

**EAST GOSHEN TOWNSHIP
PLANNING COMMISSION
Meeting Agenda
Tuesday, February 28, 2023
7:00 PM**

- 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. February 1, 2023**
- F. Subdivision and Land Development Applications
 - 1. 301 Reservoir Road Residential Subdivision- No Action Required.
 - 2. 14 Reservoir Road Residential Subdivision – No Action Required.
- G. Conditional Uses and Variances
 - 1. Miller Property Residential Subdivision (No Action – Waiting for CU Decision)
 - 1. 905 Airport Road – (No Action – CU Hearing scheduled for March 21, 2023)**
- H. Zoning Hearing Board Variances
 - 1. 1722 Towne Drive – (No Action – ZHB Hearing scheduled for March 9, 2023)
- I. Ordinance Amendments
 - 1. Zoning Ordinance amendment proposed by counsel for Applebrook Golf Club. A. Counsel for Applebrook proposed a Zoning Ordinance change to section 240-30.1.C (1) of the Code of Ordinance, titled “Planned Golf Course Development”. See attached.**
- J. Old Business
 - 1. Applebrook Golf Club Turf Maintenance Area – (Review Ord. Amendment) Ordinance information attached.**
 - 2. The Malvern Institute – Update – No Action Required**
- K. New Business
- L. Liaison Reports
- M. Correspondence
- N. Announcements
- O. Next Meeting – **March 28, 2023, at 7pm.**

Bold Items indicate new information to review or discuss.

DRAFT
EAST GOSHEN TOWNSHIP
PLANNING COMMISSION MEETING
February 1, 2023

The East Goshen Township Planning Commission held their regular monthly meeting on Wednesday February 1, 2023 in the 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 was:

Duane Brady, Zoning Officer

Derek Davis, Township Manager

Nathan Cline, Township Engineer

David Shuey, Township Supervisor

Michael Lynch, 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

FORMAL MEETING – 7 p.m.

1. Ernest called the meeting to order at 7:00 pm. He led the Pledge of Allegiance and asked for a moment of silence to remember our troops, first responders, and medical.
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. The tracking log was checked and no need for a workshop meeting.
4. The minutes of the January 4, 2023 meeting were approved.

CHAIRMAN’S REPORT

1. Annual Meeting – Ernest mentioned that he made the presentation, and everything went well. A comment was made to review the Comprehensive Plan which will be 10 years old in 2025. Mike Lynch acknowledged that he made the suggestion and thinks the members should read the Comprehensive Plan. He would like to set up a committee of PC members and other ABC members to look at the plan possibly by the end of this year.

SUBDIVISION AND LAND DEVELOPMENT APPLICATIONS

1. 301 Reservoir Road, Residential Subdivision (Presentation) – No action needed this month.

2. 14 Reservoir Road, Residential Subdivision – No action needed this month.

CONDITIONAL USES AND VARIANCES

1 1. Miller Property Residential Subdivision for 1010 Hershey Mill Road - No action needed this month.

2 2. 905 Airport Road – CU Amendment to add manufacturing use.

3 Paul Pugliese, property owner, commented that this request is to amend the use of the existing
4 CUs by adding manufacturing for a new tenant. The new tenant, Wellness Marketing
5 Corporation t/a Endless Pools, a subsidiary of Masco Corporation, will use the space for office,
6 warehousing, distribution, and manufacturing of their endless pool systems. They have 3
7 locations now and want to put everything under one roof. Duane mentioned that he has reviewed
8 the request with the fire marshal, zoning officer and township solicitor, who thought it was best
9 to put it under manufacturing.

10 Jeff Horka, Masco Corporation, commented that the pool components will be manufactured
11 elsewhere, then sent to this location where they will be assembled and sent to dealers or end
12 users. Office headquarters will take 40% of the area. The rest is assembly and distribution.
13 There will be a showroom but no retail. Parking is sufficient and there is ample room for
14 delivery trucks. They will have about 20K sq.ft. more. There are no air emissions, no waste
15 water, no dangerous materials. They won't manufacture here. They assemble the components.
16 John made a motion to approve the 905 Airport Road – Endless Pool request to amend the
17 existing conditional use to add manufacturing as allowed in the Township Zoning Article IV,
18 Industrial and Business Park Districts section 240-19, I-1 Light Industrial part C, permitted
19 conditional uses, number four (4) and twenty-five (25) with all other existing conditional
20 requirements to remain without changes. Mark seconded the motion. The motion passed
21 unanimously.

