

**East Fallowfield Township
Planning Commission Meeting
Approved November 5, 2018 minutes
6:40 p.m.**

Attendees:

Dennis Crook, Chairman
John Schwab
Joe Perzan
Sue Monaghan

Not Present:

Stephanie Saxton
Michael Domboski
John Nielsen, Vice Chairman
Wilson Lambert (Alternate Member)

Dennis Crook called the meeting to order at 6:40 p.m.

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 April 16, 2018 Planning Commission Official Map Meeting Minutes.

The Planning Commission members determined there were not enough members present to approve the April 16, 2018 Planning Commission Official Map meeting minutes. Therefore, this was tabled until the next meeting. There was also a discussion regarding quorum.

Approval of June 18, 2018 Planning Commission Official Map Meeting Minutes.

MOTION: Dennis Crook made a motion to approve the June 18, 2018 Planning Commission Official Map meeting minutes as presented. Sue Monaghan seconded.

VOTE: 4-0

Official Map Report.

Dennis Crook presented an update on the Official Map. He reported that the Board of Supervisors received feedback from Chester County and neighboring municipalities. The main recommendation was to have a digital version of the Official Map. The Board of Supervisors voted and approved the Official Map for adoption. Dennis Crook stated he verified that the Township will be getting a digital Official Map and large map from Ray Ott.

Zoning Map Colorized and Digitized.

Dennis Crook also reported that he discussed colorizing the Township's Zoning Map with Ray Ott and Ray Ott already has a colorized Township Zoning Map. Dennis Crook stated this is the zoning map the Township needs. When you blow it up, you can determine exactly which properties are in a zoning district. The black and white zoning map is not clear enough. Dennis Crook also discussed errors on the colorized Zoning Map. A portion of Brinton Station is in the Public Facility (PF) Zoning District on the map. The property to the left should be in the Public Facility (PF) Zoning District. The Township owns a lot on Goosetown Road which is not highlighted as the Public Facility (PF) Zoning District on the colorized Zoning Map. Mr. Crook will run these issues by Township Code Officer Rob McLarnon. John Schwab stated that one of the goals in the Comprehensive Plan is to review and tweak the Township Zoning Map. Now might be a good time to do this. Dennis Crook stated that on the South east corner of the Township off Route 82, there is one development sitting in the middle of the Conservation District that is not labeled on the Zoning Map. It might be in the Rural Agricultural (RA) Zoning District but not part of the Conservation District. Dennis Crook stated that they also need to double check that the Beagle Club property is labeled with the correct zoning. Mr. Crook also reported that the Chester County Planning

Commission may be able to assist and make changes to the colorized Zoning District. Dennis Crook said to keep in mind the Official Map is not the Zoning Map. Dennis Crook will continue working on reviewing the colorized Zoning Map.

Affordable Housing Breakfast – December 13, 2018.

Dennis Crook announced there is a Chester County 2020 Breakfast Event on December 13, 2018. The topic to be discussed is "Affordable Housing." Dennis Crook discussed the Chester County 2020 Township Sponsorship Program. Dennis Crook discussed problems with affordable housing and affordable land in Chester County. There was a discussion about what constitutes affordable housing as well as workforce housing for firefighters, police officers, teachers, and retail managers, etc. Dennis Crook spoke about past programs that have addressed affordable housing. John Schwab asked if the Township would be hurting itself by offering affordable housing and thereby lowering earned income revenue for the Township. John Schwab stated that municipalities are required to offer all types of housing. John Schwab spoke in favor of mixing housing types as opposed to putting affordable housing in one area of the Township and high-end housing in another area of the Township. They discussed creative ways to create incentives for builders to build affordable housing.

Review and Discussion of Township Code.

