

East Fallowfield Township  
Planning Commission Workshop and Comprehensive Plan meeting  
Approved July 20, 2015 minutes  
6:35 pm

Attendees:

Dennis Crook, Chairman  
Garth Monaghan  
Richard Agatone  
Jim Durborow  
Jim Weeks

Not Present:

John Schwab  
Joe Perzan

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

Bawa Muhaiyaddeen Fellowship – Review of Vince Pompo’s guidelines of court order: Dennis Crook stated Vince Pompo sent him the guidelines of a court order for the Bawa Muhaiyaddeen Fellowship. There are two parts, the zoning ordinance and a map alternative. There is a court of common pleas between the East Fallowfield Township Board of Supervisors versus the East Fallowfield Township Zoning Hearing Board and the Bawa Muhaiyaddeen Fellowship. It goes through the settlement agreement, background and then the terms which is what was agreed to. The only terms that are attributable directly to us is their plan which has just one bend instead of multiple bends in the road. Each lot looks to have almost 30,000 square feet. Garth Monaghan asked how the water issue was resolved and how many wells there are. He asked if each property got its own well and septic. Dennis Crook stated the wells are shown on the plan. Jim Durborow said it states that they will have on-site well and sewer. Dennis Crook said it will be shared wells and septic. Jim Weeks stated he would push for having a street entrance from Timacula Road for safety purposes. Dennis Crook stated term #6 in the court order addresses the issue of a second entrance for safety purposes. Mr. Crook stated it is longer than 1,000 feet from Mt. Carmel Road. This was approved by the Township and the Zoning Hearing Board. Mr. Crook stated we will be going through this again to determine whether to make the road go all the way through or just be an emergency egress. Dennis Crook discussed the cemetery and existing buildings that are existing. Jim Weeks said the church is considered institutional. Dennis Crook stated they made an institutional use in zoning and then repealed it. Jim Durborow stated a full set of plans need to be reviewed by Chris Della Penna and Jamie MacCombie. Dennis Crook stated he is working with Vince Pompo so we are prepared when Bawa comes back to the Township. Jim Weeks said the way he is reading this is that there are 2 or 3 items to allow for. Other than that he said he thinks we need to go through the full process. On-lot sewage is taken care of in the agreement. Jim Durborow stated they would need to put up an escrow account before getting started on building.

Dennis Crook read item #10 on page 5 of the court document, “this Agreement contains the entire agreement of the Parties hereto and no modification, amendment, change or discharge of any term or provisions of the Agreement shall be valid or binding unless the same is in writing and signed by all the

Parties hereto. No waiver or any of the terms of this Agreement shall be valid unless signed by the Parties against whom such waivers are asserted.” Jim Durborow commented on item #14. Dennis Crook stated that is the last step after it is has been approved by us. Jim Weeks stated that once it is final, everything in the agreement has been taken care of. Jim Weeks stated what this court order is stating is that Bawa should go through the normal process except for two or three things in the court order and follow the rules for everything else. Dennis Crook stated it goes back to the ordinance that was in place at that time, as opposed to the current ordinance. They discussed that the main point of contention was the septic. Garth Monaghan stated that has been addressed with individual on-lot septic. There was a discussion on how to fit on-lot septic and well on each property which is less than three quarters of an acre. Dennis Crook said water and sewer look feasible. Garth Monaghan asked if the Township received a review from the County. Dennis Crook read a review letter from the County regarding the Sewage Facilities Planning Module. There was a discussion about the letter as well as perk sites. Dennis Crook stated they will need to deal with item #6 on the court order which addresses the cul-de-sac. They discussed the ordinance regarding cul-de-sacs. Garth Monaghan stated if it is a private road, they will need a variance for the cul-de-sac because the ordinance would be exceeded. If it is a public road then it will be acceptable. There was also a discussion about whether fire trucks and school buses will fit on the road.

Dennis Crook stated there is question as to whether we should be re-reviewing the entire plan, or re-reviewing just the number of units and a couple of other pieces because it’s already been reviewed. Or do we consider this to be a whole new application. They discussed having Chris Della Penna, Township Engineer, reviewing the plans before they come to the Planning Commission. The Chester County Planning Commission would review the plans at the same time as the East Fallowfield Township Planning Commission. Garth Monaghan stated they would get Chris Della Penna’s review and the Chester County Planning Commission review. Garth Monaghan stated he would like to see a plan with lot dimensions on it.

Discuss any last minute issues with the Comprehensive Plan: Dennis Crook asked everyone if they had any last minute issues. The Board of Supervisors stated this needs to be advertised by July 14, 2016. Dennis Crook stated that the Comprehensive Plan will be on the agenda for approval at the Board meeting on July 29, 2016. Dennis Crook stated the feedback from the Board of Supervisors was mainly that the cost was too high. There was a discussion about how the Planning Commission could do a Comprehensive Plan on their own. Jim Durborow stated that part of the purpose of the Comprehensive Plan is to get people involved that aren’t on Township committees. There was a discussion on the Comprehensive Plan being a guideline.

Penn State Extension Service Workshop for on-lot water and septic system: Dennis Crook handed out a brochure for the Penn State Extension Service Workshop. He said this is not just for the East Fallowfield Township. Dennis Crook also stated the workshop is posted on the Township website as well as the County website. There was a brief discussion about mandatory hook up to public water and sewer in regard to South Brandywine Middle School. Dennis Crook stated this has not been approved. Dennis Crook spoke about the workshop. Residents can get their well water tested at the workshop. He said the workshop will present home owners with solutions by getting low interest loans to fix problems through the Master Well Owner’s Network. There are also grants for the elderly or low income people. Mr. Crook also stated it will be helpful to the Planning Commission if there is a pattern of high nitrates or pollution so they can work with that safety issue. If people do have bacterial problems with their well,

the workshop will provide maintenance information and options. The Chester County Health Department standard is that your septic bed has to be 100 feet from your well. The workshop will be held at the Training Center. We will have to pay for someone to open and close the Training center for the evening workshop. The cost will come out of the Planning Commission budget. Dennis Crook spoke about the postcard that will advertise the workshop, Park Day and other items.

Other Business – Solar Panels: Garth Monaghan stated there is a home on Glenrose Road that put up solar panels on the roof. Mr. Monaghan stated that there are no guidelines from the Township and no ordinance on solar panels. Mr. Monaghan said he listened to a presentation on solar panels and the representative told him that there are no homeowner association documents that can stop solar panel installation. Mr. Monaghan also discussed his concern about whether there is any protection from this in regard to historical properties. Jim Weeks commented that solar panels can have problems reflecting into other people's homes. He said if the Township does not have an ordinance, then one should be developed. Mr. Monaghan stated the solar panel sales representative said the installation is free and you need to agree to use them for a set amount of time. There was a discussion about how solar power works. They also discussed how the solar power company operates. Garth Monaghan stated he will talk to the Building Code Official, Rob McLarnon to confirm there is no solar panel ordinance. Other alternative means of power were also discussed.

Next Planning Commission meeting: August 3, 2015.

Dennis Crook made a motion to adjourn the Planning Commission meeting at 7:37 pm. Garth Monaghan seconded. Vote: 5-0.

Respectfully submitted,

Lisa Valaitis  
Township Secretary