

**East Fallowfield Township
Planning Commission Meeting
Approved April 2, 2018 minutes
6:35 pm**

Attendees:

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

Not Present:

Stephanie Saxton

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.

Approval of December 4, 2017 Planning Commission Meeting Minutes.

MOTION: Dennis Crook made a motion to approve the December 4, 2017 Planning Commission meeting minutes as presented. Joe Perzan seconded.

VOTE: 5-0 (Sue Monaghan abstained)

Approval of January 8, 2018 Planning Commission Meeting Minutes.

MOTION: Dennis Crook made a motion to approve the January 8, 2018 Planning Commission meeting minutes as presented. John Schwab seconded.

VOTE: 4-0 (Sue Monaghan and Joe Perzan abstained)

In regard to Wilson Lambert, Joe Perzan asked if it was allowable for a person to be both a Supervisor and Planning Commission Alternate Member. Dennis Crook stated it is allowable.

Review of Ordinances.

1. **Dumpster Ordinance** – There was a discussion about the status of the dumpster ordinance and which version is the most current draft. The members looked at the Township Code and determined temporary dumpsters are not addressed. The only thing addressed in the Township Code is permanent dumpsters in junkyards and the Village Commercial Zoning District. Sue Monaghan said she sent her latest version of the dumpster ordinance to Solicitor Crotty for

review but did not hear back yet. After discussion, they decided to follow up with Solicitor Crotty to determine the current status of the dumpster ordinance.

2. **Rental Property Ordinance** – The Commission members felt that some aspects of the rental property draft ordinance presented by Solicitor Crotty at the previous meeting were too restrictive. Michael Domboski suggested offering amnesty to existing rental property owners. They also discussed possibly allowing rental property owners two years to get up to code. John Schwab said that non-conforming properties keep their non-conforming status if ownership changes. Dennis Crook said the one exception to non-conforming uses is when health, safety or welfare of residents is at risk. Mr. Crook stated rental property inspections are important to ensure safety of residents. John Schwab stated the current draft ordinance does not include a requirement for smoke detectors and carbon monoxide detectors in rental units. The members felt that these items should be requirements in the ordinance. John Schwab stated they should identify the items to inspect for safety. The Code Enforcement Officer would need to know what to inspect and property owners need to know what they are accountable for. Joe Perzan said the problem with including a list in the ordinance is that every time the list is changed, the ordinance would need to be amended. They also discussed Section 12, d “PMC – shall mean the current adopted version of the International Property Maintenance Code...” Michael Domboski commented that Section 5 of the draft ordinance also references the IPMC. They felt that reference to the IPMC was included to avoid having to amend the rental property ordinance. There was a discussion on what requirements to include, whether the IPMC is reasonable, and what list of requirements to reference in the ordinance. They discussed requirement lists from some other local municipalities as well as HUD. The consensus is that the requirements need to be safety and health related.

Joe Perzan suggested the following wording to the introduction of the Rental Property Ordinance to show the purpose of the ordinance. “Whereas the supervisors recognize the need to protect the public’s health, safety, and welfare.”

Joe Perzan also suggested a change in Section 2: Township Code Enforcement Officer – remove the word “annually” in the first sentence.

Joe Perzan asked about adding boats, campers, trailers, and dumpsters to Section B – Vehicles and Equipment. Farm equipment was also suggested as an addition. They will use the phrase, “including, but not limited to.”

Board of Supervisor News - Township Manager Selected: Scott Swichar.

Dennis Crook announced that the Board of Supervisors selected Scott Swichar to be the new Township Manager. Dennis Crook stated that Mr. Swichar previously worked for Bristol Township in Bucks County and has prior township manager experience.

Discussion of U.S. Census Bureau “Boundary and Annexation Survey (BAS)”

Dennis Crook briefly discussed a recent dam permit request. He said after talking to Solicitor Crotty, the Township returned the form stating not enough information was provided to complete the form. Dennis

Crook discussed a recent request from the U.S. Census Bureau. He said the information they are asking for is if there are any boundary changes. Mr. Crook stated the Township hasn't had any boundary changes. However, the documents indicate new roads are considered boundary changes because the Township transfers the land the road is on from the parcel to the Township. The census request also asked for verification of correct Township road names. There was a discussion about the details of the map. Dennis Crook spoke about Modena Road. John Nielsen reported that Mortonville Road turns into Laurel Road when it enters Newlin Township. The road along the Brandywine Creek is called Brandywine Creek Road which may have caused the confusion regarding Creek Road – Mortonville Road. John Schwab stated no true Township boundary changes have occurred but some of the road names have changed. Sue Monaghan stated the census map shows the Speakman's Bridge is not in East Fallowfield Township. Sue Monaghan stated the Denny Howell 7-lot subdivision is not on the map. They discussed that subdivision and debated whether that is a Township road or a private drive. The Census Map will be further discussed at the Official Map meeting.

Presentation to Board of Supervisors to Review Ordinance Changes:

Dennis Crook stated Solicitor Crotty made some ordinance corrections after the March 5, 2018 Planning Commission meeting.