22
23 **ZONING HEARING BOARD VARIANCES**

24 1. 1722 Towne Drive – Zoning Variance for swimming pool

25 Ernest mentioned that this is a single family cluster development with a rear yard minimum 35 ft. setback.
26 They sent letters to all their neighbors within 1000 feet. Duane commented that they are going to put a 6
27 ft. fence along the back. They are requesting the 35 ft. rear-yard setback be changed to 11 feet and the 25
28 foot setback from the pool water edge be changed to 11 feet. Their house was pushed back 70 ft. from the
29 road because of the pipeline that goes through there. There are four (4) other immediate neighbors who
30 have pools in their back yards. John made a motion to recommend that the BOS send it to the ZHB. Mike
31 K seconded the motion. The motion passed unanimously.

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34 **ORDINANCE AMENDMENTS**

35 1. Zoning Ordinance amendment proposed by counsel for Applebrook Golf Club.

36 Brian Nagle, attorney, commented that Applebrook Golf Club wants to update their maintenance facility.
37 The ground was secured as open space and an easement was provided by the Township for the
38 maintenance facility. The County has a restrictive covenant on the East Goshen Township property. To
39 expand the maintenance facility, they have to change the easements, so the County has to approve it. This
40 will be an equal swap. The proposed ordinance was reviewed. Brian and the Township Solicitor approve
41 this ordinance. It was submitted to the Chester Co. Planning Commission and is being reviewed. They
42 hope it will be adopted at the BOS meeting in March. Comments from PC members:
43 1, They need the CCPC approval and their comments. 2. They need to have the changes highlighted.
44 This was tabled until the CCPC comments are available for review by the PC.

45
46 **OLD BUSINESS**

47 1. Applebrook Golf Club Turf Maintenance Area – Update -No Action Required. Duane provided the
48 following update:

49 a. A letter to grant a continuance of the 90-day time limit was granted until February 28, 2023.
50 The letter is dated December 21, 2022.

1 b. Counsel for Applebrook proposed a Zoning Ordinance change to section 240-30.1.C(1) of the
2 Code of Ordinance titled "Planned Golf Course Development". See above.

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5 2. The Malvern Institute – No action required.

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7 **NEW BUSINESS -**

8 1. Discuss Change of Meeting Night – The Township Engineer has conflicts with all that is going on.
9 Changing the PC meeting night was discussed. The 4th Wednesday or the 4th Tuesday are the only 2
10 nights that are open. After discussion, the PC agreed to change their meeting to the 4th Tuesday of the
11 month. Their next meeting will be Tuesday, February 28, 2023.

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13 **LIAISON REPORTS -**

14 BOS – Mike commented that there have been some issues with some municipalities regarding
15 accumulation of funds surplus. Through a loophole for taxes, they have used these to increase taxes
16 although they have surpluses. East Goshen Township shows its financials every month. When the
17 budget was presented this year, we also showed how much of the existing funds will be depleted for
18 major projects. Very clear transparency. Ernest suggested that the Township put a link to the budget on
19 the website.

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21 **ANY OTHER MATTER –**

22 The Township is hosting an appreciation event for the ABCs on April 27 at the Sullivan House in
23 Hershey Mill.

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26 **CORRESPONDENCE - None**

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29 **ADJOURNMENT**

30 There being no further business, Mike Koza made a motion to adjourn the meeting. John Stipe seconded
31 the motion. The meeting was adjourned at 8:20 pm. The next regular meeting will be held on Tuesday,
32 February 28, 2023 at 7:00 pm.

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35 Respectfully submitted,

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Ruth Kiefer, Recording Secretary

East Goshen Township Planning Commission
Application Tracking Log

July 6, 2022 PC Meeting

Application Name	Application (CU,LD,ZO, SD, SE, C	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
Paoli Pike Trail ALT Route	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

Bold = New Application or PC action required

905 Airport Road	CU	Amend	1/24/2023	1/24/2023	NA	NA							
301 Reservoir Road	SD	Sk	11/17/2022	11/17-2022									
14 Reservoir Raod	SD	P	9/28/2022	9/28/2022	10-12-2022	10/19/2022						1/3/2023	
1010 Hershey Mill Road, Miller	CU	S	8/30/2022	8/30/2022	8/2/2022	NA							
Applebrook Golf Club	LD	P	7/27/2022	7/27/2022	8/17/2022	8/29/2022						11/9/2022	

