

**East Fallowfield Township
Planning Commission meeting
Approved March 6, 2017 minutes
6:37 pm**

Attendees:

Dennis Crook, Chairman
John Schwab, Vice Chairman
John Nielsen
Sue Monaghan
Joe Perzan
Stephanie Saxton
Michael Domboski (Alternate Member)

Not Present:

Jim Weeks

Dennis Crook called the meeting to order at 6:37 pm.

Discussion on order of agenda items.

There was a discussion about the order of agenda items for the meeting. The committee decided to proceed with the meeting in the order below.

Approval of December 5, 2016 Planning Commission Minutes.

MOTION: Sue Monaghan made a motion to approve the December 6, 2016 Planning Commission meeting minutes as presented. John Nielsen seconded.

QUESTIONS AND COMMENTS:

1. John Schwab requested double checking if he made the motion to call the December 6, 2016 meeting to order.

VOTE: 5-0 (Stephanie Saxton abstained.)

Triple Fresh Special Exception Application – Zoning Hearing Board Hearing March 8, 2017.

John Jaros, legal representative of the Petro family for the Triple Fresh Special Exception application, presented the history of the Triple Fresh Market. The Petro family purchased the property in 1987. Shortly after, they began operations of the Triple Fresh Market. In April of 1999, the Petro family applied for relief before the Township's Zoning Hearing Board to allow for a variance, special exception, and other relief in order to expand the existing commercial retail grocery, to increase the parking spaces from 29 to 36 spaces, and increase the maximum lot coverage (impervious surface) from 59% to 65%. They also sought to increase square footage of commercial use from 53.66 square feet to 91.94 square feet. Shortly after these requests were granted, in June of 1999 the Petro family applied for and were granted conditional use approval from the Township to authorize the use of the property as an eating and drinking establishment and as a retail store with more than 2,500 square feet. The Petros are now seeking to amend the prior special exception to enlarge a non-conforming building to provide for produce, meat and deli catering freezers as well as to implement wine sales in an existing part of the building currently being used as a gift shop. Mr. Jaros indicated on a site plan where the changes would be made. Per the

Zoning Hearing Board Solicitor, it was appropriate to have the application go before the Planning Commission even if it is not specifically called for in the Township Ordinances.

QUESTIONS AND COMMENTS:

1. John Schwab asked if the freezers are going to replace anything existing other than parking spaces. Mr. Jaros stated the only thing the freezers will be replacing is existing impervious coverage. They will not be increasing impervious cover.
2. John Schwab commented that the application stated “wine and spirits”. Mr. Jaros stated the application needs to be corrected. As of now, only wine will be sold.
3. John Schwab asked if the hours of operation for the wine store will be the same as the grocery store. Mr. Petro stated the hours of wine sales will be shorter than the store’ hours and will follow the regulations of the Liquor Control Board.
4. John Schwab asked if additional lighting will be needed. Mr. Petro stated no. John Schwab asked if the existing structure will be changed on the outside. Mr. Petro stated there will be no changes to the outside structure.
5. John Schwab asked if the effected neighbors get notified. Mr. Jaros stated yes.
6. Michael Domboski asked if there will there be any new exterior advertising. Mr. Jaros stated no.
7. Sue Monaghan asked if the coolers will be visible from the street or will landscaping block that view. Mr. Petro stated there is landscaping blocking the view of the coolers.
8. Sue Monaghan asked if there is an apartment or porch above where the coolers will be. Mr. Petro stated that is a flat roof.
9. Sue Monaghan asked about steps. Mr. Petro stated the steps will still exist and they will work around them to store the coolers.
10. Mr. Jaros requested a recommendation from the Planning Commission.

MOTION: Dennis Crook made a motion to make a recommendation to the Zoning Hearing Board in regards to the Triple Fresh special exception application as they proposed in the letter dated January 18, 2017. Sue Monaghan seconded.

VOTE: 6-0

Towerville Church Sketch Plan Review/Discussion.

Matthew Mack, from Ludgate Engineering Corporation, spoke about the Towerville Christian Church’s sketch plan. He reported to the Planning Commission that Towerville Church has not yet submitted an application to the Zoning Hearing Board. They wanted to get input from the Planning Commission first. Mr. Mack distributed both full-size and reduced size engineering plans for the members to review. Mr. Mack stated the plans have the existing addition and aerial on them.

