

**EAST GOSHEN TOWNSHIP
PLANNING COMMISSION
Meeting Agenda
Wednesday, December 2, 2020
VIA Telephone / Video Conference
7:00 PM**

During this tele-conference Planning Commission meeting, public comment will be handled as follows:

- Participants must call in by 6:55 pm.
- The public will be muted during the meeting when the Commission is conducting business.
- The Chairman will ask for any public comment on agenda items. Audience members who wish to make comments must unmute, identify themselves with name and address, to ask questions and make comments.
- Participants wishing to comment must state their name and address and must speak one at a time.

- 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. November 4, 2020**
- F. Subdivision and Land Development Applications
- G. Conditional Uses and Variances
- H. Ordinance Amendments
- I. Old Business
 - 1. High Intensity Uses / Pipeline Considerations**
 - a. EJ Harkness Memo
 - b. Review first draft of ordinance**
- J. New Business
 - 1. Review 2020 Goals and Consider Goals for 2021
- K. Any Other Matter
- L. Liaison Reports
- M. Correspondence
- N. Announcements

Bold Items indicate new information to review or discuss.

East Goshen Township Planning Commission
Application Tracking Log

December 2, 2020 PC Meeting

Application Name	Application (CU, LD, ZO, 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
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Bold = New Application or PC action required

Completed in 2020

1631 E. Strasburg Rd	V	Sk	9/29/2020	9/29/2020	NA	NA	10/2/2020		10/7/2020	10/20/2020	10/27/2020	11/28/2020	
Solar Ordinance Amendment	ZO	Sk	10/30/2020	NA	NA	NA	NA		NA	NA	12/1/2020	NA	NA
Synthes USA / 1303 Goshen Parkway	LD	P/F	4/27/2020	5/6/2020	4/28/2020	4/30/2020	4/30/2020	1	9/15/2020	9/2/2020	NA	10/2/2020	
Boyle, 1137 N. Chester Rd.	V	Sk	7/29/2020	7/29/2020	NA	NA	7/31/2020		9/2/2020	9/15/2020	8/26/2020	9/25/2020	

Completed in 2019

Paoli Pike TND Overlay District Ord.	ZO	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	12/17/2019	NA	Continued
ZEKS, 1302 Goshen Parkway	CU	Sk	8/27/2019	8/27/2019	NA	NA	8/29/2019		10/2/2019	10/29/2019	10/15/2019	10/25/2019	APPVD.
ESKE Development / Ducklings	LD	P/F	1/18/2019	2/6/2019	2/23/2019	2/23/2019	2/29/2019		4/3/2019	4/9/2019	NA	5/6/2018	APPVD.
PECO Gas Gate	CU	Sk	2/26/2019	2/26/2019	2/28/2019	NA	2/28/2019	1	4/3/2019	6/5/2019	5/14/2019	6/25/2019	APPVD.
CZ Woodworking / 1422 Ardleigh Cir.	CU	Sk	3/29/2019	3/29/2019	NA	NA	4/22/2019	1	6/5/2019	6/18/2019	6/18/2019	6/27/2019	APPVD. W Conds.
1351 Paoli Pike / The Hankin Group	ZO	SK	5/31/2019	NA	NA	NA	5/31/2019	NA	NA	NA	NA	NA	DENIED.
1339 Enterprise Drive	CU	Sk	5/30/2019	5/30/2019	NA	NA	6/11/2019		7/10/2019	7/16/2019	7/16/2019	7/29/2019	APPVD.

DRAFT
EAST GOSHEN TOWNSHIP
PLANNING COMMISSION MEETING
November 4, 2020

The East Goshen Township Planning Commission held their regular monthly meeting on Wednesday November 4, 2020. Because of the COVID-19 restrictions the meeting was held via teleconference using Zoom.

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

David Shuey, Township Supervisor

COMMON ACRONYMS:

BOS – Board of Supervisors

CPTF – Comprehensive Plan Task Force

BC – Brandywine Conservancy

CVS – Community Visioning Session

CB – Conservancy Board

SWM – Storm Water Management

CCPC – Chester Co Planning Commission

ZHB – Zoning Hearing Board

A. FORMAL MEETING – 7 p.m.

1. Ernest 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, military and healthcare providers.
2. Ernest asked if anyone would be recording the meeting and if there were any public comments about non-agenda items. There was no response.
3. Ernest checked the log.
4. The minutes of the October 7, 2020 meeting were approved.