Completed in 2022

The Malvern Institute	LD	P	6/28/2021	7/1/2021	6/30/2021	6/29/2021	8/13/2021	(5) 7/31/2022	2/2/2022	2/15/2022	NA	2/28/2022	PC Made rec to BOS for Prelim. App on June 1
14 Broad St.	V	P	3/28/2022	3/28/2022	NA	NA	3/30/2022		5/4/2022	5/6/2022	5/19/2022	5/27/2021	P
EWT 537 Special Study	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	A
Applebrook Golf Club	LD	P	7/27/2022	7/27/2022	8/17/2022	8/29/2022						11/9/2022	

KEY

- A - Approved
- AD - Adopted
- D - Denied
- P - Pending



THE COUNTY OF CHESTER



COMMISSIONERS
Marian D. Moskowitz
Josh Maxwell
Michelle Kichline

Brian N. O'Leary, AICP
Executive Director

PLANNING COMMISSION
Government Services Center, Suite 270
601 Westtown Road
P. O. Box 2747
West Chester, PA 19380-0990
(610) 344-6285 Fax (610) 344-6515

February 14, 2023

Derek Davis, Manager
East Goshen Township
1580 Paoli Pike
West Chester, PA 19380

Re: Zoning Ordinance Amendment - Accessory Buildings in a Planned Golf Course Development
East Goshen Township – ZA-01-23-17533

Dear Mr. Davis:

The Chester County Planning Commission has reviewed the proposed Zoning Ordinance Amendment as submitted pursuant to the provisions of the Pennsylvania Municipalities Planning Code, Section 609(e). The referral for review was received by this office on January 20, 2023. We offer the following comments to assist in your review of the proposed amendment.

DESCRIPTION:

1. The Township proposes to amend the standards for accessory buildings in a Planned Golf Course Development set forth in Section 240-30.1.C(1)(g) of the Township Zoning Ordinance.

COMMENTS:

2. The proposed ordinance language appears to be appropriate.

RECOMMENDATION: The County Planning Commission supports the adoption of the proposed zoning ordinance amendment.

We request an official copy of the decision made by the Township Supervisors, as required by Section 609(g) of the Pennsylvania Municipalities Planning Code. This will allow us to maintain a current file copy of your ordinance.

Sincerely,

Paul Farkas
Senior Review Planner

(Brian Nagle – Existing Ordinance 240.30.1.C(1)(g))

(g)

Accessory buildings. Maintenance buildings for storage and maintenance of equipment directly related to the golf course use may be located off site on property contiguous to the golf course, provided that there is direct access to and from the accessory buildings to the golf course over a private street or driveway serving the golf course and a subdivision plan of the off-site property is approved by the Board of Supervisors. In such case:

[Added 8-7-2001 by Ord. No. 129-D-01]

[1]

Accessory buildings may be located on a "footprint lot" which, for purposes of this provision, is defined to mean the perimeter of the existing or proposed building coincident with the building's foundation and outer walls, in which case the provision of Subsection C(1)(g)[2] shall apply.

[2]

Footprint lots. When the maintenance building is proposed to be located on a footprint lot, the subdivision plan shall demonstrate that there is sufficient area on the parent lot from which the footprint lot is being subdivided, without violation of any setback encroachments, to contain the required parking, shared access to the footprint lot, stormwater management, if any, and utilities within a shared easement area of not less than 24,000 square feet per building; within the shared easement area, there shall be designated for the benefit of the maintenance building owner a nonexclusive area not more than 10 feet around the perimeter of the building for building maintenance purposes; the footprint lot shall comply with the front, rear and side yard requirements set forth in § 240-20F(3), except the building(s) shall be limited to one story and shall not exceed 20 feet in height; the owner of the parent lot shall retain the right to use the parent lot for all purposes not inconsistent with the shared easement; and the subdivision application shall be accompanied by a declaration of covenants, easements and restrictions which provides for and defines the shared access, parking and utility usage in common with the owner of the parent lot and the rights and obligations of the parties with respect thereto, in form and content acceptable to the Township Solicitor, which shall be recorded with the approved final subdivision plan.

