

**East Fallowfield Township
Planning Commission meeting
Approved May 2, 2017 minutes
6:38 pm**

Attendees:

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

Sarah & Ronald Bronson
Daniel Wagner
Alvin Stoltzfus

Not Present:

Dennis Crook called the meeting to order at 6:38 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 7, 2015 Planning Commission Meeting Minutes.

MOTION: Dennis Crook made a motion to approve the December 7, 2015 Planning Commission meeting minutes as presented. John Schwab seconded.

VOTE: 2-0 (Joe Perzan, Michael Domboski, Sue Monaghan, John Nielsen and Stephanie Saxton abstained.)

Bronson Sketch Plan – 1365 South Bailey Road (Harkins Farm Property).

Dennis Crook reported that there was a map and a letter with five questions from the Bronson's engineer. Sarah Bronson asked the following questions:

- 1) Sarah Bronson asked If sewer planning and perk testing will be required because they aren't planning to be building for a few years. Dennis Crook discussed the zoning and subdivision and land development sections. He gave Sarah Bronson the planned submission and review process. Mr. Crook stated this document will show how to submit an application and what process the applicant needs to go through. Mr. Crook stated an applicant needs to go through the same process whether they are doing a two-lot subdivision or an entire development. Dennis Crook said that perk testing is required for both lots. The results will be used for stormwater management and running the septic system. Sarah Bronson stated there is a deed restriction requiring them to use on-lot septic. Dennis Crook also briefly discussed the Township ordinance that requires homes to hook up to public sewer within 150 feet which may be a factor.

- 2) Sarah Bronson said her civil engineer wanted to know if the Township would accept GIS topography mapping or previous mapping. Dennis Crook stated the engineer could use the previous mapping and state that it is already done. He said they can put a copy in with the rest of the plans. The surveyor and engineer can be two different people.
- 3) Sarah Bronson asked if driveway locations need to be indicated on the application. Dennis Crook said yes, they do need to disclose driveway locations and impervious surface would be needed for stormwater calculations. Ron Bronson stated they could provide this information for their property but not for the second lot that will be sold. They would not know the size of a future home on that property. Dennis Crook said by ordinance this is the required information for a subdivision. There was a discussion about how the Bronson's could complete the subdivision application for two lots if they don't know what the future owner of the 10-acre lot will want to do with the land. Sarah Bronson also stated that there is a deed restriction limiting the number of lots to seven. The future owner of the 10-acre lot they are selling could further subdivide the parcel. Sarah Bronson asked if they should use the driveway locations from the Harkins Farm development or if she could move it to a more desirable location. Two potential issues could be site distance looking left and right and the distance from the intersection. Joe Perzan stated the Planning Commission is not able to determine a good driveway location and a civil engineer would be the person to do this task.
- 4) Sarah Bronson said she was concerned about the deed restriction regarding on-lot septic. The Bronson's explained why the deed restriction was done. Joe Perzan said the Township has an ordinance that requires hookup within 150 feet. This deed restriction could violate that Township Ordinance if there is a public sewer system line in within 150 feet and the agreement might not be valid. Sarah Bronson asked if she should consult a lawyer about this. Dennis Crook stated yes. Dennis Crook commented that there is another proposed development above it on South Caln Road that had its septic system redesigned to be a gravity system that would come down South Caln Road to Goosetown Road without a pumping station. This is a legal issue that the Bronson's need to have their lawyer research.
- 5) Sarah Bronson asked how far ahead of a Planning Commission meeting do they need to submit their application. Dennis Crook said she would need to check with the Zoning Officer to determine what to do next.

Towerville Christian Church – 10 Hannum Drive.

Pastor Dan Wagner, of the Towerville Christian Church, and the architect, Alvin Stoltzfus were present. Alvin Stoltzfus, from Althouse Martin & Associates, designed the initial building. They are going before the Zoning Hearing Board next Wednesday. As part of that application, they are required to go before the Planning Commission for review. He went over the details of how they established what the engineer showed on the site plan. The engineer was present at last month's Planning Commission meeting to review phase 1 which is the addition. Mr. Stoltzfus stated he'd like to review how they came up with the additional parking count and discuss any questions the Planning Commission had about the proposed addition. Mr. Stoltzfus stated their initial priority is renovating and adding to the entrance area which would require a covered walkway. The Planning Commission sent a letter of recommendation/no objection regarding the addition. Mr. Stoltzfus stated the church's other goals are additional seats in the sanctuary and more parking spaces. The application does include what was previously discussed but also a forward look designed to get permission to increase parking and keep moving forward. Within the current walls, they want to reconfigure some things to add seating. In phase 1, they reduced the sidewalk to the other entrance to allow an even trade in impervious surface. The sidewalk will be extending out 12 feet from the face of the existing covered area.

