

**East Fallowfield Township
Planning Commission meeting
Approved August 7, 2017 minutes
6:34 pm**

Attendees:

Dennis Crook, Chairman
John Schwab, Vice Chairman
Michael Domboski
Sue Monaghan
John Nielsen

Not Present:

Joe Perzan
Stephanie Saxton

Dennis Crook called the meeting to order at 6:34 pm.

Discussion on Order of Agenda Items.

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

Approval of December 19, 2016 Planning Commission Meeting Minutes.

MOTION: Sue Monaghan made a motion to approve the December 19, 2016 Planning Commission meeting minutes as presented. John Schwab seconded.

VOTE: 4-0 (Michael Domboski abstained.)

Approval of July 3, 2017 Planning Commission Meeting Minutes.

MOTION: Dennis Crook made a motion to approve the July 3, 2017 Planning Commission meeting minutes as presented. Sue Monaghan seconded.

QUESTIONS AND COMMENTS:

1. Sue Monaghan asked what the Board of Supervisors decision was regarding the editorial and legal analysis of the Township Code. Dennis Crook reported the Board decided not to proceed.

VOTE: 4-0 (John Schwab abstained.)

Request for Research on: Temporary Storage Units, Containers (What Other Municipalities Have)

Mr. Crook reported he asked the office staff to compile example codes addressing temporary storage units together from other townships. John Schwab stated he found something in West Chester's ordinances that addresses supplemental regulations applicable to all districts for outdoor displays. Mr. Schwab said the ordinance was not very specific to storage pods. Dennis Crook stated that there are different types of temporary containers that are being used for storage, shipping, etc.

Dennis Crook stated the issue of temporary storage units has come up recently for 925 Buck Run Road, which has commercial storage units on the property. Mr. Crook stated our Township Ordinances don't address this issue.

Even though these commercial storage units are on a property adjacent to another property with the same owner, it's not allowed by our Code when there is no primary building on the property. There was another recent issue with this on 1365 South Bailey Road. This usually falls under accessory uses in the ordinance. Dennis Crook stated the Zoning Officer handled both properties consistently. There was a discussion about the Zoning Hearing Board hearing for 925 Buck Run Road and 1365 South Bailey Road. They discussed the difference between a shed and a roll-off trailer. Michael Domboski stated what he saw in other ordinances is that for roll-off trailer uses, there were limits on both the size of a lot and amount of time on a lot. There was a discussion about the public notice requirements for a zoning hearing board hearing.

There was a discussion regarding the various sample ordinances the office staff gathered. Sue Monaghan discussed the example ordinance from Haverford Township which allows for temporary storage units for 30 days for renovation or reconstruction of a residence. The use of the temporary storage containers cannot be used for business or commercial related items. John Schwab also highlighted a phrase in the Haverford Township ordinance which stated that no items from any other location other than the location indicated on the permit can be stored in a personal storage unit.

John Schwab commented that one of the sample ordinances distinguished between accessory buildings versus portable storage units. Dennis Crook commented a definition of a portable storage container should be included in an ordinance. Dumpsters could be covered under this type of ordinance. John Schwab commented that one sample ordinance addressed dumpsters under environmental controls. The difference between a pod and roll-off trailer were discussed. Michael Domboski commented that some municipalities limit pods to residential lots and roll-off trailers for commercial properties. Limiting the number of temporary storage units according to lot size is also common. He also discussed impervious surface and prevention of stormwater runoff from temporary storage units. The Commission members had a conversation about various acceptable sizes of temporary storage units and the time frame allowable for storage units on a property. Dennis Crook also stated disallowing certain items to be stored in the unit should be specified in an ordinance.

There was a detailed discussion about different sections of the sample ordinances. A shed would be considered an accessory to a main building. There was a discussion about whether or not to address temporary open dumpsters. Sue Monaghan found a section in Plymouth's ordinance that states the temporary storage units shall not include a shed, accessory structure or building, dumpster or similar container. She said Plymouth's ordinance clarified what a temporary storage unit is and it states "any container designed for the outdoor storage of personal property which is typically rented to owners or occupants of a site for their temporary use in which is delivered and removed by a vehicle." She also discussed the option of having a catch all supplemental section in the Township Code. Dennis Crook commented on accessory uses to agriculture and types of storage for farms.

The Commission will recommend to the Board of Supervisors that temporary storage units be addressed in the Township Code. Dennis Crook stated he didn't see any sample ordinance that he liked completely. The Commission decided to each review the sample ordinances and identify the sections they want included in a proposed township ordinance. The next step would be to combine all the sections they want in one ordinance. The goal is not to regulate accessory units but only regulate portable storage units.

Review of Zoning Ordinance Section 1606 – Typo in the Zoning Ordinance Under part 16 Signs Regulations
Section 27-1606 Signs in Residential Districts: RA Rural Agricultural, R-2 Low Density Residential (Needs to be R-1) R-2 Medium Density Residential, R-3 High Density Residential, MHP Mobile Home Park.