B. OLD BUSINESS

1. Zoning Ordinance Amendment/Roof Top Solar Energy System Requirements - Mark explained that the township ordinance for solar panels should be changed. The Fire Code is ample. The fire code allows within 18 inches from the edge of the roof. The township ordinance requires 3 feet. Changing it will make it possible for residents to put more panels on their roof. John moved that we recommend that the Board of Supervisors support a zoning ordinance text amendment to eliminate the dimensional standards within Section §240-32 0.(1)(e) pertaining to the placement of accessory roof solar energy systems on roof tops. Dan seconded the motion. The motion passed with a 6-1 vote. Ernie was opposed.

2. Review/BP & I Districts Taskforce recommendation - Ernest commented that the BOS wants to form a taskforce which will include 2 BOS members, 2 Futurist Committee members and 3 Planning Commission members. He asked for volunteers. Ed Decker, Mike Koza and John Stipe volunteered. David Shuey mentioned that he and John Hertzog will be the 2 BOS members. Ernie mentioned that there will be a monthly meeting for 12-18 months.

3. High Intensity Uses/Pipeline Considerations – Ernie reviewed his memo and letter to the BOS. He reviewed what the Planning Commission has discussed. This was a 2020 goal for the Planning

1 Commission. Of the suggested actions on his memo the majority agreed with #3 Consider the effort
2 closed due to the results of current review and input from the township legal consultant. David Shuey
3 commented that the 3 NGL pipelines along Boot Road now carry very volatile gases. If a developer
4 wanted to build a long-term facility (Wellington), he feels we should make them aware of the pipelines
5 and the impact they would have on their plan, especially regarding entry and exit. Could we have an
6 awareness ordinance be part of the permit process. Mark Gordon feels pipeline awareness as part of Land
7 Development would allow the Planning Commission to make recommendations for changes to the plans
8 for safety issues. He would like to see if anyone has an Awareness Ordinance. Marty feels we should not
9 allow certain uses especially if there are egress concerns. Mark Gordon explained that restricting some
10 uses could create non-conforming buildings. Ernie commented that this issue isn't closed. We will look
11 into an Awareness Ordinance. He asked that this be put on next month's agenda.
12

13 **D. NEW BUSINESS**

14 None
15
16

17 **E. ANY OTHER MATTER**

- 18 1. Ernie asked that the 2020 goals be included in the December agenda.
19 2. Mark Gordon mentioned that the Hankin property next to the business park on Paoli Pike is for sale.
20 He spoke to Neil Fisher and told him about the taskforce that has being formed.
21

22 **E. LIASION REPORTS**

23 None
24
25

26 **F. ADJOURNMENT**

27 There being no further business, Dan made a motion to adjourn the meeting. John seconded the
28 motion. The meeting was adjourned at 8:05 pm. The next regular meeting will be held on Wednesday,
29 December 2, 2020 at 7:00 p.m.
30

31
32 Respectfully submitted, _____

33 *Ruth Kiefer, Recording Secretary*

August 13, 2020

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

Re: Pipeline Ordinance Review

Dear Board Members:

As you all know, the Planning Commission has been discussing Pipeline Ordinances for the past several months. The Township Pipeline Taskforce brought concerns and questions about pipeline safety to the Planning Commission in late 2019. The Commission decided to look into potential regulatory avenues to address these safety concerns as well as review the various risk assessments conducted in the surrounding communities. Because of the importance of this issue, the Planning Commission decided to make this one of our 2020 Goals.

The PC conducted the following review and analysis of the model Pipeline ordinances:

- December 6, 2019: Twp. staff forwarded the PC Members links to three pipeline risk assessments and both model pipeline ordinances (SALDO and ZO) which were drafted by a consultant working for the Chester County Association of Township Officials (CCATO).
 - Quest Consultants Inc. prepared for Del-Chesco United for Pipeline Safety and Clean Air Council Philadelphia PA,
 - G2 Integrated Solutions Mariner East 2 Pipeline and Existing Adelphia Pipeline Risk Assessments prepared for Delaware County,
 - JH Consulting, LLC prepared for Thornbury Township, in Delaware County.
- February 5, 2020: PC Met with members of the EGT Pipeline Taskforce to discuss their concerns and the Model Ordinances from CCATO
- March 4, 2020: The PC discussed the Model ordinances and asked staff to assist with determining how many parcels would be impacted by these ordinances. The PC also asked staff to have the Township Solicitor review and comment on these ordinances.
- April 1, 2020: No Meeting
- May 6, 2020: The PC deferred discussion on this topic until the meeting in June
- June 17, 2020: The PC Reviewed the Twp. Solicitor's review comments and asked her questions about the model ordinances. Staff also presented a GIS tool they developed, which shows the buffers outlined in the model ordinance graphically on a map and provides data on how many parcels are impacted by that buffer distance. We have enclosed these exhibits for your information.
- July 1, 2020: PC discussed the ordinances, reviewed the staff memo outlining the work done by the PC to date. The PC decided have staff and the Chairman prepare a draft

