

**East Fallowfield Township
Planning Commission Meeting
Approved September 10, 2018 minutes
6:35 pm**

Attendees:

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

Not Present:

Stephanie Saxton
Joe Perzan

Dennis Crook called the meeting to order at 6:35 pm.

Discussion on Order of Agenda Items.

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

Zoning Hearing Board - Special Exception Application - 135 Wilmington Road - Charles & Amy O'Connor.

Mr. Charles O'Connor discussed his Special Exception Application for 135 Wilmington Road, East Fallowfield, PA. Mr. O'Connor stated that there is an existing mobile home dwelling on this property that they wish to demolish. After demolition of the existing home, they plan to build the Anniversary 2.1 manufactured home. Mr. O'Connor stated his builder completed the application. The lot is a flag lot behind South Brandywine Middle School. There was a discussion about "grandfathering" and whether it is applicable for this property. Dennis Crook said that a module home with a permanent foundation could be installed and it would conform to everything and a special exception would not be needed. Dennis Crook discussed why the application came before the Planning Commission. He also discussed the definition of a mobile home versus a modular home. Dennis Crook stated that mobile homes are permitted in the Mobile Home Zoning District. Mr. O'Connor reported that the home they plan to put on the property is a manufactured home. The Planning Commission reviewed and discussed Section 27 Part 22 of the Township Code which covers the definitions. They also discussed Township Code Section 27-2004 which addresses non-conforming buildings and structures. Dennis Crook stated that the current home on the property is considered non-conforming because it is a mobile home in the R-2 Zoning District. John Schwab stated the Township Code permits a non-conformity to continue provided special exception is granted. John Schwab stated the Township Code states that "a non-conforming building or structure which is used or proposed to be used for a conforming purpose may be continued, altered, or enlarged by a special exception...." Dennis Crook asked Mr. O'Connor if the existing home is the same square footage as the new home. Mr. O'Connor stated that he was unsure of the size of the existing home. John Nielsen asked if there is a foundation on the current home. Mr. O'Connor said he thinks there is no foundation on the existing home. Mr. O'Connor stated the existing home is a single wide with an extension built on it. John Schwab stated that the applicant is requesting through special exception, to continue the existing non-conformity by replacing the old home with a new home. Dennis Crook discussed the inspection process for a manufactured home. Mr. O'Connor stated the current well works and will be used. Mr. O'Connor stated the current drain field for the septic system needs to be adjusted. The application is going through the Chester County Health Department. Why grant a special exception for nonconforming if it is conforming with the new house. Mr. O'Connor stated that the new home will have no axels, but it will be a frame on concrete. The new home would be considered a mobile home. They are going from nonconforming to nonconforming. Dennis Crook felt it better serves the Township and the property owner to conform by converting the home to a manufactured house. The Planning Commission discussed what recommendation to make. There was a discussion on why this application needed to go to the Zoning Hearing Board. They concluded that the existing house is a non-conforming building. However, the building has been abandoned and therefore, the nonconforming building approval is no longer valid.

MOTION: Dennis Crook made a motion to accept the application and support the adding of a replacement manufactured home 28 feet by 56 feet at 135 Wilmington Road in East Fallowfield. Sue Monaghan seconded.

VOTE: 4-1 (John Nielsen, John Schwab, Michael Domboski, and Sue Monaghan voted yea. Dennis Crook voted nae.)

Discussion - Property 47-6-6.4 - 815 S. Caln Road, 3.8 Acres - 2 Lot Subdivision - Gerry & Melanie Poe.