Dennis Crook stated the Zoning Officer sent Section 1606 of the Zoning Ordinance to him because he found a typo in the code. The R-2 is duplicated twice and the first R-2 should be R-1. He stated R-1 is low density, R-2 is medium density, and R-3 is high density. John Schwab stated this is the type of error that would be caught by doing an editorial and legal analysis of the code. Dennis Crook said he was in favor of the process because having the code reviewed would ensure the Township Code is in agreement with federal and state regulations. The procedure for

getting this corrected was discussed. Dennis Crook stated the Commission can bring the correction to the Township Solicitor. Next time a codification is done, the typo would be corrected.

Act 537 Meeting at South Brandywine Middle School Update.

Dennis Crook discussed the recent Act 537 meeting at the South Brandywine Middle School. There were over 100 people that attended the meeting. This meeting was targeted to the Ercildoun and Doe Run Farms communities in East Fallowfield Township. Mr. Crook reported that a questionnaire was distributed at the meeting which asked if residents were or were not in favor of public sewer. The majority responded no. Dennis Crook commented that if residents don't want public sewer lines put in, they may have to be monitored more often and pump their septic systems on a regular scheduled basis. If at a minimum, a monitoring system isn't implemented, the State can force the Township to put in public sewer lines. A septic management system will keep track of how small the lots are, what type of septic system it is, how the septic system is functioning and require regular pumping every 3 years. Regular pumping (every 3 years) will indicate how a system is functioning. Dennis Crook discussed the school district's need for public sewer. He said that putting a pump station and public sewer in the Ercildoun and Doe Run Farms area is key to installing public sewer in other areas of the Township. John Schwab asked if the actual path of proposed sewer line was identified. Dennis Crook stated the proposed sewer line was not identified. Dennis Crook briefly talked about the issue of putting out fires in areas without public water because of the difficulty getting enough water to put the fire out. Truckloads of water have to be brought in to those areas to put out fires. The Commission had a discussion on whether or not the whole area of the Township north of Strasburg Road is in PA American Water's existing franchise area. Dennis Crook reported that Wilson Lambert had commented at a Board meeting that the Township could look into to starting a township utility authority.

John Nielsen asked if the Township would have to enforce a septic management plan and a 3-year pumping requirement. They discussed a need for someone to monitor the impervious surface regarding stormwater.

MS4 Plan – Total Maximum Daily Load (TMDL) Plan.

The Planning Commission discussed the proposed Township MS4 Plan – Total Maximum Daily Load Plan submitted by Herbert MacCombie's Office. Dennis Crook stated the MS4 Executive Summary indicates that Herbert MacCombie's office is going to propose this at the next Board of Supervisors meeting on August 22, 2017. The proposal is to reduce the Township's sediments and nutrients that go into the Christiana Water base by a minimum of 10% reduction. The total estimated cost is \$38,750. Proposed methods were discussed. An alternative proposed option in the MS4 Plan is for East Fallowfield to work with Valley Township to provide a stream bank stabilization measure along a section of the stream along Grove Avenue. Other options listed in the plan are 11 storm inlet filters, construction of bioswales, and utilizing two basins in the Strasburg Hunt Development. The Commission discussed the various methods in the plan. John Schwab stated the problem with using the storm inlets and basins is that the Township will have to maintain those going forward. Basins and inlet filters can clog. John Schwab stated he likes the option of extensions of the stream stabilization program to achieve the future required load reduction because this is a more natural solution. Bioswales and inlets and their proposed locations were discussed. John Schwab said he was concerned that bioswales slow water down and allow time for the water to soak into the ground. There was a conversation about the location of inlets and the area holding water. They also discussed the option of working with Valley Township.

Park & Recreation Pool.

Dennis Crook reported to the Commission that the Board received an email from a resident suggesting a pool be put in the East Fallowfield Park. A discussion ensued about the cost of adding a pool, who would maintain it and insurance needs. They briefly spoke about the Park & Recreation Committee needing members. There was a conversation about the Planning Commission members' opinion on having a pool.

Dennis Crook spoke about the HOA Association in King of Prussia. They have managers that will help HOA's with regulations and issues. John Nielsen suggested sending a letter to the Branford Village HOA and Brook Crossing HOA to solicit interest in the pool idea. Sue Monaghan stated she didn't feel the Township needed a pool and that it's a huge liability. There isn't enough parking either. The Planning Commission was not in favor of adding a pool to East Fallowfield Township Park.

New Business.

1. **Official Map** – John Nielsen asked the Commission members if there was still interest in doing the official map. Mr. Nielsen said there is a grant that could bring in a 70% reimbursement for the map costs. Mr. Nielsen said he felt Ray Ott was a good fit for this job because he worked on the comprehensive plan. John Nielsen stated that he and Dennis Crook met with Susan Elks of the Chester County Planning Commission about the process of winning the grant. The grant application deadline is towards the end of August. John Nielsen stated he'd work on the grant application.

Adjournment.

MOTION: Dennis Crook made a motion for the August 7, 2017 Planning Commission meeting to adjourn at 8:50 pm. John Schwab seconded. **VOTE:** 5-0.

Respectfully submitted,

Lisa Valaitis
Township Secretary