

East Fallowfield Township  
Planning Commission meeting  
Approved June 1, 2015 minutes  
6:35 pm

Attendees:

Dennis Crook, Chairman  
John Schwab, Vice Chairman  
Richard Agatone  
Jim Durborow  
Joe Perzan

Not Present:

Garth Monaghan  
Jim Weeks

Dennis Crook called the meeting to order at 6:30 pm.

Discussion: 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 May 4, 2015 minutes:

MOTION: Dennis Crook made a motion to approve the May 4, 2015 Planning Commission minutes as presented with three corrections. John Schwab seconded.

There was a short discussion regarding final inspections required before moving out of a townhouse in Caln Township. There was a discussion about the cost involved in bringing a house up to code in order to sell it. They discussed how you'd bring an older house up to code with required changes in insulation.

VOTE: 4-0 (Richard Agatone abstained)

Bawa Muhaiyaddeen Fellowship (BMF) legal guidelines for Planning Commission and any directions from the court:

Dennis Crook stated they need some legal guidelines from Vince Pompo, Township Solicitor, in regard to Bawa Muhaiyaddeen Fellowship Development Project. They discussed whether the Bawa Plan is a new plan or not. Dennis Crook said, in his opinion, it is a completely different plan. There have been so many changes that it's not the same plan. The plan went from 46 units to 23 units. The Planning Commission discussed the whether the plan needs to go through the whole process again. They feel the plan does need and go before the Planning Commission again and then the Board of Supervisors. The original plan was approved by the Planning Commission and the East Fallowfield Zoning Hearing Board. Then the Board of Supervisors at the time appealed the decision of the Zoning Hearing Board and the decision was reversed. They discussed the Court Order which says Bawa needs to proceed through Conditional Use approval and get the required Land Development approvals from the Township. There was a discussion about verifying with the Township Solicitor in regard to what the Planning Commission's responsibilities are at this point. John Schwab said that the Planning Commission's responsibilities are to

ensure what we see in front of us is generally consistent with the plan and TCA plan. They also need to ensure that the Township Engineer has reviewed everything. The Commission voiced concerns about this developer thinking they can move forward and apply for permits with the Township. There was a discussion about the cul-de-sac issue which was never resolved. The residents on Timacula Road do not want it as a road. The Planning Commission did not object to this in the past. The 1,000 feet would have to be waived. There was a discussion about the need for an emergency access road in case the main entrance was ever blocked and EMT's needed to get in to the development. There was a proposal for the development to have an unpaved back entrance for this purpose. This was highly controversial. The Planning Commission discussed needing confirmation on this road being approved or not. They discussed the public notice that was recently placed in the Daily Local by the water and sewer consulting company in regard to Bawa. The purpose of the development is to build homes for the members of the religious organization that have retired. They also discussed other township's having a time limit for land development plans.

The Planning Commission came up with a list of actions:

1. Get direction from the Board of Supervisors in regard to Bawa Muhaiyaddeen.
2. Determine what addition of the ordinances we are using.
3. Get Solicitor's guidelines on the settlement agreement.
4. Have the Township Engineer present at a Planning Commission meeting when the plan is reviewed/discussed.

Getting ready for the Comprehensive Plan public presentation June 3<sup>rd</sup> – last minute issues:

They discussed the June 3rd Comprehensive Plan public presentation which is being held at the South Brandywine Middle School in the auditorium. Ray Ott will handle 95% of the presentation. He will do a 15-20 minute presentation and hold a question and answer session. Dennis Crook explained that the purpose of the presentation is a chance for the people in the community to bring forth something really important that should be in the Comprehensive Plan. Resident comments received in the beginning of the process were incorporated in the Comprehensive Plan. The Plan is really a guideline and it does not set anything in stone. The Board of Supervisors can make changes. They discussed the Plan Recommendations with priorities of low, medium and high. The Planning Commission will revisit the Plan Recommendations periodically.

Chester County Planning commission review and comments in regard to Open Space Design Ordinance Amendment:

Dennis Crook stated the Township received a letter from the Chester County Planning Commission regarding their review and comments on the Open Space Design Option Zoning Ordinance Amendment. In summary, the amendment took the open space design option and removed MH (Mobile Home), O-I (Office Industrial) and MU (Mixed Use) which left R1, R2 and R3.