Mr. Gerry Poe discussed subdividing his lot on South Caln Road into two lots. Gerry Poe stated they currently live on Goosetown Road and they own the 3.8-acre lot next door. They bought this lot for future retirement interests. Gerry Poe stated they would like to sell their current residence, split the 3.8-acre lot into two lots, build a home on one of those lots, and sell the other lot. Gerry Poe stated the Township Code Officer recommended he consult with the Planning Commission for guidance on how to subdivide the lot because it is 3.8 acres as opposed to 4 acres. The purpose of this is to reduce maintenance and tax costs after retirement. The property is in the R-1 Zoning District which requires 2-acre lots. Subdividing the property would leave one lot nonconforming. Mr. Poe stated he also owns and resides on the neighboring lot which is 4.2 acres. Mr. Poe asked the Planning Commission if there was any type of relief possible. Dennis Crook said that both lots would conform to setbacks and other requirements, however one lot would be a nonconforming lot at 1.8 acres. The Planning Commission discussed if this required a special exception or variance to be granted. Mr. Poe said there is a financial burden for them if they cannot subdivide. One option discussed by the Planning Commission was removing 0.2 acres from the property they live on and add it to the empty lot. This would allow the empty lot to be subdivided into two 2-acre lots. Dennis Crook discussed the benefits of taking 0.2 acres from the property they own next door. The Planning Commission discussed the plot plans for the property they reside on and the empty lot. The Planning Commission suggested the Poe's do a lot line change and subdivision. Melanie Poe asked if they moved the lot line to make the empty lot 4-acres, and build a home on the new lot, could they later subdivide the property. The Planning Commission said that they could do that provided the setbacks are correct for the new home. To subdivide the property as is, they would have to either go through a special exception or conditional use hearing. If they were granted a special exception or conditional use approval, building would not be permitted on the lot less than 2-acres.

The Planning Commission recommended that Gerry and Melanie Poe do a lot line change to move 0.2 acres from the larger property to the 3.8-acre property. Then they could build a home on the empty lot in a location that will allow the property to be subdivided later. There was a discussion regarding where to move the lot line because the existing home is close to the property line. Jerry Poe said they will contact a surveyor.

Approval of March 19, 2018 Planning Commission Official Map Meeting Minutes.

MOTION: Sue Monaghan made a motion to approve the March 19, 2018 Planning Commission Official Map meeting minutes as presented. John Schwab seconded.

VOTE: 5-0

Approval of June 4, 2018 Planning Commission Meeting Minutes.

MOTION: Dennis Crook made a motion to approve the June 4, 2018 Planning Commission meeting minutes as presented. John Nielsen seconded.

VOTE: 4-0 (Sue Monaghan abstained)

Billboards and Electronic Message Signs Ordinance - Discussion.

The Planning Commission discussed the Billboards and Electronic Message Signs Ordinance draft. John Schwab stated billboards are only permitted in the Multi-Use Zoning District. Restricting billboards to only the Multi-Use Zoning District will protect the Township. Two typos were noted in the draft Ordinance under Section 3 - "Criteria for Billboards," (f) "Setback from Residential Dwelling Unit," "R4" and "AP" are not zoning districts in the Township and need to be removed. "AP" should be changed to "RA" and "R4" should be changed to "MH" There was a discussion about the billboard and electronic sign height limits. Dennis Crook noted that there is no height limit stated for a billboard in the draft Ordinance. They also discussed "message sequencing" because it is prohibited under

the Ordinance. Dennis Crook noted a typo on page 2, "Transition Interval" should be labeled as an "(i)" and not a "(g)". Dennis Crook noted as unclear the phrase "No part of a Billboard shall be setback more than sixty (60) feet from the nearest street right of way" under Section 3 - "Criteria for Billboards", (d) "Setbacks - Road Right of Way." The Planning Commission members did not recommend any other changes to the Ordinance. Dennis Crook will send the comments and questions that the Planning Commission discussed to Solicitor Crotty.

CC2020 & East Fallowfield Township Citizen Planner's Breakfast "Funding Essential Infrastructure."

Dennis Crook discussed holding a Chester County 2020 Township Citizen Planner's breakfast entitled "Funding Essential Infrastructure" which would be relevant to revitalizing the Office Industrial and Multi-Use Zoning Districts to bring more revenue into the Township. Dennis Crook discussed the sponsorship option for the program. He reported that this breakfast will be held on Wednesday, October 3, 2018. Dennis Crook recommended holding a Community Conversation after the breakfast.

Office Industrial (O-I) and Multi-Use (M-U) Zoning Districts.