Mr. Mack explained the Towerville Church is an existing church looking to do renovations and expansions. As their engineer, he recommended they come in and get the Township involved early on in the process. The church is

located along Strasburg Road and Hannum Drive. It is an existing non-conforming lot for most items they are looking to do. The church wishes to divide the project into three phases. Phase one is the primary phase. They want to enclose the existing front that already has an overhang and add a covered walkway to the front. As part of that, they want to add an ADA compliant bathroom. The issue is that the front yard set-back for these plans is behind the building. There is no way to expand without dimensional relief. They will also need a special exception to expand a non-conformity. As part of phase two, they want to do building and parking lot renovations. They would like to ask for all zoning relief for all phases at once. They will also seek an extended time limit on the zoning relief.

Pastor Dan Wagner presented a history of the Towerville Christian Church as well as some additions and alterations done to the church over the years. He stated he feels that the proposed changes will improve the exterior appearance of the church. Phase one is the most critical for them. Pastor Wagner discussed the various entrances. The back entrance under the carport is considered the main entrance because it is accessible from the parking lot. One objective is to create a warm inviting main entrance into the church and the cover will provide protection during inclement weather. Pastor Wagner also discussed proposed interior alterations.

Pastor Wagner stated the building is in non-conformity in many ways. As part of phase two, they hope to add extra seating in the sanctuary which would necessitate moving the sound room to the second floor. There will be a variety of inside construction in phase two. He briefly discussed additional interior changes proposed in the later phases. Parking spaces will need to be added as well. Mr. Mack briefly summarized the proposed work in phase one. He stated the church will need to apply for a variance due to the setback issue and special exception due to existing non-conformity.

Mr. Mack asked the Planning Commission members for their opinions and feedback. Sue Monaghan stated the proposed changes make the building look more like a church and less like a house with a church added to it. She thought the changes made the building look more pleasant. Joe Perzan also stated the proposed changes made the building look more appealing. The Planning Commission was on the same page with the Towerville Church plans.

Mr. Mack stated in phase two and phase three, he will need to come back with land development before the Planning Commission because of the changes to the parking, landscaping, and stormwater.

Mr. Mack reported that they will be submitting a Zoning Hearing Board application after meeting with the Planning Commission. He asked for a recommendation for phase one from the Planning Commission members. John Schwab asked how far out the covered walkway will be from the building. Mr. Mack stated 8-10 feet. Dennis Crook asked when the additional parking will be added. Mr. Mack stated most likely it would be added in phase two along with the additional seating in the sanctuary. There was discussion about current runoff problems in the area near Towerville Church and Mr. Crook's property. Mr. Mack said this problem could be addressed in phase two. Joe Perzan suggested labeling reports as exhibit a and b to provide a paper trail due to the longer time this project will encompass. Exhibit A is the plans with the overhang (phase one). The water runoff discussion pertained to the aerial shot which can be labeled Exhibit B.

MOTION: John Schwab made a motion having reviewed the Towerville Christian Church phase one renovations to the existing structure, including the addition of a covered walk, the Planning Commission found no objection to their proposal. Sue Monaghan seconded.

QUESTIONS AND COMMENTS:

1. Joe Perzan asked if the other members thought they should limit the length of the covering. Mr. Mack stated the covering and the posts that come down is what is non-conforming. The two posts will come down outside the footprint of the building. The walkway is already there.

VOTE: 7-0

Planning Commission Bylaws.

Dennis Crook reported that the Bylaws are back on the agenda because he wanted the Planning Commission members to review the draft one last time. He said the only change made was Solicitor Crotty's comment about the meetings and they changed the description to "meeting monthly". The Bylaws will be filed in the Township Resolution Book. Mr. Crook stated that Solicitor Crotty had proposed a change to the Master Planner requirements but that is not being changed. The Planning Commission Bylaws will be presented to the Board of Supervisors for approval at their next meeting.

Mr. Crook reported that the Planning Commission Ordinance was passed at the last Board of Supervisors meeting so they have powers and duties officially documented.

