

MINUTES OF THE
EAST COVENTRY TOWNSHIP BOARD OF SUPERVISORS
ZONING TASKFORCE MEETING HELD ON FEBRUARY 28, 2008
(Approved March 10, 2008)

The Board of Supervisors held a Zoning Task Force Meeting on Thursday, February 28, 2008. Present for the meeting were supervisors W. Atlee Rinehart, Rosemarie C. Miller Robert F. Preston, Timothy Roland and Ray Kolb.

Also in attendance was Township Planner Wayne Grafton of The Grafton Association, Walter Woessner, Vice-Chair, East Coventry Township Planning Commission, Harold Kulp, Chair, East Coventry Township Planning Commission, N. Lance Parson, Member, East Coventry Township Planning Commission, and Gail Brown, Chair, East Coventry Township Historical Commission.

Mr. Rinehart called the zoning taskforce meeting to order at 7:10 p.m. and turned the meeting over to Mr. Grafton.

1. PUBLIC COMMENT

Fricks Locks Village

Ms. Brown noted concerns of a violation letter going out to PECO regarding Fricks Locks Village without prior review by the Historical Commission and Ms. Brown requested a copy of such letter. Mrs. Brown of 500 Sanatoga Road read the following statement into the public record "Section 106 of the National Historic Preservation Act of 1966 requires that Federal agencies allow for the advisory Council on Historic Preservation to have an opportunity to comment on all projects affecting historic properties listed in the National Register. For further information, please refer to 30 CFR 700 it seq." Mr. Preston stated that items that are on the National Register are to come before the Board. Mr. Preston stated he asked the Township Manager to check if the Township's liability insurance covers Fricks Locks Village. Mr. Preston stated the Board should have been notified of such violation letter and the letter should have been reviewed by the Township Solicitor. Mr. Preston stated we are in negotiations with PECO and the letter may cause it to appear we are not cooperating. Mr. Roland concurred that the Solicitor should have reviewed the letter and the letter should have been presented to the Board of Supervisors prior to sending the letter to PECO because East Coventry Township is currently in negotiations with PECO / Exelon concerning Fricks Locks Historic Village (Class One Historic Resource and on the National Register). Mr. Preston said the township has a responsibility to secure the buildings. Ms. Brown asked if the Historical Commission would get a copy of the violation letter. Mr. Preston gave Ms. Brown his copy of the letter.

2. ZONING ORDINANCE DISCUSSION

Mr. Grafton distributed the Land Use Assumptions Report last revised February 20, 2008. Mr. Grafton will provide the report to McMahan Associates, Inc. The Act 209 is to review and amend the report and make a recommendation to the Board.

There was a review of the Appendix C: Existing Natural Resource Protection Standards and Recommendations.

Mr. Grafton stated that the County requested the document to be implemented into the Zoning Ordinance and if the item is not implemented there will be a \$3,000 decrease in the grant.

There were inquiries of how to regulate such standards when these items are not already regulated by State and Federal agencies.

Mr. Preston moved to not adopt Appendix C: Existing Natural Resource Protection Standards and Recommendations document until Federal and State law regulations specifically address these points and at that time the Board will consider modification. Mr. Rinehart seconded the motion. Mr. Rinehart called for the vote and **the motion** carried with a 5-0-0 vote.

Mr. Preston moved to accept the County's offer and reduce the grant by 10%. Mr. Rinehart seconded the motion. Mr. Rinehart called for the vote and **the motion** carried with a 5-0-0 vote.

There was a review of the proposed Zoning Ordinance last revised December 21, 2007.

Article XII

Mr. Preston moved to add requested text to Article XII. Mr. Rinehart seconded the motion. Mr. Rinehart called for the vote and **the motion** carried with a 5-0-0 vote. Added text – Section 1200 – Statement of Intent and Purpose – noting this ordinance is created pursuant to Article I, Section 27 of the Pennsylvania Constitution.

There was a discussion regarding adding a Historic Resource Impact Study requirement.

Mr. Rinehart moved to not alter the document to include a requirement for Historic Resource Impact Study. Mr. Roland seconded the motion. Mr. Rinehart called for the vote and **the motion** carried with a 5-0-0 vote.

Mr. Preston moved to forward the County the East Coventry Township Historic Resources Map along with the Historical Property Classifications for Chester County's review. Mrs. Miller seconded the motion. Mr. Rinehart called for the vote and **the motion** carried with a 5-0-0 vote.

Zoning Map

There was a review of the Zoning Map last revised April 1, 2007.