Dennis Crook discussed revitalization of the Office Industrial and Multi-Use Zoning Districts. There was a discussion about the Office Industrial Zoning District and the businesses in that zone. There was a discussion about the 150 acres owned by Arcelor Mittal and 10 acres leased to Allan Myers who runs an asphalt plant on the property. Dennis Crook stated the old junk yard property would now be considered an abandoned use. Dennis Crook discussed the Office Industrial Zoning District Code. He said that the Township Code lists uses permitted by right in the Office Industrial Zoning District. The Code does not say much about medical businesses except for they are permitted by special exception. They discussed uses specifically excluded and not permitted by right or special exception in the Township Code. Dennis Crook discussed a program in Philadelphia that encourages revitalization by offering incentives for attracting certain uses. He discussed the benefits of attracting a retirement home with shops included. Under the current Township Code, a builder would have to go through a special exception application. This process does not attract builders. They discussed moving retirement community from uses by special exception to uses by right in the Township Code. Sue Monaghan questioned whether it is the Planning Commission's job to be enticing businesses to the Township. Michael Domboski stated making the building process easier by changing the zoning ordinances is helpful. Dennis Crook discussed municipal shared zoning. There was a discussion about whether the Planning Commission's goal is to bring more revenue into the Township or make the building process easier through ordinance changes. The Arcelor Mittal property and Allan Myers were discussed. Michael Domboski stated that through research, he determined there are not many properties available for development in the Office Industrial and Multi-Use Zoning Districts. John Nielsen reported that there are 14 parcels, and 271 acres, in the Office Industrial Zoning District. There are 83 parcels, 169 acres, and 50 dwellings, in the Multi-Use Zoning District. Michael Domboski stated that most of the land in both Zoning Districts is owned by Arcelor Mittal and PECO. The Build-Out Analysis on page 2-10 of the Comprehensive Plan was discussed. They also held a conversation about the fair share requirement. Dennis Crook discussed Jim Sisk's properties, and the PECO properties. PECO was willing to sell their property for the proposed training center. Dennis Crook also spoke about the Western Chester County Economic Development Council. Dennis Crook said a development plan would attract builders. Regional and multi-municipality revitalization was discussed. John Nielsen spoke about two properties in South Coatesville that border East Fallowfield Township that could be desirable properties for a regional plan. There was a discussion regarding the earned income tax and that some residence does not pay any earned income tax. Those residents that do not pay earned income tax do pay property tax. Michael Domboski stated that the Village Commercial areas of the Township are small, and we need to increase the Village Commercial areas. Dennis Crook discussed two ideas that Jim Sisk discussed with him - the Hope Community and a strip mall.

Old Business.

- **Survey Monkey** - John Nielsen asked if anything had been done with Survey Monkey yet. Dennis Crook said Township Manager Swichar will be working on a survey.
- **2019 Budget** - John Schwab asked if the budget process has been started yet. Dennis Crook stated that the budget process will begin next month.
- **Fieldstone Village Subdivision** - John Schwab asked if the Township is collecting escrow money from the Fieldstone Village builder for the West Chester Road and South Caln Road intersection improvements. Dennis Crook said that this was already collected. There was a discussion about the need for stormwater management at this intersection.

New Business.

1. **Planning Commission Membership** - There was a discussion regarding recruiting new Planning Commission members.
2. **Classification for Group Home** - Dennis Crook discussed the classification of the term group home. The Township's classification of group home is not spelled out. Dennis Crook said he has spoken to both the board of Supervisors and Township Solicitor about this. There are two or three types of group homes in the Township code. Dennis Crook stated that someone may purchase a residential home, declare it as a group home, make it a non-profit and allow as many people as they want to move in. Dennis Crook discussed the group home located at 720 Buck Run Road. He said he is concerned about the safety of 20 people living in the home. Dennis Crook read the definition of "family" in the Township Code and a discussion ensued. Family includes community living but does not include institutional living and other facilities. Dennis Crook also read the definition of "group home" in the Township Code. A group home is for people that have completed a successful inpatient program. The Planning Commission felt that this group home would be considered "community living." Dennis Crook reported that Solicitor Crotty is looking into how other Township's regulate group homes. They also discussed state regulations regarding group homes.

Adjournment.

MOTION: Dennis Crook made a motion for the September 10, 2018 Planning Commission meeting to adjourn at 9:25 p.m. John Schwab. VOTE: 5-0.

Respectfully submitted,

Lisa Valaitis
Township Secretary