The Chester County Planning Commission's letter stated the following comments:

1. The amendment takes away open space in environmentally sensitive areas.
2. The Township should consider keeping the MH district in the open space design option. The letter states "Multi-family and twin units are currently permitted in this District, and open

space-type designs could be compatible with those dwelling types". Dennis Crook stated this comment isn't compatible with East Fallowfield Township's ordinances. Two family units are only allowed in R3 through Conditional Use. Multi-family housing is allowed in both the R3 and MH districts in East Fallowfield's ordinances. The Planning Commission considered the comment and discussed possible advantages of allowing the open space design option in the MH district. They discussed that a developer could potentially come along and develop land in a MH district. Since mobile homes are not very marketable right now, a developer may find it more desirable to build townhomes in the MH area and use the cluster option under the open space design option. This would allow the developer to still build a high amount of units but with less roads and utility work. There was a discussion about if there is a required amount of mobile homes in a township. Dennis Crook said there is not an exact required amount but he felt if the Township didn't designate the Beagle Club as MH, then the Township would be at risk for being too low in mobile home areas. Road width in developments was discussed. The Open Space Design Option Ordinance does not address road width. The changes made to the open space design option included removing the multiplier and adding a minimum lot size of 10,000 square feet. The Planning Commission decided to request the Board of Supervisors consider adding the MH back to the open space design option.

3. The Open Space Design Option Ordinance Amendment would require a minimum of 40 acres for development. The Township should verify that there is adequate availability of such tracts of land. The Planning Commission stated there are plenty of available tracts of land.

#### Flow Chart for development:

Dennis Crook said the Township office is getting more organized. Pani Martin, Township Treasurer, has been making changes such as updating forms for consistency and presentation. Dennis Crook said he thinks it is the right time to be completing the flow chart. Simplifying the flow chart was discussed to make it easier for the office staff to follow.

There was a discussion about the Township budget and if the Township is over budget this year. Dennis Crook said it depends on what category. Road repairs are an issue this year. There may be an increase of Liquid Fuels money. They discussed pot holes and that a lot of the pot holes are on state roads. They discussed that the Board of Supervisors could get together and contact PennDot to get the state roads repaired.

There was a discussion in regard to a township tax. They talked about the need for the Township to bring in additional revenue and the lack of land to bring in more money through development. A consumption tax was also discussed. A consumption tax is a tax based on electric and oil usage in a household. The higher the usage, the higher the tax for residents. Consumption tax is not part of the approval process until it's clarified.

#### New Business:

1. Copies of Comprehensive Plan: John Schwab commented that he feels each Planning Commission member should receive a final copy of the Comprehensive Plan. He said he was not able to print certain pages of the document that Ray Ott emailed to them. They discussed whether Ray Ott will be providing copies to the each committee member.

2. Township Manager: There was a discussion about hiring a township manager and whether the Board of Supervisors had recently discussed it. Dennis Crook suggested putting their township manager recommendation in writing, showing how a township manager would fit in to the budget and the cost per resident. They discussed that the recommendation to hire a township manager is included in the Comprehensive Plan. It will be the Planning Commission's job to continue to work on implementing the Plan recommendations such as hiring a township manager. They talked about the probability of hiring a township manager being linked to implementing a township tax. John Schwab stated that hiring a township manager is listed as a high priority (one to three years) in the Comprehensive Plan under the Community Facilities and Service Plan. Hiring a township manager is the responsibility of the Board of Supervisors. The Planning Commission can keep recommending a township manager be hired. There was a discussion about East Fallowfield Township losing out on potential grants without having a township manager. The Commission discussed having Ray Ott discuss a tax and hiring a township manager at the public presentation. They spoke about their prior analysis which showed it would cost \$100 per household to hire a township manager.
  
3. Mortonville Road/S. Caln Road: There was a discussion about road conditions in East Fallowfield. There was a discussion about the poor condition of S. Caln Road. They also discussed Mortonville Road being closed for such a long time. They said it's a service problem for emergency personnel. They also discussed the path of the creek running along Mortonville Road and that municipalities can have the Army Corp. re-route a creek. There was a discussion about this being done in Caln Township with grant money from Chester County.

Dennis Crook made a motion to adjourn the Planning Commission meeting at 8:19 pm. Richard Agatone seconded. Vote: Unanimous.

Respectfully submitted,

Lisa Valaitis  
Township Secretary