

# EAST FALLOWFIELD TOWNSHIP

## PLANNING COMMISSION MINUTES

Unapproved June 1, 2009

**P/C MEETING CALLED TO ORDER AT 7:30 PM BY CHAIRPERSON DEBORAH RUSH.**

**In Attendance:** *Deborah Rush; Chairperson, Bernie Beegle; Vice Chairman, Members, Jim Durborow, John Schwab, Ryan Ray, Vince Lyons and Arlene Miles-Eubanks (Secretary) were in attendance. Jim Weeks was absent.*

**Minutes:** *Mrs. Rush made motion to table approval of minutes until the end of meeting Mr. Schwab 2<sup>nd</sup> – all in favor.*

**Denise Mosley Day Care Conditional Use Application:** *Mrs. Mosley wants to occupy an in-home day care with maximum of 6 children unrelated to herself and is asking for a recommendation to go to Conditional Use. There were talks about this Conditional Use application at the Board of Supervisors meeting and there was question of whether this needs to actually go to Conditional Use because Mrs. Mosley is not running a day care center, but in fact what she is planning qualifies as an home occupation under the definition section page 200-5 of the Nov 2002 Zoning Ordinance. Mr. Della Penna asked Mrs. Miles-Eubanks if Mrs. Mosley would still need to come to the Planning Commission Meeting because of the previously stated information and Mrs. Miles-Eubanks replied that she had spoken with Mr. Mclarnon and he said that Mrs. Mosley would still have to go through Conditional Use, because the Zoning Ordinance speaks about Day Care Centers and he said it didn't specify anything about Home Care, so he believes that she will still need Conditional Use. Mrs. Rush read section 1712B on page 500.2 and asked if Mrs. Mosley would be able to comply with the stipulations stated in that section and Mrs. Mosley said she will comply and she also has a letter from her Home Owners Association who supports her application. Before making a recommendation she advised Mrs. Mosley to comply with the state regulations regarding day care centers.*

*Ms. Rush recommends to the Board of Supervisors as to Denise Mosley's application for a home occupation day care business under the definition in the zoning ordinance book of Nov 2002 page 200-5 the definition of a home occupation day care and just below day care center and in section 502.2D page 500.2 home occupation in accordance with section 1712B discusses what home occupations involve: a single family detached dwelling, prince operator of the home should be a resident, home occupation should not occupy no more 25% of total floor area or 750ft whichever one is less, the exterior of the resident will have no change in appearance, Minimum of 2 off street parking spaces, no display or sign outside of home. All of these requirements have been met by the homeowners.*

*They have a homeowner's association letter supporting their application. Also Mrs. Miles-Eubanks' verbal notice from Mr. Mclarnon, stated that he believed they needed to go to conditional use because the zoning ordinance speaks of day care centers and that it didn't specify anything about home care centers so it is the Planning Commission's understanding and belief that the zoning ordinance does speak about home occupation daycare, the Planning Commission feels that the applicants do not need to go through to Conditional Use and that their \$1500.00 that they have given to the Twp in lieu of expenses for the Conditional Use Application process be returned to them, if the Board of Supervisors find that in fact this is a home occupation. Vince Lyons 2<sup>nd</sup> – all in favor*

**T-Mobile Conditional Use:** *T-Mobile representative explains that they are planning to attach 9 antennas between the 2 sets of antennas that are already there at 140ft the Tower is 150ft in height. Ms. Rush asked if they need to update anything there and they answered no because they are fairly new and compliant. There was discussion about paving the road that leads up to the tower, however there are grass paver that lead up to the site so that it is pervious. There were also talks about the cabinets size and amount in which the T-Mobile representative explained that the size of the cabinet is the same and that there is one existing cabinet and they will lay one more cabinet and there is space for additional cabinets in the future. There were question of the entrance space and accessibility to the tower with these cabinets being place at the site and the T-Mobile representative assured the Planning Commission that they have more than enough room for Singular and Nextel to assess the site and they made sure of this by reducing the size of the cabinets. Ms. Rush asked if they had a letter from Singular/Nextel and T-Mobile Rep. said they do not have one from them, however they have a lease from American Tower which represents Nextel and Singular. There were talks of a structural analysis in which it was made known that there would not have been a lease given without having an analysis done, it is a requirement of American Tower along with annual maintenance reports. Mr. Durborow wanted to know if the cabinets are heavy and are they going to use a truck to install these cabinets, the T-Mobile rep. stated that they are not heavy at all and they would use a small bucket truck when installing.*

*Mr. Durborow also had concerns about the paving of the access site, however after future discussion they agreed that the paver stones that are in place was better for travel especially in in-climate weather.*

*Ms. Rush made a motion to the Board of Supervisors to grant permission to go ahead with conditional use application. Vince Lyons 2<sup>nd</sup>- all in favor*

**Minutes:** *Ms. Rush made a motion to approve the April 6, 2009 Minutes with revisions on spelling and grammar. Ms. Rush also made mention of no approval of minutes needed because of the May 4, 2009 being cancelled due to no business to discuss. Mr. Ray 2<sup>nd</sup> –All in favor, John Schwab abstained due to absence of April 6, 2009 meeting.*

**End of Meeting Discussions, Concerns & Updates:**

**Agricultural Security Area:** Ms. Rush was waiting on a member of the ASA to discuss this matter in detail, however Mr. Monaghan nor any member was present at the meeting and Ms. Rush was not able to discuss this in detail because she was not quite sure on how to explain what exactly this Agricultural Security Area was about.

**Comprehensive Plan:** Mr. Schwab was inquiring about the procedure for getting the Comprehensive Plan started. Ms. Rush said that money may be an issue in regards to how we pay, whether we pay up front and be reimbursed or if the grant is received and then we pay the balance. Ms. Rush said that she will contact Ray Ott to find out about billing and she will explain at the next meeting what was discussed between them. The Planning Commission agreed to begin the process in September.

**Meeting ended:** Ms. Rush makes motion to end meeting at 8:30pm, Mr. Ray 2<sup>nd</sup> – all in favor

*Submitted by,*

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*Arlene Miles-Eubanks  
P/C Secretary*