recommendation to the Board of Supervisors for review at the Planning Commission Meeting on August 5th.

- August 5, 2020: Meeting canceled due to Township wide power outages.
- August 12, 2020: Planning Commission met, reviewed the draft motion and made a recommendation to the Board of Supervisors.

After many lengthy discussions with PC members, staff, and the Township Solicitor, the Planning Commission has concluded that adoption of these model pipeline ordinances would not significantly improve safety for Township residents, or the daytime workforce population. East Goshen is a nearly built environment, and regulations like this would be extremely burdensome to development and or expansion of existing residential, commercial, and industrial properties. These regulations would also create significant non-conforming uses and non-conforming structures throughout the Township, as you can see in the enclosed map exhibits.

The Planning Commission realizes the importance of Health, Welfare, and Safety of all residents workers and visitors of East Goshen Township, however since the Township is already saddled with ten active petroleum pipelines with one more currently under construction, requiring setbacks retroactively seems moot.

With that said, pipeline safety is still important and we offer the following approach, which may be worth exploring. If the Township were to identify uses that have high on site populations, or sensitive populations, we may be able to incorporate language in the existing ordinances regulating those uses from locating near pipelines. This approach could reduce or eliminate the number of nonconformities created by a new regulation.

At our meeting on August 12, 2020, the Planning Commission passed the following motion:

Mr. Chairman, I move that the Planning Commission recommend the Board of Supervisors review the findings of the Planning Commission, take the matter under advisement, and provide the Commission with guidance and direction, as they deem appropriate.

Sincerely,

Ernest Harkness, P.E.
Planning Commission Chairman

Enclosures

1ST DRAFT

Pipeline Hazard Mitigation Study Ordinance

§ 205-40.1 Pipeline Hazard Mitigation Study.

A. Applicability. A pipeline hazard mitigation study (PHMS), prepared by a professional engineer specializing in pipeline design and pipeline hazard mitigation, shall be submitted to the Township, unless waived or modified by the Board of Supervisors, in the following situations:

- (1)** As part of a preliminary plan submission for any subdivision or land development application which proposes new construction of buildings, structures, roads, driveways, parking areas, or other land disturbance within 1000 feet of any existing pipeline easement.
- (2)** As part of a tentative plan submission for any application for a planned residential development (prd) which proposes new construction of buildings, structures, roads, driveways, parking areas, or other land disturbance within 1000 feet any existing pipeline easement.
- (3)** As part of a demolition permit application for any structure within 1000 feet of any pipeline easement.
- (4)** As part of a conditional use application when the subject property is within 1000' of a pipeline easement.

B. Contents. The PHMS shall contain the following information, unless waived or modified by the Board of Supervisors:

- (1) Background information:**
 - (a)** If not otherwise provided by the applicant, a general description of the site subject to the application, including topography, watercourses, vegetation, landscaping, existing drives, etc.
 - (b)** A general description and classification of the pipelines located within 1000 feet of any proposed land development or land disturbance.
- (2)** An assessment of potential impacts to the proposed use and property due to the proximity of the pipeline.
- (3)** Mitigation measures: suggested approaches to mitigate potentially negative impacts to the proposed development, including design alternatives, buffering, landscaping, conservation of existing vegetation, and any other appropriate measures permitted under the terms of this chapter and other Township ordinances.
- (4) Plan:** a plan showing the proposed development and shall include:
 - (a) All underground utilities**
 - (b)**

240-6 Definitions

Pipeline consultation and planning zone –

240-27 H. Pipeline proximity design controls.

Design controls for industrial and business park districts.