Alvin Stoltzfus went through each of the three phases:

- 1) Phase 1 – They will be enclosing the area that is outside the door. There will be a little more room for an entrance. They would like to later add accessible toilets. He showed photos of the church now and what it would look like after the changes are made.
- 2) Phase 2 - Adding the accessible toilets to the church.
- 3) Phase 3 – There are currently 138 seats in the sanctuary. In phase 3, they will be moving some rooms around and adding 30 seats to the sanctuary. The sound room will be moved to the second floor to open up more space for the additional 30 seats. They are required to add 16 parking spaces because of the 30 additional seats. Mr. Stoltzfus addressed stormwater management. He said the engineer has designed everything so there will not be any additional runoff as a result of the alterations. Mr. Stoltzfus discussed all the stormwater management methods being proposed by the engineer.

Dennis Crook asked when the church was built. Daniel Wagner stated the church was built in the 1960's. Dennis Crook asked if the church has ever previously requested a variance or special exception. Daniel Wagner stated he submitted a right to know request for property documents and there were no past variance or special exception applications in the Township records. Mr. Stoltzfus said the church did apply for permits to move the pastor's quarters to offices. Dennis Crook highlighted a clause in Chapter 27 – Zoning Ordinance Part 20 – Non-Conforming which states "The area devoted to non-conforming use may not be expanded cumulatively more than 30% maximum. This increase shall occur only once during the life-time of the non-conforming use." Mr. Stoltzfus said they won't be taking 30% at this time. They aren't increasing the non-conforming use. Sue Monaghan asked what is now there between the parking lot and the property next door. Dan Wagner stated a wooden fence. She asked if it would be extended. Dan Wagner stated it is already extended and it will provide a barrier between the new parking lot and the neighboring property.

Dennis Crook asked about the request for a special exception and variance on the Zoning Hearing Board application. Mr. Stoltzfus said on the Zoning Hearing Board application, they are seeking special exception. However, if they aren't going to be granted special exception, then the alternate request is for a variance. Sue Monaghan said that this will allow neighbors to know what will be done with the church in the future. Mr. Stoltzfus stated they are requesting an enlargement of non-conforming buildings/structures to permit the church to redesign its front entrance with a covered walkway and provide for additional onsite parking by extending the existing parking area. They also seek a dimensional variance to allow for increase in existing non-conformities of the property relating to setbacks, lot coverage and parking lot design under special exception. If these requests aren't granted, they are alternatively requesting dimensional variances to the front yard setbacks. Mr. Stoltzfus said the church is also requesting an extension of time to complete the work.

QUESTIONS AND COMMENTS:

- 1) Joe Perzan asked if the additional parking lot space is due to the expansion of seats in the sanctuary. Mr. Stoltzfus stated yes that is required in the ordinance. Both the additional seating and parking lot spaces are in phase 3. The 16 additional parking lot spaces are required by ordinance for the 30 additional seats.
- 2) Dennis Crook asked if the staircase going up to the front of the building is coming off. Mr. Stoltzfus said yes. Mr. Crook asked if Rob McLarnon is requiring the church to have two egress windows. Mr. Stoltzfus stated they already do have two egress windows.

- 3) Sue Monaghan asked if they are required to bring everything up to code when they work on the interior. Dennis Crook stated this depends on how much work is being done inside and it depends on the type of work. He said Rob McLarnon would handle most of this. Ms. Monaghan asked if they would have to comply with the new wheelchair and handicapped accessible codes for the new bathroom. Mr. Stoltzfus stated yes.
- 4) Dennis Crook confirmed that the Towerville Church will be going before the Zoning Hearing Board hearing next Wednesday. He said the Planning Commission will make sure to get a letter out to the Zoning Hearing Board before the hearing.

MOTION: John Schwab made a motion that the Planning Commission, upon review of the applicant's proposed changes to the Towerville Christian Church, the Commission supports their endeavors particularly as it will create a more user-friendly structure and improve the aesthetics of the structure as it presents itself to the neighborhood. Sue Monaghan seconded.

QUESTIONS AND COMMENTS:

- 1) Dennis Crook asked how many parking spaces the church has presently. Alvin Stoltzfus stated the total is currently 48 existing parking spaces and there are three handicapped spaces. There will be 16 additional spaces. Mr. Crook stated that there is a requirement that there must be three handicapped accessible parking spaces for 50-75 parking spaces. Total after construction will be 64 spaces, therefore this requirement will be met.

VOTE: 7-0

Approval of January 18, 2016 Planning Commission Meeting Minutes.

MOTION: Dennis Crook made a motion to approve the January 18, 2016 Planning Commission meeting minutes as presented. John Schwab seconded.

VOTE: 2-0 (Joe Perzan, Michael Domboski, Sue Monaghan, John Nielsen and Stephanie Saxton abstained due to.)

Approval of February 1, 2016 Planning Commission Meeting Minutes.

MOTION: Dennis Crook made a motion to approve the February 1, 2016 Planning Commission meeting minutes as presented. John Schwab seconded.