(Draft Ordinance – Bill Christman) from 1-20- provisions only)

(g) Accessory buildings. Maintenance buildings for storage and maintenance of equipment directly related to the golf course use may be located off site on property contiguous to the golf course, provided that there is direct access to and from the accessory buildings to the golf course over a private street or driveway serving the golf course and a subdivision plan of the off-site property is approved by the Board of Supervisors. In such case:

[1] Accessory buildings may be located on a "footprint lot" which, for purposes of this provision, is defined to mean the perimeter of the existing or proposed building coincident with the building's foundation and outer walls; provided, where a part of an existing building that is located on a footprint lot is proposed to be demolished and reconstructed, in whole or in part, and expanded beyond the boundary of the footprint lot, the area of any such existing building expansion may be located within any contiguous permanent easement area that has been deeded in perpetuity to the owner of the footprint lot and constitutes a permanent part of the golf course maintenance facility. In either case, the provision of Subsection C(1)(g)[2] shall apply.

[2] Footprint lots. When the maintenance building is proposed to be located on a footprint lot, or within any portion of a contiguous permanent easement area deeded in perpetuity to the owner of the footprint lot, the subdivision or land development plan depicting the building or buildings, as reconstructed or expanded, shall demonstrate that there is sufficient area on the parent lot from which the footprint lot is being subdivided, or has previously been subdivided, without violation of any setback encroachments from the boundaries of the parent lot, to contain the required parking, shared access to the footprint lot and permanent easement, storm water management, if any, and utilities within a shared easement area of not less than 24,000 square feet per building; the footprint lot and the expanded building shall comply with the front, rear and side yard requirements for the parent lot set forth in § 240-20F(3), except the building(s) shall be limited to one story and shall not exceed 20 feet in height; the owner of the parent lot shall retain the right to use the parent lot for all purposes not inconsistent with the shared easement; unless already in effect, the subdivision and/or land development application shall be accompanied by a declaration of covenants, easements and restrictions which provides for and defines the shared access, parking and utility usage in common with the owner of the parent lot and the rights and obligations of the parties with respect thereto, in form and content acceptable to the Township Solicitor, which shall be recorded with the approved final land development or subdivision plan.

(Existing ordinance 240.30.1C(1)(g) - Compared with Draft ordinance - All Christmas updated from 1-20 - provisions only)

(g) Accessory buildings. Maintenance buildings for storage and maintenance of equipment directly related to the golf course use may be located off site on property contiguous to the golf course, provided that there is direct access to and from the accessory buildings to the golf course over a private street or driveway serving the golf course and a subdivision plan of the off-site property is approved by the Board of Supervisors. In such case:

~~[Added 8-7-2001 by Ord. No. 129-D-01]~~

[1] Accessory buildings may be located on a "footprint lot" which, for purposes of this provision, is defined to mean the perimeter of the existing or proposed building coincident with the building's foundation and outer ~~walls, in which case;~~ provided, where a part of an existing building that is located on a footprint lot is proposed to be demolished and reconstructed, in whole or in part, and expanded beyond the boundary of the footprint lot, the area of any such existing building expansion may be located within any contiguous permanent easement area that has been deeded in perpetuity to the owner of the footprint lot and constitutes a permanent part of the golf course maintenance facility. In either case, the provision of Subsection C(1)(g)[2] shall apply.

~~[2]~~

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Summary Report	
Title	compareDocs Comparison Results
Date & Time	2/7/2023 5:49:13 PM
Comparison Time	1.95 seconds
compareDocs version	v5.0.0.64

Sources	
Original Document	[#5006371] [v1] Existing ordinance 240.30.1.C(1)(g).docx
Modified Document	[#5006366] [v1] Draft ordinance- Bill Christman updated from 1-20- provisions only.docx

Comparison Statistics	
Insertions	12
Deletions	4
Changes	4
Moves	0
Font Changes	0
Paragraph Style Changes	0
Character Style Changes	0
TOTAL CHANGES	20

Word Rendering Set Markup Options	
Name	
<u>Insertions</u>	
Deletions	
<u>Moves / Moves</u>	
Font Changes	
Paragraph Style Changes	
Character Style Changes	
Inserted cells	
Deleted cells	
Merged cells	
Changed lines	Mark outside border.
Comments color	By Author.
Balloons	True

compareDocs Settings Used	Category	Option Selected
Open Comparison Report after saving	General	Always
Report Type	Word	Formatting
Character Level	Word	False
Include Headers / Footers	Word	True
Include Footnotes / Endnotes	Word	True
Include List Numbers	Word	True
Include Tables	Word	True
Include Field Codes	Word	True
Include Moves	Word	False
Flatten Field Codes	Word	True
Show Track Changes Toolbar	Word	True
Show Reviewing Pane	Word	True
Update Automatic Links at Open	Word	[Yes / No]
Summary Report	Word	End
Detail Report	Word	Separate (View Only)
Document View	Word	Print
Remove Personal Information	Word	False