1. **Multi-Use (MU) Zoning District – Chapter 27, Part 12 and Office Industrial (OI) Zoning District – Chapter 27, Part 11, Zoning District Uses by Right versus Conditional Use (CU) and Special Exception (SE)** - Dennis Crook discussed the current Township Code for the Multi-Use and Office Industrial Zoning Districts. There was a discussion regarding use regulations, uses by right, accessory uses, special exception and conditional uses (Board of Supervisors). Dennis Crook said that the Township Code is either too specific or not specific enough in these sections. Additionally, some of the terminology is outdated. He discussed commercial building and making the Township Zoning Ordinances "friendly" to desirable builders while keeping consistent with the essence of the Newlinville area. A convenience store without a gas station needs to go before the Zoning Hearing Board for approval. A convenience store with a gas station is required to go before the Board of Supervisors for approval. There was discussion about unground storage tank regulations. Dennis Crook spoke in favor of having a nursing home / life care facility, combination of housing, affordable housing, and various types of housing with various stages of necessary care in East Fallowfield Township. Dennis Crook said that a life care facility could have a little walkable hub of shops and essential services in it as well. Dennis Crook said that the County is offering grants for this type of development. John Schwab said that he could see a life care facility as being a use "by right" in the Township Zoning. Life care facilities do not typically require a lot of municipal services. Dennis Crook said that the PECO property in the Multi-Use Zoning District is approximately 100 acres. There are 436 acres in the Multi-Use Zoning District which is 96 parcels. They discussed the layout of the Multi-Use Zoning District. John Schwab said that he did not feel that this area would attract a high-end life care facility. Dennis Crook reported that Solicitor Crotty's recommendation is for the Planning Commission to go through the Multi-Use and Office Industrial Zoning District Code and determine what businesses are desirable to draw to the Township and look at incentives to help attract those builders. They should also determine what they do not want in the Township. The Planning Commission discussed some of the uses listed in the current Office Industrial and the Multi-Use Zoning District Ordinances. Dennis Crook said that they need to consult with Solicitor Crotty regarding which uses are required to be permitted in the Township. The Planning Commission discussed the need to plan for new technology, particularly relating to cell phones, and address it in the Township Code, in order to maintain the rural quality of East Fallowfield Township. They also discussed expanding the Village Commercial Zoning District that Triple Fresh Market is located in. Dennis Crook stated he would like to see a gas station/convenience store in the Office Industrial Zoning District.
2. **Ordinance 27-1719 Nursing Home, Life Care Facility, or Retirement Community** - The Planning Commission members discussed The Township Zoning Ordinance Section 27-1719 – Nursing Home, Life Care Facility, or Retirement Community. Dennis Crook stated the current Township Zoning Code defines a life care facility, retirement community, and nursing home. There was a discussion about the specific details of the Zoning Ordinance. Dennis Crook stated that one facility could be all three: life care facility, retirement community, and nursing home Dennis Crook spoke about the benefits of having the Township Zoning Code permit life care facilities, retirement communities, and nursing homes by right but adhere to the specific requirements of each facility definition. Joe Perzan suggested utilizing Pennsylvania's definitions because these facility types are licensed by Pennsylvania. There was a discussion regarding the benefits to the Township for having one of these facilities which include earned income tax revenue from the employees, property assessment tax revenue, and the earned income from residents. These facilities are self-contained and do not require many services for the Township. However, there could be more need for emergency services.

3. **Definition of Family & Group Home** - Dennis Crook stated that the law that Solicitor Crotty is concerned about is that a municipality cannot discriminate against a group home. A group home must have the same rules as a family. Joe Perzan discussed a legal case that is relevant to this topic and he said that the Township will probably have to use the definitions for family and group home as defined in that case. These definitions will need to be brought up to date based on current case law. The Township will need to have a simple method for changing this ordinance as the law changes to keep the ordinance up to date. Dennis Crook suggested following Chester County's lead on these definitions. They also determined the easiest way to address group homes is to follow the state requirements and state in the Township Ordinance that group homes must follow the state requirements. They discussed requiring group homes to have a license if the state requires a license for all group homes. Sue Monaghan stated that not all group homes require a license. Dennis Crook also discussed Manheim Township's definitions of family and group home. There was a discussion regarding one of the current group homes in the Township. This group home was previously a non-profit home for unwed mothers, and it is now a non-profit home for recovering addicts to live. They debated whether this change is a change in use. They also discussed group home verses a boarding home. The Planning Commission will discuss this further at a future meeting.

PennDOT's Multimodal Transportation Program Grant Application.

