

to the Chester County Conservation District for review. Mr. Kulp seconded the motion. The motion carried with a 4-0-0 vote.

Mr. Woessner moved to recommend a waiver from Sections 420 and 428.6.A of the Subdivision and Land Development Ordinance to allow shade trees and screen plantings to not be installed. Mr. Tietjen seconded the motion. The motion carried with a 4-0-0 vote.

Mr. Woessner moved to recommend a waiver from Section 426.3 of the Subdivision and Land Development Ordinance to allow neither open space nor a fee-in-lieu to be provided. Mrs. Alexis seconded the motion. The motion carried with a 4-0-0 vote.

The Planning Commission discussed the engineering review letter dated January 27, 2010. Brady Flaharty noted the need for additional waiver requests as identified in Paragraphs 8 and 12 of the engineering review letter. Mr. Coval indicated he would submit a written request for those waivers prior to the next Planning Commission meeting. The Chester County Planning Commission letter dated February 12, 2010 was discussed. Walt noted the confusing language in Paragraph 4 regarding the 30-foot right-of-way and the recommended width of 33' – 50' for local distributor roads. The Planning Commission reviewed the DiGiuseppe plan and concluded that the reference to 30 feet pertained to the northeast side of Kulp Road commencing from the center line of the road and that the total width of the right-of-way, following dedication, would be greater than the maximum recommended width of 50 feet. The legal review letter was discussed and Mr. Coval requested a form of deed of dedication from the Solicitor's Office and inquired if two separate deeds, one from the applicant and one from the Lacons, would be acceptable. Ms. Brown indicated that separate deeds would be preferred. Mr. Coval confirmed that revised plans would be submitted for review at the next Planning Commission meeting.

ADDITIONAL ITEMS BROUGHT BEFORE THE COMMISSION

Annual Report

Mr. Tietjen moved to approve the 2009 Annual Report as presented. Mrs. Alexis seconded the motion. The motion carried with a 4-0-0 vote.

Review of Proposed Changes to Chapter 27, Part 19 (Nonconforming Uses, Structures and Building)

The Planning Commission considered review of proposed changes to Chapter 27, Part 19 (Non-Conforming Uses, Structures and Buildings). Ms. Brown provided background information on the proposed changes, which were prepared by the Township Manager and reviewed by the Township Solicitor. The proposed changes are coming to the Planning Commission for informal comment in advance of preparing an ordinance amendment for formal consideration. The Planning Commission discussed each proposed change. Regarding Section 1901.A, the Planning Commission agreed that determining what was a higher classification or a lower classification was difficult to determine and that once a non-conforming use was changed, it was no longer non-conforming. With regard to Section 1902.F(2), the Planning Commission agreed that the 50% standard would give too much leeway to the property owner for making the improvements and repairs and felt the removal of subsection (a) was a good idea. Regarding Section 1906.1., the Planning Commission agreed that if the use was permitted, structure non-conformities should be addressed by variance and not special exception and that there had been some confusion by the Zoning

Hearing Board on this subject. Therefore, the Planning Commission agreed that this change would provide useful guidance. Regarding the removal of Section 1907, the Planning Commission agreed that this should be disallowed and noted that combining two lots might still not provide adequate lot area so that requiring the lots be joined together might not resolve the issue. The Planning Commission agreed this requirement should be deleted. Following the discussion, Walt made a motion to recommend that an ordinance amendment be prepared reflecting the changes contained in the redlined Part 19 submitted to the Planning Commission for its consideration. The motion was seconded by Larry and unanimously approved.

Mr. Woessner moved to recommend that an ordinance amendment be prepared reflecting the changes contained in the redlined Part 19 submitted to the Planning Commission for its consideration. Mr. Tietjen seconded the motion. The motion carried unanimously.

Walt asked what was the current status of changes needed to the zoning ordinance, including diagrams that had been published incorrectly. Ms. Brown agreed to check with the Township Solicitor on the status of those changes and report back at the next Planning Commission meeting.

Mr. Flaharty excused himself at 8:15 p.m.

Review of the amended Subdivision and Land Development Ordinance

SALDO Amendments were then discussed. The Planning Commission reviewed the samples from Newlin Township, East Pennsboro Township and Mercer County. Walt indicated his preference to follow the format used in the East Coventry Township SALDO and then incorporate provisions from the other samples. Larry noted that all of the samples presented required annual inspections. Ms. Brown agreed to research whether annual inspections of mobile home parks was a federal or state requirement and report back at the next Planning Commission meeting. Kathryn indicated her preference for the format used in the Newlin Township ordinance and that recommended that the Newlin Township format be used, inserting Township specific requirements from the SALDO where appropriate. Ms. Brown noted that, based upon the Planning Commissions prior comments, the SALDO is proposed to be reorganized according to the format used in North Coventry Township. Planning Commission members decided to review the sample ordinances to identify specific provisions recommended for inclusion and discuss them at the next Planning Commission meeting.

Lynn Coine, Chair of the Historical Commission, attended and addressed the Planning Commission regarding the Historical Commission's desire to see the proposed SALDO changes before they are submitted to the Supervisors for approval. The Historical Commission wants to receive selected pages of the plot plans when a development is proposed. She indicated the Historical Commission is obligated to inform PADEP of any historical conditions existing on the development site and noted that, to fulfill that obligation, the Historical Commission would need to receive and review relevant portions of the plans. Walt and Larry noted that they and ARRO would be identifying specific pages for review by the Historical Commission. Ms. Brown noted that in the revised SALDO both the Historical Commission and the Parks, Recreation and Conservation Committee will receive selected

sheets of the plans for review. Walt noted that, after receiving plans, the Historical Commission would be expected to prepare written comments for the Planning Commission's consideration.

Mr. Woessner stated that he had received some feedback from the Parks, Recreation and Conservation Committee regarding trails and provided such information to the Planning Commission.

Historical Commission Update

Mr. Tietjen stated that he was unable to attend the last Historical Commission meeting.

Pottstown Metropolitan Regional Planning Committee

No update available.

Northern Federation

Mr. Kulp noted there is a Northern Federation Meeting scheduled for March 10 at 7:00 pm to be held at South Coventry Township to discuss Building Stewardship and Conservation.

Mr. Kulp noted there is a meeting scheduled for March 16 at 7:00 pm to be held at West Vincent Township to discuss trails.

Bittersweet on Schuylkill, LLC

Mr. Woessner noted that he heard that Bittersweet has done another horizontal condominium on Lot 5.

ADJOURNMENT

Mrs. Alexis moved to adjourn the monthly meeting at 8:37 p.m. Mr. Woessner seconded the motion. The motion carried with a 4-0-0 vote.

Respectfully submitted,

Bonnie L. Frisco
Secretary