Mr. Crook reported he stopped by Mr. Weeks' house. A few days later he left a letter for Mr. Weeks that gave him until March 16, 2017 to reply. If Mr. Weeks does not reply by the deadline, the Planning Commission will appoint Michael Domboski to a regular Planning Commission member instead of an alternate member.

Planning Commission Procedures Manual.

John Schwab stated the Procedures Manual is for Planning Commission purposes only. It isn't part of their bylaws. Mr. Schwab reported the procedures manual draft version in their meeting folders reflects changes made to the document at the previous Planning Commission meeting. Mr. Schwab discussed some proposed changes.

- Article 1, third paragraph: "Powers and duties delegated to the Planning Commission by the Board of Supervisors by ordinance (add ordinance number)." Mr. Schwab stated the actual ordinance number and approval date needs to be added to this sentence as a reference.
- Article 2, Membership, fifth item: Mr. Schwab proposed removing the fifth sentence that states "Members will be appointed as per bylaws." We can simplify by adding that to the first paragraph that states "membership may consist of no less than three and no more than seven persons, residents of East Fallowfield Township appointed pursuant to the Bylaws."
- Article 4, Officers: Mr. Schwab stated they didn't like the title "note taker" There was a discussion about what title to use in Article 4. The Commission decided on the title "Scribe".
- Article 5, Meetings, third item: This item addresses the definition of quorum. There was a discussion about the definition of a quorum and the wording for this item. They decided on "voting member" which would include an alternate if a member is absent. The sentence will read "A quorum will consist of a majority of voting commission members present."
- Organizational Meeting, 2A: John Schwab corrected a sentence to read "to elect officers as listed in Article 4 and not 2".
- Item C on same page as above: The members felt this was worded awkwardly and changed it to read "Shall be held monthly at the Township building with dates to be determined by the Commission."
- Page 4, Article 7, Subdivision and Land Development: John Schwab commented that this article was worded awkwardly. First, he asked if they wanted to require a pdf as part of a subdivision and land development application. There was a discussion on whether the pdf should be required as part of submission. They decided to leave the pdf copy requirement in the manual. The requirements will be a

“pdf copy and hard copy of plans. They also discussed additional wording in this section. They renumbered this section with item 2 becoming 3 and item 3 becomes 4, etc. There was a discussion on including the fire marshal. They decided not to add fire marshal because of the clause “township experts as necessary” which would cover the fire marshal if needed.

- Item E, Time Frame for Preliminary and Final: They talked about the 90-day time frame and whether that is the required time limit as well as what time frame the Planning Commission should include as a requirement. The Planning Commission shall render a decision in sufficient time so the Board of Supervisors will render a decision in the required time. They decided on the following wording: “The Planning Commission shall render a recommendation to the supervisors to allow them sufficient time to render a decision in a time frame provided in law.”

Dennis Crook asked if they had removed all references to “borough” in the draft. John Schwab stated he checked and all references to “borough” have been removed.

John Schwab stated he will have the corrections made and bring one final draft to the Planning Commission for review.

Discussion on Master Planner Program in Chester County Emergency Training Center – Zoning Course – Date and Time.

Dennis Crook reported to the commission he brought this before the Board. The Board instructed him to organize it the same way as was done last time. Mr. Crook discussed the prior series that he organized for the Township. Board members, commission members, and office staff all took the course. Mr. Crook discussed planning the zoning administration course series next. Dennis Crook stated he’d like to plan a course for spring time. Possible dates were discussed. They decided upon April 10th, 17th and 24th. Mr. Crook will take those dates to Will Stevens and try to get the training course set up for those dates. Dennis Crook said it is beneficial to have people from other municipalities in the class to get new ideas.

Discuss Official Map and Chester County Planning Commission Grant.

