

East Fallowfield Township
Planning Commission
Approved April 6, 2015 minutes
6:30 PM

Attendees:

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

Not Present:

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

Discussion: Dennis Crook discussed the order of agenda items for the meeting. The committee decided to discuss the agenda items in the order below.

Approval of October 6, 2014 minutes:

MOTION: Dennis Crook made a motion to approve the October 6, 2014 Planning Commission minutes as presented. John Schwab seconded.

VOTE: 6-0 (1 abstained)

Approval of November 3, 2014 minutes:

MOTION: Dennis Crook made a motion to approve the November 3, 2014 Planning Commission minutes as presented. Joe Perzan seconded.

VOTE: 4-0 (3 abstained)

Approval of December 1, 2014 minutes:

MOTION: Dennis Crook made a motion to approve the December 1, 2014 Planning Commission minutes as presented. John Schwab seconded.

VOTE: 6-0 (1 abstained)

Comprehensive Plan Draft review and discussion: Dennis Crook stated there are inconsistencies on the Future Land Use Map in the Comprehensive Plan Draft aside from the Mixed Use area. This has more to do with the conservation areas and agricultural preservation areas. Dennis Crook stated he got feedback from Vince Pompo, Township Solicitor, in regards to the Public Lands for the Beagle Club and Luria

Brothers properties. Dennis Crook read Vince Pompo's email to the Planning Commission. Mr. Pompo's email stated that the Township can legally include these two properties with the Future Land Use Map included with the Comprehensive Plan. The Municipal Planning Code does not require notice to the owners of these lands to designate them as future Public Facilities Zoning in the Comprehensive Plan. If the Township moves forward with rezoning, The Municipal Planning Code legally require the Township to notify the owners. Vince Pompo's email also addressed a legal tool called the official map which is for designating lands for public use including a procedure for acquiring lands for the township should development be proposed. This should not be confused with the official Land Use Map that may be included with the Comprehensive Plan. The official map can designate public lands for proposed public parks, playgrounds, and open space reservations. Vince Pompo's email also stated that the Township does not have an official map. Vince Pompo's email stated he recommended the Comprehensive Plan include a recommendation to prepare and adopt an official map and include these properties for future public use if that is the Township's plan. There was a discussion about the official map being the present zoning map. There was a discussion about what the official map includes. Dennis Crook said the The Municipal Planning Code says you are supposed to have an official map designating your zoning and what the future map of the township is. John Schwab said the official map is being recommended due to proposing to change the zoning of the Beagle Club and Luria Brothers properties. Dennis Crook read the definition of the official map in The Municipal Planning Code: "the governing body of each municipality shall have the power to make or cause to be made an official map of all or a portion of the municipality which may show appropriate elements of the Comprehensive Plan adopted pursuant to Section 302, with regard to public lands and facilities which may include but need not be limited to existing and proposed streets, public streets, water courses, public grounds including widening, narrowing, extensions, diminutions, opening and closing of same, existing and proposed public parks, playgrounds, open space preservation, pedestrian ways and easements, railroad and transit right-a-ways and easements, flood control basins, flood ways, flood plains, stormwater management areas and drainage easements, supporting facilities and easements and other properties held by public bodies undertaking the elements described in Section 301. There was a discussion about following Vince Pompo's recommendation to include a recommendation in the Comprehensive Plan to draft and adopt an official map. A recommendation that the Township acquire the Beagle Club and Luria Brothers sometime in the future will be included in the Comprehensive Plan. There was a discussion about whether an official map exists.

Map #3 in Comprehensive Plan – Dennis Crook stated that Ray Ott updated a tremendous amount on it. He said on the February 10th draft, some south and west properties on the map were listed around 100 acres with 61 units. This new map as of March 31, 2016 shows four units. Mr. Crook said he went through a lot of Ray Ott's numbers for each. They discussed the way acreage was noted on Map #3. Mr. Crook stated that the map had Agriculture and Conservation reversed in error on the map. On pages 2.3, 2.4, 2.5 the acreage didn't add up. Mr. Crook stated Ray Ott made these corrections on the current draft of Map #3. Mr. Crook commented that 755 potential new dwelling units are included. John Schwab said 531 were needed and we are well over the requirement. There was a discussion about the new dwelling unit requirements for future years. John Schwab stated the Future Development Buildout Analysis shows potential for 755 units. John Schwab said that the Township needs 531 new dwelling units through 2030. Mr. Schwab stated the Township is adequately providing for the housing needs of the future. Garth Monaghan said that all the new dwelling units would be spread out throughout the

Township as opposed to all on one parcel. Garth Monaghan asked why apartments aren't being addressed. We have them in the township but they aren't included on this map. Dennis Crook talked about some townships using a fee for apartments to bring in more revenue. John Schwab spoke about West Chester requiring annual inspections for \$49. Dennis Crook says its revenue that comes in that covers administrative costs. John Schwab said you can use these fees to recoup your cost but not to make money. Mr. Crook talked about the township manager position and fees covering costs of a township manager. The need for a township manager was discussed. John Schwab said to do this the Township would need to implement a tax. This should be on the front page with the goals.

