

**East Fallowfield Township
Planning Commission Workshop meeting
Approved April 17, 2017 minutes
6:45 pm**

Attendees:

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

Not Present:

Sue Monaghan
Joe Perzan
Stephanie Saxton

Dennis Crook called the meeting to order at 6:45 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.

Discussion on Act 537.

Dennis Crook reported someone from MacCombie's office spoke at the last Board of Supervisors meeting about Act 537 which addresses sewage needs. MacCombie's office addressed various areas in the Township and dealt with a lot of issues they came across during the Comprehensive Plan process. Most people are opposed due to the Township Ordinance stating if your home is 150 feet or less from a sewer line, you must hook up. MacCombie's office addressed costs of putting in public sewer in various areas of the Township. The costs ranged between \$4 and \$4.5 million and the added public sewer would service 950 residents. John Schwab asked how many fall into confirmed malfunction or suspected malfunction. Confirmed malfunction means they called to get a permit because something is wrong with the system and they want to redo it. The suspected malfunction is anyone that goes through the health department and includes septic certification failures. Septic certification failures are due to someone that has transferred property ownership and needed an inspection to be sure it complies with the health department. Regular failures and certified failures are those that have gone through the Chester County Health Department. Dennis Crook discussed some of the process used to collect the Act 537 septic data. Data was collected from two different sources: survey results from home owners and information from the Chester County Health Department. Mr. Crook stated the biggest focus areas in the Township are south of Strasburg Road, some of the older developments and smaller properties. Dennis Crook compared MacCombie's septic results to the data shown in the Comprehensive Plan. The Comprehensive Plan indicated over 100 properties with less than ¾ acre. 50 more parcels that were between ¾ acre and 1 acre with on lot septic. MacCombie gave proposals for some of the identified areas with issues in the Township.

John Schwab discussed the Ercildoun area. He said there are four problem parcels in that area. By putting in public sewer, they would fix the issue for the four failures. However the rest of the residents that don't have failing septic and are 150 feet from the public sewer installation, would be forced to hook up. Thus far, the Board of Supervisors have said no to the public sewer. Mr. Crook stated that even after listening to MacCombie's presentation, it was still unclear what the exact costs are. He did discuss the calculation of costs per residents. It depends on how far away the home is from the public sewer line and the more homes hooking up, the less the costs is per home. Mr. Crook stated we need to get a very clear understanding of the costs to the residents and the Township so we can

explain it simply to residents. Dennis Crook spoke to the members about West Bradford Township owning their own public sewer and how they run it.

Dennis Crook stated he feels a lot of the properties that are falling down or abandoned are the complete septic failures in the Doe Run Farms and Ercildoun areas in which there is no way to put in a backup system. He said this is where the cesspools probably are located. Problems with on-lot septic become evident when a house is up for sale. Those homes with septic failures have difficulty selling their homes.

John Schwab questioned why the Township is picking up half the cost but isn't recouping any costs. PA American Water is picking up the other half of the cost but they will recoup the cost because those hooking up to public septic will pay them for that service. Dennis Crook stated they need to consider whether they want to franchise out the sewer lines because once that is done you can't get the ownership back. Once the Township gives up that ownership, the water company can raise rates and the Township has no control or recourse. Anyone south of Strasburg Road that is not in the franchise area, and has a septic failure, can submit an application with the State. If there are enough applications in an area, the State will then come out and investigate. The State can then force the Township to put in public sewer. If just one home far from a public sewer system has a failure, and the home is worth \$20,000 but it costs \$4,000,000 to install a public sewer pipe, then the Township might buy the home and condemn it. There was a discussion regarding the water and sewer franchise area in the Township. John Schwab explained the franchise area is the area where public water and sewer lines can be added. Dennis Crook stated it is still easier to install public water and sewer lines in some parts of the franchise area than other areas. A lot of the franchise area in the Township still has on-lot septic and well water.

There was a conversation about well water quality. Dennis Crook said that MacCombie's office stated that what is in the local well water is coming from a distant source. Most wells in the Township are 200-500 feet deep. Pollutants from local on-lot septic is not making it down that deep into the local well water aquifers. Shallow wells will be more affected by local on-lot septic systems.

Discussion on Putting on Community Conversation.

Dennis Crook reported the Board of Supervisors want to do a Community Conversation regarding Act 537/public sewer. There will be resident objections to this due to costs. John Schwab stated especially those residents in the green areas – no malfunction will protest public sewer. Dennis Crook discussed available grants and low interest loan programs that are available for residents to make the costs more affordable.

Abandoned Buildings, Structural Building Problems, Regular Versus Historic Buildings and Enforcement.

The Planning Commission members discussed abandoned home. Dennis Crook presented photographs of several abandoned homes. They discussed an abandoned road on Doe Run Road near Rokeby Road which can only be seen in the winter months. Dennis Crook stated it is a safety hazard. Dennis Crook also highlighted an abandoned home on Youngsburg Road that was the result of failed septic. He also discussed the one room school house on Strasburg Road. Mr. Crook stated he asked Solicitor Crotty if there is anything legally the Township can do about abandoned homes in poor condition. The way the Township Code is written right now there is nothing that can legally be done about this.