John Nielsen presented information on the official map process. He stated that he and Dennis Crook went to meet with Susan Elks, who is the Grant Administrator for the VPP Grant Program with the Chester County Planning Commission. They discussed an available grant for completing the Official map which would provide the Township with 70% of the cost of the official map. The deadline was unfortunately March 1st. They will apply for the grant in the next round. Mr. Nielsen discussed the requirements of the grant program. We have to form a task force of three or four people to move the process along. A County monitor would be assigned to attend the task force meetings. Mr. Nielsen reported he has already asked Lisa Valaitis to be on the task force. It makes sense to have someone from the office. He also discussed possibly getting input from the community and asked for ideas on obtaining that. The next grant cycle starts July 1st and is awarded in August. Mr. Nielsen also reported he went to South Coatesville and East Caln Township to view their official maps. East Caln Township had just an update to their official map due to a lot of recent development. They have a disk with GIS overlays of what they wanted on their official map. East Caln Township seemed big on connecting bike trails and linking the whole county. Susan Elks gave him a general understanding of the process. In the grant application, the engineer being used does not have to be specified, however he feels Ray Ott is the best choice. Dennis Crook did state that Ray Ott does work on official maps. There was a discussion about the various proposals and average costs.

Sue Monaghan asked what the task force does. Mr. Nielsen stated the task force moves the process along, meets with Ray Ott, and specifies what should be on the official map. John Nielsen suggested holding the task force meetings during the Planning Commission meetings. The recommendation for the task force is board of supervisors, planning commission members, administrative staff and residents. John Nielsen reported that the task

force meetings need to be advertised. Dennis Crook commented that the procedures are listed in the MPC under official map.

There was a conversation about content for the official map. Act 537 was discussed as well as possibly contacting the utility companies. IF there is something on the official map, and a developer comes in to the Township, the official map can give the Township leverage. An ordinance has to be prepared as well. Dennis Crook stated Ray Ott has already done a lot during the Comprehensive Plan process that will fit right in to the official map. Mr. Nielsen reported that he has Lisa Valaitis, Ed Porter and Carol Kulp express interest in being on the task force. He is envisioning five to six people on the task force. The timeline is six-month with three or four meeting. All meetings will be open to the public. There will be a public meeting before the official map is approved.

2016 Annual Report.

Dennis Crook reported that the Planning Commission needs to do an annual report. According to the MPC, the deadline is March 1st. They discussed various methods for completing the annual report. Using prior meeting minutes versus agendas was discussed. Mr. Crook stated it is a report highlighting the tasks done for the prior year. Sue Monaghan discussed the procedure and content of the Historical Commission's annual report. She stated it was in an outline/bullet point format. The Planning Commission will request copies of last year's agendas and meeting minutes as well as the previous Historical Commission annual report.

Act 537 Presentation.

Dennis Crook announced that an engineer from Herbert MacCombie's office is presenting on the Act 537 Plan at the March 14th Board of Supervisors meeting. John Nielsen suggested video-taping the meeting for those that can't attend.

Master Planner Course.

Dennis Crook announced the Master Planner full course or makeup course is scheduled for March 14th, 21st, and 28th.

New Business.

- **List of Developments (Past and Present):** Dennis Crook reported he will give Solicitor Crotty the list of Township developments that the Planning Commission prepared. Determining the status of these developments is beyond something the Planning Commission can accomplish alone. The Harkins Farm was discussed. John Schwab commented that there is a right of way trail through the Harkins Farm property. There was a general discussion about the path of the proposed trail.
- **Property Housing/Maintenance Code/Community Conversation:** Dennis Crook discussed a conversation addressed at a previous Board of Supervisors meeting regarding the difficult issue of handling a person or neighbor doing something that violates Township Code. At the previous Board of Supervisors meeting, there was a discussion between the supervisors about the Property Maintenance Code. No solution was determined. What is the line between being a good neighbor and having your own property rights violated? Dennis Crook commented on the risk of people getting hurt if abandoned homes aren't addressed. Joe Perzan discussed the difficulty of dealing with subjectivity of what to control and what not to control. The violations need to be very objective and the procedures for violations need to be clearly and definitively laid out. Dennis Crook discussed the public hazard of abandoned properties. Solicitor Crotty is looking in the Township Code to determine if this is addressed.

Adjournment.

MOTION: Dennis Crook made a motion to adjourn the March 6, 2017 Planning Commission meeting at 9:15 pm. Joe Perzan seconded. VOTE: 7-0.

Respectfully submitted,

Lisa Valaitis
Township Secretary