(1)

Purpose of this section. The purpose of this section is to recognize the need for well-designed industrial and business park districts that are compatible with the character of existing developments within the Township; to recognize the humanistic needs of the users and employees relative to the organization and arrangement of outdoor spaces; and further, to recognize the industrial and business park districts adjacent to residential districts which necessitate design controls to maintain, preserve and protect property values and the character of residential properties and neighborhoods.

(2)

A sketch plan submission is very strongly encouraged prior to the submission of formal preliminary plans. The developer, in addition to complying with the requirements of Chapter 205, Subdivision and Land Development, shall file site and architectural design plans reflecting the following criteria:

(a)

The proposed development shall be designed and constructed in accordance with building and site plans and elevations of all facades that will produce an overall architectural and landscaping theme. Each building shall be designed to blend with the existing development and architectural character of the neighborhood and community and shall minimize external evidence of the nature of any industrial types of operations conducted therein.

(3)

Proposed buildings shall be compatible with adjacent buildings and shall relate in a harmonious manner concerning size, materials and color.

(4)

Proposed buildings shall not have large unbroken external walls, but shall vary in plan and in height so as to result in attractive, well-planned and well-designed structures that are compatible with existing buildings and uses on and adjacent to the site. These varying building planes shall be required for all walls facing public or private streets and zoning district boundaries.

(5)

The exterior facades of all buildings shall be finished in decorative masonry, brick, stone, glass or equivalent construction.

(6)

Building accent lighting shall consider the effect of the lighting on building occupants and neighbors. Light sources shall be screened. Landscape accent lighting, including up-lighting for trees and buildings and low down lights, shall be of low intensity and shall be designed to prevent shadows or glare on adjacent public ways.

(7)

Pedestrian lighting shall illuminate walkways either from low-level accent lights or uniform height (10 feet to 12 feet) light standards which clearly and safely identify the circulation path.

(8)

Architectural lighting shall complement the building elements in a functional manner, and the design of street and pedestrian lighting shall be coordinated throughout the site. The quality of lighting, including color, intensity and shielding of sources shall be deemed an integral part of the overall plan design.

(9)

All business uses shall be carried on in completely enclosed buildings. Storage may be permitted outdoors only if such storage is effectively screened by a decorative masonry wall or evergreen landscaping as outlined by Subsection **C(3)**. In addition, all applicable general performance standards (§ **240-24**) and environmental protection requirements (§ **240-25**) shall apply.

(10)

Buildings and building groups shall be designed, planned and constructed to promote the human use of a site through the provision of integrated pedestrian and vehicle circulation systems and the provision of attractive outdoor areas for the use of employees during their lunchtime and breaks. The provision of child day-care facilities and outdoor recreation facilities such as a ball field, picnic areas, pathways and walkways are strongly encouraged.

(11)

Pathways and walkways shall be provided to link building entrances, any open spaces, other pathways and walkways and nearby pedestrian destinations to the maximum extent possible.

(12)

Industrial and business parks shall be physically organized to create a campus type of development of buildings and building groups placed in a unified manner to create usable outdoor open spaces for employees, such as courtyards and outdoor lunch areas.

(13)

Scenic and natural resources of the tract and historic buildings shall be protected.

(14)

Buildings, building groups and related outdoor spaces shall be designed to promote visual interest, usable attractive outdoor spaces, attractive vistas and focal points and architectural and

landscape themes. These objectives shall be achieved through the effective siting of structures and plant materials and the careful integration of grading.

(15)

Additional submission requirements. All required preliminary and final plans and any accompanying elevations, sections and diagrams shall address the following:

(a)

The developer shall submit plans and/or documentation demonstrating compliance with the requirements of Subsection E. This shall include, but not be limited to, how the proposed features will assist in creating a campus style of development and how pedestrian amenities, features to add visual interest and features to ensure compatibility with adjacent development will be used.

(b)

All site plans shall be prepared by a registered design professional(s) with demonstrated experience in land development engineering, landscape architecture and the relationship of architecture to the site design.

(c)

Such plans shall be offered for review by the Planning Commission and the Township Conservancy Board prior to action by the Board of Supervisors.

(16)

All plans of and development within business and industrial parks shall comply with the applicable general performance standards in § 240-24, the environmental protection requirements in § 240-25 and the design standards in this section.

F.

Restrictions and covenants. If the applicant is proposing restrictions, easements and/or covenants for the development, they shall be submitted to the Township for review prior to approval of the final development plans.