The three (3) Schollenberger lots on Old Schuylkill Road are to be placed in the same Zoning District. The minutes referencing this item are to be provided to Mr. Grafton.

There was a review of Mr. Woessner's memo WJW 80209

Proposed revisions:

Article II

- Agriculture – last sentence to read ‘The keeping of horses, dogs, and similar animals considered as domestic pets for domestic purposes shall not be considered an agricultural use.
- Agricultural Products – first sentence change ‘includes’ to ‘include’ and add reference to Section 1313.R and add flowers to the agricultural products list.
- Bus Shelter – change ‘three sides’ to ‘two sides’, change ‘1314’ to ‘1313’.
- Clear Sight Triangle – to read ‘An area of unobstructed vision at a street intersection, defined by lines of sight between points at a given distance from the intersection measured on the centerlines of the streets’.
- Common Open Space or Open Space – in the beginning of the third sentence add ‘The minimal’ – add text ‘shall not be used in calculations for minimum requirements’ in Section 1403.A.4.f and Section 1403.A.4.g.
- Add definition as proposed for Conservancy/Sanctuary Lot
- Comprehensive Plan – add date of Comprehensive Plan
- Development – refer to adopted Ordinance No. 141
- Garage – note the max gross vehicle weight to be as restricted by CDL State Law – provide more clarity to definition as it related to ‘attached garage’
- Geology and Watershed Boundaries Map – to be Geology and Watershed Boundaries Map
- Home-Based Business, No Impact – Item F – change ‘seage’ to ‘sewage’
- Home Occupation – place the 20 square foot limit on display or sale of retail goods
- Kennel – an establishment where five (5) or more dogs are kept, trained, raised or bred, excluding boarding and grooming provisions unless as part of a private club’s activities
- Kennel, Commercial – an establishment where five (5) or more dogs, not owned by the owner or occupant of the premises, are kept, boarded, groomed, traileed, raised or bred
- Lot, Interior – add ‘lawful’ before ‘pre-existing lot’
- Noxious Vegetation – add tree of heaven (Ailanthus) and poison ivy and remove ‘and all poisonous plants’ from the end of the definition
- Parking Space - a reasonably level space designated for the parking of one (1) motor vehicle, surfaced to permit use under all weather conditions, the dimensions of which are consistent with Section 1305.B.1 of this Chapter, exclusive of passageways, driveways or other means of circulation and access and to which there is access from a street, alley, or driveway.

Article III

- Section 302.B.1.b – change ‘Roland’ to ‘Rowland’

Article IV

Change Section Number '1403.A' to '1403'

Article VIII

Section 802.B.7 – Use same language as found in references to other district

Sections 803.C and 703.C – references should be identical

Section 804.C.4 – Mr. Grafton will take a further look at this section

Article IX

Add same wording as found in Section 1104.F

Article X

Section 1004.D - add same wording as found in Section 1104.F

Article XIII

- Section 1305.A.1.c – change 'permitted' to 'allowed' in the first sentence
- Section 1313.F.12.f – change 'dusk' to 'sunset'
- Section 1313.L.8 – change 'a clear sight triangle' to 'the clear sight triangle' and reference Section 1317
- Section 1313.P – should be Signs in Industrial District
- Section 1313.R.1.g and Section 1313.R.1.h – correct section references accordingly
- Reference to *residential day care home* in Section 1314.A to be addressed
- Section 1317 – add 'sign' between 'fence' and 'or other structure'
- Section 1318.B.7 – delete 'or in a building accessory thereto' and add working to address accessory building for family members
- Section 1318.D – remove 'and not within any required side yard' from the end of the paragraph

Article XIV

- Section 1405.B.2.a – in the last sentence place 'be' between 'accompanies' and 'the required fee'

Section XIX

- Add new Section 1905.B as follows 'Unless otherwise provided by the Municipalities Planning Code, where two or more contiguous developed and undeveloped lots are held in single ownership, which lots are individually not of the required minimum area or width for the district in which they are situated, such lots may be reconfigured, as a subdivision, with lot line changes in groups thereof in order to provide a greater lot area or frontage such that the original nonconformance[s] is not increased'

Mr. Grafton noted that everything it to be in to the County by March 30, 2008 and an adoption for June 2008.

3. ADJOURNMENT

Mr. Kolb moved to adjourn at 11:15 p.m. Mr. Roland seconded the motion. Mr. Rinehart called for the vote and the motion carried with a 4-0-0 vote. Mr. Preston had left earlier in evening around 10:15 p.m. therefore not present for this vote.

Respectfully submitted,

Bernard A. Rodgers
Township Secretary