The five goals were discussed. Dennis Crook stated the first goal is the only one that says something about the Township. The first goal is to increase the population and manage the growth in a way that is economically, environmentally and culturally. The second goal has to do with the Brandywine Greenway. The third goal has to do with aligning with Landscapes2 which is the County. Dennis Crook said the fourth goal is to strengthen East Fallowfield Township's growth boundary policy coinciding with Landscaps2. John Schwab said what it is saying is that areas south of Strasburg Road are not going to be designated for growth. It's not getting the infrastructure of public sewer and water. Dennis Crook said the area almost follows Strasburg Road on Map #1 in Landscapes2. The final goal is for trails. Dennis Crook said he felt some of the goals that the Planning Commission came up with were better goals to be including. John Schwab said we are reflecting what the County wants the emphasis to be on.

Dennis Crook said as the County looks at the whole region, the corridor for Route 30 and the trains run parallel across the County. The County expects the most growth to result from the public transportation through the train. Dennis Crook spoke about the survey to calculate growth. There was a discussion on grants received by Thorndale, Downingtown and Exton to improve the train stations. Coatesville did not receive a grant. John Schwab stated they need to make the Coatesville train station safer for people to take the train from that area.

Discussion on upcoming schedule for Comprehensive Plan adoption: There was a discussion about the schedule of meetings leading up to final approval of the Comprehensive Plan. John Schwab said that they agreed at the last meeting that if we sign off on this draft tonight, we let Ray Ott know tomorrow to move forward. If we don't sign off on it, the next meeting will be a workshop instead of a dress rehearsal. Dennis Crook stated that Ray Ott's goal is to get this completed by July. Dennis Crook discussed the upcoming schedule. Ray Ott will present the Comprehensive Plan to residents May 4, 2015. The rehearsal will be on April 20, 2015. Ray Ott will present the Comprehensive Plan on May 4, 2015. Advertisement needs to be done two weeks prior. They also discussed selecting a location for the public presentation.

The Planning Commission discussed whether they wanted to approve the Plan. They decided to hold off on approving the plan and make it pending approval until April 20th. They decided to make sure to approve the Plan on April 20, 2015 in order to proceed with the presentation being held on May 4, 2015.

Siti Crook asked Garth Monaghan how he would solve the apartment issue. Garth Monaghan responded by stating the first step is to acknowledge the fact that we have them in the Township. Some mechanism needs to be put in place to ensure they are safe. Garth Monaghan stated there isn't enough staff to inspect them once a year because the Building Code Official is only in the Township on Tuesday and Thursday mornings. There was a discussion about whether the apartments should be inspected once a

year or only when the renter changes. Jim Weeks stated he feels apartments should be required to be inspected annually. There was a discussion about why apartments should be inspected once a year versus not requiring homes be inspected annually. Garth Monaghan discussed home resale inspections. Siti Crook stated that mortgage companies consider two separate kitchens as what defines a property as having a rental unit. Jim Weeks stated a rental unit is defined as a non-immediate family member living in or renting the house. Siti Crook stated mortgage companies also look at how long someone lives in or rents the unit. Garth Monaghan stated they could include some wording under Section B, Plan to Meet Housing Needs such as: "ensuring that appropriate rental units are identified and regulated". There was a discussion regarding inspection requirements for resale homes.

Siti Crook asked about home based businesses. She said she has seen them in the zoning ordinance. Siti Crook stated that mortgage companies are denying refinancing and mortgaging for home based businesses based on the Township's ordinances. Siti Crook asked what the difference between a home based business and a home office. Jim Weeks stated the difference is between a home based business and office in the home is whether the public is coming to your home. If you are running a consulting business in an office in your house making phone calls, that would not matter to mortgaging. Siti Crook asked if the ordinances could be worded in such a way to make a clearer distinction so mortgage companies can see the difference. Jim Weeks said it comes down to zoning. If the home is zoned residential, the Township will regulate what home business can or can't be run in that house. She asked what is on public record with the Township that this is a recognized home business in your home for purposes of refinancing. Siti Crook discussed her attempt at refinancing her mortgage with a home business. The Planning Commission discussed refinancing a home with a home based business in her house.