- 1. Day Care Center & Day Care Home Ordinance** – The Commission reviewed and discussed the changes Solicitor Crotty made to the existing Township Ordinance. Part 5, § 27-502 - Under Section 1, line G, day care centers was removed. Lines H and I will become G and H. On Page 2, Part 6, of § 27-602, line G, "no impact home based business" was removed. At the bottom of page 3, Part 3, § 27-1711, line E, day care center was removed. On the last page of the ordinance, the day care center is further defined. An "operation of the facility shall be limited to the hours between 6:00 am and 9:00 pm." was added to the draft ordinance. The purpose of these changes is to not allow a day care center in a residential zoning district. With the current changes to the draft ordinance, day care centers are allowed under Multi-Use, Office-Industrial and Village Commercial.

John Schwab and Dennis Crook reviewed and summarized Solicitor Crotty's Day Care Center Ordinance changes as follows:

- Section 1, 1-G – removed day care centers by right from the R-2 Zoning District.
- Section 1, 1-D – Accessory Uses – Home occupations removed.
- Section 1, 4-E – Removed d day care centers by conditional use from the R-1 Zoning District.
- Section 2, 1-G – Removed no-impact home based business by right, according to § 27-1712, Subsection 1-A. They discussed limited square footage versus the number of children. They verified that 4-6 children were included in the ordinance for a day care home in the R-3 Zoning District under § 27-1712.
- Section 2, 3-E – Day care center by special exception was removed.
- § 27-1711, A – Mr. Schwab and Mr. Crook verified that day care center was limited to a minimum lot size of 1-acre.

After discussing, the members still felt Village Commercial wasn't well defined and the areas on the Zoning Map are not clearly identified. They did not feel that a day care center would

be a good fit in the Village Commercial Zoning District. Dennis Crook will discuss this further with Rob McLarnon. They discussed the Mortonville Village Commercial area briefly.

2. **Shooting Range Ordinance** – Dennis Crook stated Solicitor Crotty made a separate ordinance to address shooting range changes to be made in § 27-1714. He summarized the changes as follows:
 - Added minimum of 10-acres was established for an accessory shooting range. Minimum of 50-feet from a track boundary.
 - Hours of operation are 8:00 am to dusk for an accessory shooting range.
 - Commercial Shooting Ranges are allowed in Rural Agricultural, Multi-Use and Office-Industrial Zoning Districts. The applicant is required to submit a plan to the Township’s Police Chief for review.
 - Last page, F., under commercial shooting range. Hours of Operations - extra word “after” needs to be removed.
 - Section 1, Accessory Shooting Range, there are two lines labeled with the letter “d”.
3. **Blighted Property Ordinance** – Dennis Crook asked John Nielsen and Michael Domboski to review the changes Solicitor Crotty made to the blighted property ordinance.

Request for Articles for East Fallowfield Township Newsletter.

Dennis Crook requested the Planning Commission members consider putting together an article for the Township Newsletter.

Maximum Lot Coverage of Impervious Surface – Residential Versus Nonresidential in Traditional Zoning Versus Planned Residential Developments (Open Space Designed).

Dennis Crook reported this issue came up recently with the Zoning Hearing Board in regard to a pool permit application. This issue arises with planned residential developments with smaller lots and they are still only allowed a maximum of 15% of their lot size to be impervious surface. The resident wanted to install a pool and was already up to 15.7% impervious surface without even including the pool in the calculation. Mr. Crook said that at the Zoning Hearing Board hearing, Rob McLarnon stated that a pool is not considered impervious surface. However, the apron around the pool is counted towards the impervious surface calculation. Dennis Crook discussed having a percentage of the open space being credited towards the impervious surface percentage of each resident because lots were reduced in size to increase the amount of open space in the subdivision.

Paver Technology Pervious to Impervious or Subject to Calculations in Between.

Dennis Crook discussed pervious system pavers that can be put around pools or used for a patio. Using this product would reduce the amount of impervious surface on a property.

Unfinished Business.

1. **Ridgecrest Development** - Dennis Crook reported that the Ridgecrest Developer, Rouse Chamberlin, is requesting the Planning Commission sign the Ridgecrest plans which have already been signed by the Board of Supervisors. Dennis Crook recapped the history and said that the Ridgecrest Development was approved with minor changes two years ago by the Board of Supervisors. He recapped the history of the development. The approved changes included moving the tot lot and gazebo to top of the road, moving lots 71 and 72 from Phase 2 to Phase 1, and changing the trail requirements. They aren't going to put the trail in at the time of development, but will put money in escrow to allow the trail to be built at a later time. After a discussion about signing the plans, John Schwab and Dennis Crook signed the plans. The rest of the Planning Commission members did not sign the plans. There was a discussion about the West Chester Road and South Caln Road intersection improvements. John Schwab stated the applicant is required to contribute \$500 for each dwelling unit for improvements to that intersection. John Schwab discussed the importance of ensuring stormwater management is done for that intersection.

Adjournment.

MOTION: Dennis Crook made a motion for the April 2, 2018 Planning Commission meeting to adjourn at 8:53 pm. Sue Monaghan seconded. VOTE: 6-0.

Respectfully submitted,



Lisa Valaitis

Township Secretary