

**EASTTOWN TOWNSHIP PLANNING COMMISSION
REGULAR MONTHLY MEETING
MEETING MINUTES**

JANUARY 03, 2019

The regular meeting was called to order at 7:00 p.m. by Mark Stanish. Other members present: Tim Brennan, Mary Hashemi, John McCarty, and Ann Rothmann. Also attending: Eugene C. Briggs, Jr., AICP, CZO, Assistant Township Manager/Director of Planning and Zoning/Zoning Officer, Brady Flaharty, Township Engineer, PE; and Kristin S. Camp, Esq., Planning Commission Solicitor.

Election of Chairperson

On a motion by Mr. Brennan, seconded by Mr. McCarty, the Planning Commission voted unanimously to reappoint Mark Stanish as Chairperson of the Planning Commission for 2019.

Election of Vice-chairperson

On a motion by Mr. Stanish, seconded by Ms. Rothmann, the Planning Commission voted unanimously to appoint Tim Brennan as Vice-chairperson of the Planning Commission for 2019.

Appointment of Solicitor

On a motion by Mr. Stanish, seconded by Mr. Brennan, the Planning Commission voted unanimously to reappoint Kristin Camp, from Buckley Brion McGuire & Morris, LLP, as Solicitor for 2019.

December 04, 2018 Meeting Minutes

On a motion by Ms. Hashemi, seconded by Mr. McCarty, the Planning Commission unanimously approved the meeting minutes from December 04, 2018 with two corrections by Chairman Stanish.

SD 521 – 729 First and 61 Knox Avenue – Minor Final Subdivision and Land Development Plan

The Applicant proposes to demolish all structures and subdivide two lots into four lots for the construction of four new single-family detached dwellings. The Planning Commission first reviewed this Plan at its public meeting on November 08, 2018. The Plan has received the following review letters: Township Engineer review letter dated December 18, 2018; Township Transportation Engineer review letter dated December 20, 2018; Township Landscape Architect review letter dated December 20, 2018; Township Zoning Officer review memorandum dated December 20, 2018; and Chester County Planning Commission review letter dated November 14, 2018.

The Applicant went through the consultant review letters and it was determined that there were too many outstanding comments for the Planning Commission to consider a recommendation of approval to the Board of Supervisors. The Commission asked that the Applicant return for consideration after addressing outstanding comments. The Applicant also expressed an interest in extending sidewalks along First Avenue if the Township would consider incurring the cost of moving existing utility poles. The Commissioners expressed interest but needed more information regarding the process to make any determinations. Mr. Briggs stated that he would have more information available at the next public meeting regarding the costs and logistics of this concept.

Mr. Briggs stated the Applicant would need to grant a letter of extension and the Applicant agreed to this.

Chairman Stanish opened the floor to the public and there were not comments. No action was taken by the Planning Commission.

ZHB 583 – 440 Darby Paoli Road

The Applicant proposes to construct an accessory building for its pool facility. A variance is requested from Section 455-14.A. to allow an accessory building height of 27 feet where the maximum height allowed is 20 feet or in the alternative a variance from Section 455-35.A to allow the proposed accessory building to be considered a second principal building where only one principal building is allowed.

After discussion, Ms. Hashemi made a motion to recommendation to support the requested height variance to the Zoning Hearing Board. Mr. McCarty seconded the motion. Chairman Stanish opened the floor to the public and there were not comments. The motion passed unanimously, with Mr. Brennan recusing himself from consideration of the Application.

ZHB 584 – 105 Lancaster Avenue

The Applicant proposes to install a drive-through service window for a proposed bank. A variance is requested from Section 455-56.B to allow drive-through service on a lot with less than ½ acre of Net Lot Area where the minimum Net Lot Area required is ½ acre.

After discussion, Chairman Stanish opened the floor to the public and there were not comments. The Planning Commission opted to decline recommending comments to the Zoning Hearing Board.

Draft Code Amendments

At its December meeting the Planning Commission recommended draft zoning amendments to the Board of Supervisors for consideration of adoption. As part of the adoption process and in accordance with the Municipalities Planning Code, the Board has released the draft ordinance amendments for public review and a formal recommendation by the Planning Commission. This draft Ordinance is the same draft that the Planning Commission recommended at its public meeting on December 04, 2018 with two minor edits. These edits include inserting “of Historic Places” after the second “National Register” reference and inserting “as may be amended” after “2018 Comprehensive Plan” in Section 9. The amendments still address aligning the Maximum Allowable Impervious Surface under the Lot Averaging Design Option with the underlying Zoning District, updating sign regulations to reflect a recent Supreme Court ruling, updating the Comprehensive Plan reference for the preservation of Historic Resources, consistently noting the minimum width of four feet for sidewalks, editing cell tower regulations to reflect a new Federal Communications Commission Order, and providing new regulations for short-term rentals.

The Commission discussed the various amendments. On a motion by Mr. McCarty, seconded by Ms. Rothmann, the Planning Commission unanimously recommended the draft code amendments to be approved by the Board of Supervisors.

Public Comment

Jim Kzirian, of 339 Exeter Road, introduced himself and explained that he had previously had trees removed from his property without permission from the Township. After learning that a permit is required, he went through the process and developed a plan for replacement of the approximately 70 trees he removed. This plan was subsequently approved by the Board of Supervisors. Mr. Kzirian has since come to learn about the Emerald Ash Borer infestation that is killing ash trees in the region and has hired arborist, John Hosbach, Jr., also in attendance, to determine how many ash trees were removed from his property and to appeal the Township regarding a credit for having removed these trees.

Mr. Hosbach introduced himself and provided the Planning Commission with his background in municipal government, including been the appointed arborist for Radnor Township and having completed work in Lower Merion and Tredyffrin Townships. He added that both Radnor and Lower Merion Townships have passed amendments to provide incentives to residents for removing ash trees. He asked the Commission to consider two things. First, he stated that he determined that 18 of the trees Mr. Kzirian had originally removed were ash trees and asked that the Commission consider recommending to the Board that Mr. Kzirian be credited for the removal of those trees. Second, he requested that the Township consider amending its ordinance to reflect this type of credit.

After discussion, the Commission asked that Mr. Briggs engage the assistance of a professional arborist, review these types of ordinance amendments, and return to a future meeting with an assessment.

Announcements

Next tentatively scheduled Workshop is Tuesday, February 05, 2019 at 6:30 pm. Next regularly scheduled Regular Meeting is Tuesday, February 05, 2019 at 7:00 pm.

The meeting adjourned at 08:30 pm.

Respectfully submitted,

Kate Jones
Recording Secretary