted so there is no increase in density, but someone can add to their house.

Mark Gordon mentioned that they should identify any developmental tracts and options for evacuation have to be part of the plan. He gave some examples.

Gerald commented that the values for setbacks have to be based on what is going through the pipeline.

Mark Gordon pointed out that existing lines can be repurposed.

Gerald suggested using the worst case.

Christina mentioned maintenance of the pipeline which they are finding the pipeline companies are not doing.

Judy commented that all pipelines eventually leak. She spoke about the different materials and how they impact the soil and air when there is a leak.

Dan Truitt asked what Board would be responsible for evacuation plans.

Mark Gordon responded the Board of Supervisors.

Ernie closed the discussion asking that Mark Gordon have the solicitor review and comment on these two ordinances and ask staff to look at mapping properties.

**C. LIASION REPORTS**

None

**D. ANY OTHER MATTER**

None

**E. ADJOURNMENT**

There being no further business, Dan Daley made a motion to adjourn the meeting. Ed Decker seconded the motion. The meeting was adjourned at 8:40 pm. The next regular meeting will be held on Wednesday, April 1, 2020 at 7:00 p.m.

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