The Windshield Survey, which is a list of historical properties in the Township, was discussed. Dennis Crook stated for historic properties, there are two sets of building codes. There are more restrictions and maintenance requirements for buildings designated as historic. Dennis Crook discussed Chapter 27 Zoning, Section 2402 Historic Preservation subsection of the Township Code. He said there is more detail in this section than the regular building code section. If the structure is classified as a federal designated historic property than it has the most extreme restrictions as opposed to other historic properties. Mr. Crook stated the Township can take action regarding a building structure in poor condition or abandoned if it is classified as historic. Our Township got rid of The Property Maintenance Code which means the Township can't enforce property maintenance for non-historic

homes. Weeds and noxious growths are addressed in the Township Code and can be enforced. John Schwab suggested there might be some specifications in the ordinances to address the abandoned or neglected buildings in the Township that are on the historic list. Mr. Crook said the Property Maintenance Code does not have to be adopted in its entirety. They could pick and choose which parts to adopt. They discussed rental properties and the need to regulate them. Dennis Crook spoke about property values suffering when there is a neglected or abandoned property next door or across the street.

They discussed contractor registrations. The Township Code requires all contractors to be registered with the Township. However, the State regulations, which overrule the Township, now only require commercial contractors to register with the Township. The Township Ordinances have not been updated to reflect this change.

Dennis Crook discussed the process of legal and editorial analysis and the benefits of doing that. This process would allow an expert to edit and analyze the Township Code for consistency and legal accuracy.

John Schwab asked if Bawa M. Fellowship's conditional use application was approved. Dennis Crook reported that the Board of Supervisors did approve the conditional use application. The next step is the subdivision and land development phase.

Annual Report – 2016.

Dennis Crook presented an update on the status of the 2016 Annual Report. He said they had "no meeting" for May 2016 and they did have a meeting so that needed to be addressed. Under May, flowchart and sketch plan for South Bailey Road were added to the Annual Report. At the end, a section entitled "open projects" was added to the Annual Report. Comprehensive Plan recommendations: township manager, official map, and. Mr. Crook said nothing has happened with the township manager. The official map may still move forward. John Nielsen said that an official map gives the Township more leverage with contractors and developers.

There was a discussion on the Beagle Club. Dennis Crook presented a background on the property. It is zoned as Mobile Homes. Mr. Crook said that Garth Monaghan (prior supervisor) tried to obtain a grant to purchase the property for open space but the Township was not awarded the grant. They discussed old plans that were submitted for that parcel. Mr. Schwab said it would be wise for the Township to acquire this parcel for passive recreation.

The Planning Commission members felt the Annual Report was ready to submit. It will be submitted to the Board of Supervisors. There was a brief discussion about getting the Planning Commission meeting minutes caught up.

New Business.

1. Beagle Club.

John Nielsen asked about interest in having the County purchase the Beagle Club property to preserve it. The thought was that the Beagle Club parcel was not a good area of the Township for mobile homes. Mr. Crook commented on the federal requirement of fair share which requires a township to zone for proper amounts of different housing types. This does not mean that it has to all be developed. It means that all housing types must be allowed for. In order for East Fallowfield Township to meet its fair share, the Beagle Club parcel needs to be zoned for mobile home. The requirement is not for low income housing but rather a fair share of types of housing.

2. Master Planner Course.

Dennis Crook stated the zoning course he was attempting to organize will not be possible unless they go to the course already scheduled. The scheduled course is on Monday nights. Mr. Crook said he will attempt to reschedule the Monday, May 1st Planning Commission meeting Tuesday, May 2nd so they can all take the zoning course in West Chester. Mr. Crook discussed the various Master Planner Courses.

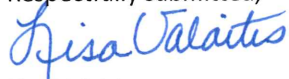
3. Priority of Township Issues/Community Conversation.

The Planning Commission members talked about what issue is the biggest concern. Dennis Crook said he felt the abandoned buildings are the biggest issue because they are a potential safety risk. It is also an attainable goal to write an ordinance to address this problem. Dennis Crook spoke on the benefits of having a Community Conversation to determine which issues the residents feel are the highest priority. Mr. Crook talked about a Community Conversation held at the East Fallowfield Elementary School in 2007. He said there was also a Community Conversation held regarding the Comprehensive Plan. He talked about various Community Conversation formats that they could do. Dennis Crook spoke in favor of a Maintenance Code because apartment owners could get mortgages for their rental properties and sell these properties as rental properties. They will get example code from other municipalities. John Schwab asked if the Board of Supervisors took any position on sending a letter to legislators in support of taxing municipalities that use state police for free. Dennis Crook said the Board of Supervisors did not send anything. Dennis Crook discussed the difference between resolutions and ordinances.

Adjournment.

MOTION: Dennis Crook made a motion for the April 17, 2017 Planning Commission workshop meeting to adjourn at 9:07 pm. John Schwab seconded. VOTE: 4-0.

Respectfully submitted,



Lisa Valaitis
Township Secretary