VOTE: 2-0 (Joe Perzan, Michael Domboski, Sue Monaghan, John Nielsen and Stephanie Saxton abstained.)

Approval of February 15, 2016 Planning Commission Meeting Minutes.

MOTION: Dennis Crook made a motion to approve the February 15, 2016 Planning Commission meeting minutes as presented. Joe Perzan seconded.

VOTE: 2-0 (Joe Perzan, Michael Domboski, Sue Monaghan, John Nielsen and Stephanie Saxton abstained.)

Approval of April 4, 2016 Planning Commission Meeting Minutes.

MOTION: Dennis Crook made a motion to approve the April 4, 2016 Planning Commission meeting minutes as presented. John Schwab seconded.

VOTE: 3-0 (Michael Domboski, Sue Monaghan, John Nielson and Stephanie Saxton.)

Board of Supervisors Request to have a Planning Commission Member Serve as the Planning Commission's Secretary.

Dennis Crook discussed a request made by the Board of Supervisors for him to ask the Planning Commission members if any of them would be willing to take over doing the meeting minutes. John Schwab cautioned the Planning Commission members about taking notes during meetings and doing meeting minutes. Mr. Schwab said that he did the Planning Commission meeting minutes for years and it pulled him out the conversation during meetings. John Schwab stated they have already designated Stephanie Saxton to take some notes which is a concession. Sue Monghan said that the Historical Commission meeting minutes are done by the Historical Commission Chairman, however the meetings are only an average of one hour. She also commented that the content of the Planning Commission meetings includes a lot more precise documentation in the meeting minutes than the Historical Commission. Dennis Crook said the previous Township Secretary was full-time and attended the Planning Commission meetings. The current secretary is only part-time and does not attend the meetings. Meeting minutes are done by the current Township Secretary solely listening to the recordings of the meetings. All of this is causing the Planning Commission minutes to fall behind.

Discussion of General Ordinance Code and Review.

- **Section 22-401 – Plan Submission and Review Procedures** – Dennis Crook said that he found this section in the Township Code which covers procedural protocol. This section lists the procedures and protocol for subdivision and land development applications. He reported that he gave a copy of Section 22-401 to Sarah and Ron Bronson. He said this section should go with the Township's Subdivision and Land Development Application. The current protocol with the application is does not match Section 22-401 in the Township Code.
- **Editorial and Legal Analysis of Township Code** – Mr. Crook talked about the filing system for resolutions, ordinances, and the Township Codification. An editorial and legal analysis would involve an outside agency reviewing the Township Codification. They would analyze the code for inconsistencies. New ordinances are not added to the codification. He said this process may be able to help address the housing code which is a problem in the Township. The Township has two sets of housing code: one for historical buildings and one for non-historical buildings. Joe Perzan commented that there are contradictions within the code that need to be corrected.

John Schwab posed the question of what to focus on next year: the recodification, the official map, or both. The consensus of the Planning Commission members was that the editorial and legal analysis of the Township Code was the more important task to focus on first. The Commission members felt it would be more accurate to have the code reviewed by an expert as opposed to them trying to fix the inconsistencies and contradictions within the code. An editorial and legal analysis will help with planning and protecting historic and natural resources as well as address the abandoned properties and housing code. Dennis Crook said the Zoning Officer, Rob McLarnon agrees that there are inconsistencies in the ordinances.

There was a discussion on the Township hiring a township manager. Dennis Crook said there is an ordinance covering the job description of township manager. Hiring a township manager is the highest priority in the Comprehensive Plan. They also discussed General Code's online Code system which is called ecode360.

There was a discussion on shooting ranges in the Township Code. A shooting range is allowed in the R-1 Zoning District as accessory use. A shooting range in the R-2 and R-3 Zoning Districts is addressed under conditional use. The Planning Commission members were in favor of having the Township have an editorial and legal analysis of the Township Code. They discussed and agreed to calling for estimates on the cost of an editorial and legal analysis, making a recommendation to the Board of Supervisors, and possibly offering to

take the cost out of the Planning Commission budget. John Nielsen volunteered to contact Susan Elks with the Chester County Planning Commission to determine if there is a VPP Grant that would cover the cost.

New Business.

- **Township Newsletter** – Dennis Crook discussed efforts to try to put together the next Township newsletter. Mr. Crook asked John Nielsen if he could put together a blurb on the official map for the newsletter. Mr. Crook also asked for ideas from the members. Dennis Crook said he may put together a write-up on the next step with the Comprehensive Plan. He said he will talk to Chester County 2020 about a Community Conversation. Potential topics were discussed which were Act 537 sewer and/or cleanup of the ordinance book. Public sewer expansion and preserving open space were briefly discussed.

Adjournment.

MOTION: Dennis Crook made a motion for the May 2, 2017 Planning Commission meeting to be adjourned at 9:17 pm. John Schwab seconded. **VOTE:** 7-0.

Respectfully submitted,

Lisa Valaitis
Township Secretary