Dennis Crook discussed a letter he received from Township Manager Scott Swichar regarding submittal of a PennDOT Multimodal Transportation Program Grant Application. If the grant application is approved, the Township will use the funds for repairs to Mortonville Road. Dennis Crook discussed the specifics of the condition of Mortonville Road. Mr. Crook also stated that he has looked at old maps showing the path of the Brandywine Creek and the creek's path has changed overtime. Dennis Crook said that he suggested that the Board of Supervisors and Township Manager Swichar consult with the Army Corp. of Engineers and Pennsylvania Department of Environmental Protection before doing repairs to Mortonville Road because of the Brandywine Creek's shifting pathway. The Planning Commission members felt the short-term solution is to apply for the grant and do the necessary repairs to Mortonville Road to reopen the road two ways. The long-term solution is to address the Brandywine Creek's shifting path. They also discussed the volume of traffic on Mortonville Road and how necessary fixing the road is relative to the cost. The Planning Commission agreed that repairing Mortonville Road ties to the Comprehensive Plan. John Nielsen signed off that this met the Comprehensive Plan provision. Dennis Crook will sign off that the Planning Commission supports submission of the grant application upon approval by the Planning Commission by motion.

MOTION: John Schwab made a motion that the Planning Commission supports the Township's application for a grant to repair the section of Mortonville Road that has been impaired by the stream bed. Sue Monaghan seconded.

VOTE: 4-0

Fieldstone Village (a.k.a. Mendenhall, DeLuca (Chester County Development #7365), Pelham Place, Longview, LP, and Stancato / Abdala, LLC Conditional Use Contracted Items.

The Planning Commission discussed the requirements for approval of a subdivision application. Dennis Crook stated that a development plan must be approved by the Board of Supervisors and the approved plan must be recorded with the County. Dennis Crook stated that Fieldstone Village was approved by the Board of Supervisors and recorded with the County. Nine homes were built and then DeLuca, the builder, went bankrupt. John Schwab had questioned if there was restriction on the type of home in Conditional Use, however Township Code Officer Rob McLarnon may be approving the building permits. Dennis Crook reported that he went through all the prior Board of Supervisors meeting minutes regarding Fieldstone Village. Dennis Crook stated Fieldstone was approved as clustered housing. Dennis Crook reported that he viewed the Township files regarding Fieldstone Village, and he went to the County to obtain the final approved and recorded plans. Fieldstone Village was recorded at the County under the name Mendenhall. John Schwab stated they should request accounting to determine that the Park and Recreation Fee in Lieu of has been paid to the Township for the homes built in Fieldstone Village. John Schwab discussed the linking trail included in the plan. The Planning Commission needs to ensure the trail, landscaping, and basins are completed and the stream is being preserved by meeting stormwater requirements. The Planning Commission agreed that they do not want to slow this builder down. It is beneficial to both the Township and the current residents of Fieldstone Village to have the development completed.

MOTION: John Schwab make a motion that the Planning Commission recommends to the Board of Supervisors of East Fallowfield Township that the development currently known as Fieldstone Village / Mendenhall be required to adhere to the Decision and Order

of the Conditional Use Approval Decision and Order dated January 31, 2003 and that any alterations of such Decision and Order be reviewed by the Planning Commission prior to changes. Sue Monaghan seconded.

VOTE: 4-0

Ridgecrest and Scott Farm Subdivisions.

There was a discussion regarding the Ridgecrest Subdivision which is currently being built. The Planning Commission will review the Ridgecrest Subdivision's Decision and Order and send a letter of recommendation to the Board of Supervisors. They also discussed the stormwater improvements necessary to the intersection of South Caln Road and West Chester Road. Dennis Crook stated that the Planning Commission also needs to keep an eye on activity with the Scott Farm Subdivision. He briefly discussed the history of the Scott Farm Subdivision. The Scott Farm Subdivision plans were approved by the Township but were not recorded with Chester County. One parcel, with the proposed sewer lines running through it, was sold off in error.

Adjournment.

MOTION: Dennis Crook made a motion for the November 5, 2018 Planning Commission meeting to adjourn at 9:20 p.m. John Schwab seconded. VOTE: 4-0.

Respectfully submitted,



Lisa Valaitis

Township Secretary