There was a discussion about Map 3 in the Comprehensive Plan and whether the numbers on the map are accurate. There was a discussion about the numbers being estimates. Dennis Crook asked if they would go through each property that can be developed and broken up in to more units. Jim Weeks stated he feels that they don't need to go through property by property. For this purpose, it should be estimates. After discussion, the Planning Commission decided to ask Ray Ott what process he used to come up with the numbers. They also all felt that 90% of the most recent Comprehensive Plan draft is what East Fallowfield Township residents want.

They discussed concerns and changes that members want. Dennis Crook stated he wants to have the numbers explained. John Schwab stated after looking at the Transportation Plan, he would like to see something that shows the Route 82 corridor as a linkage to the Route 30 transportation corridor. He said a park and ride is appropriate for the MU district on Route 82 where you can have a substantial parking lot with a shuttle to run to the train station. He stated this is all in the future. Garth Monaghan stated he'd like it to be specified that the park and ride be on the east side of Route 82 which would be heading in to Coatesville. Jim Durborow suggested in fairness to Ray Ott that they should say something to him about getting an extension and push it back a month. Jim Weeks stated he would like to review the Plan in more detail but he'd like to address the in-law suites. He said it is important for the Township to be more forward thinking regarding the elderly population. There was a discussion about in-law suite options and that a second kitchen (stove/oven) constitutes an in-law suite. They discussed temporary modular homes as an option. Garth Monaghan, Richard Agatone, and Joe Perzan stated they would like to review the Comprehensive Plan draft in more detail. Jim Durborow commented on discussing the

following with Ray Ott at the next meeting: the transportation, buildout analysis numbers, and apartments.

Chester County Public Transportation Plan: Dennis Crook discussed the Transportation Plan. It covers a 25 year vision. Most of it covers rails.

Discussion on Penn State Extension Services Workshop and free water testing: Dennis Crook stated he has been talking about getting a workshop done which would include free water testing of well water. Jim Weeks asked if this would be a one-time event or ongoing. Dennis Crook stated he thought it would be a reoccurring event. He said that the best thing about it is keeping people educated regarding on lot water and sewer. Dennis Crook talked about PA American Water having trouble with high nitrates in some of their public wells. He stated they mix water from higher and lower levels of nitrates to get the volume they need and to keep the nitrate level below the requirement of 10. Dennis Crook said that the Township should be requiring PA American water to be sending quality of public water reports. The workshop will be covering what to do to correct a bad situation. Dennis Crook discussed different ways that the workshop could be structured. Dennis Crook briefly discussed a study on water testing done by the Center for Rural Pennsylvania. Dennis Crook discussed using test strips to test the nitrate level of well water. Garth Monaghan said we don't have the agricultural applications within the Township or enough volume to make a difference. No one is dumping a lot of manure in the Township to impact nitrate levels in well water. Nitrate sources in East Fallowfield Township were discussed. Dennis Crook stated Penn State Extension Services will come out and test water. They do some advertising. He suggested looking to advertise for this by putting it on a postcard. Mr. Crook stated there is a budget line item of \$2,500 for the Planning Commission this year. Dennis Crook discussed possible uses of these funds. Garth Monaghan suggested coordinating the water testing event with Park & Recreation's next event. The cost of advertising could be shared as well. Dennis Crook will look into the cost of postcards.

Section 1300 Open Space Design Option: Dennis Crook stated Vince Pompo, Township Solicitor, is working on amending the Section 1300 Open Space Design Ordinance. Dennis Crook said he has the first draft and Vince Pompo is taking the map and terms out. They will get a copy of the new draft to review before the amended ordinance goes before the Board of Supervisors.

New Business:

1. New Township Treasurer: There was a discussion about the Township hiring a new full-time Treasurer.
2. Property Tax / Township Manager: John Schwab discussed township property tax. He said property taxes are based on millage. East Fallowfield Township has \$410,100,000 of assessed taxable property. Public lands and non-profits are not included. West Whiteland has a 0.719 millage / property tax. If we applied that millage to our Township, we would generate \$294,000 of revenue. If we did 0.0500 millage, we would generate \$205,000 in revenue. There is a 3-5% loss for administration costs. John Schwab stated his annual tax on his property would be \$60 per year. It doesn't take a high amount of tax to generate revenue and be able to hire a township manager. Dennis Crook discussed including a tax with the trash fee to get an income tax credit. Dennis Crook said a tax is in our ordinances, however the current rate is set to zero. Procedure for enacting a tax and capping it were discussed.

Next Planning Commission Meeting – May 4, 2015.

Adjournment:

MOTION: Dennis Crook made a motion to adjourn the April 6, 2015 Planning Commission meeting at 8:15 pm. Richard Agatone seconded. Vote: 7-0

Respectfully submitted,

Lisa Valaitis
Township Secretary