

**WEST GOSHEN TOWNSHIP
PLANNING COMMISSION MEETING
APRIL 16, 2002**

MEMBERS IN ATTENDANCE

Paul D. Spiegel
Jeffrey Laudenslager
Nancy B. Higgins
Daniel S. Rafter
James J. O'Brien

TOWNSHIP OFFICIALS

Richard Craig, Township Engineer

1. The meeting was Called to Order at 7:01 PM by Jeff Laudenslager with THE PLEDGE OF ALLEGIANCE TO THE FLAG.

2. The Floor was Opened for Public Comment. There was none.

3. MINUTES

MOTION: To accept the MINUTES of 3/19/2002 as submitted.

ACTION: Rafter/O'Brien (5-0).

4. Final Land Development Plan for 43,483 sq. ft. of Hangars and Warehouse for B.F.R., LLC located at 900 Airport Road. Rick Bates of B.F.R., LLC of Exton and David Sanders, re Lot 5 Airport Road were present for the plan. Richard Craig projected the Plan. Michael Bannan asked questions referenced in the letter from the Chester County Planning Commission. Further comments on the Ultimate-Right-of-Way were rejected as a concept not applicable in West Goshen Township.

MOTION: To recommend approval of the Final Land Development Plan for B.F.R., LLC for 43,483 sq. ft. of Hangars and Warehouse.

ACTION: Higgins/Bannan (5-0).

5. Final Subdivision Plan for two residential lots for Bradley L. Bernosky located at 1 Primrose Lane. Bradley Bernosky was present for the Plan. Richard Craig projected the Plan on the wall for examination along with the Drawings on Paper. There will be an underground seepage bed to control any runoff of storm water. An easement will be granted for a driveway to exit onto Primrose Lane.

MOTION: To recommend approval of the Final Land Development Plan for a two-lot residential Subdivision for Bradley L. Bernosky.

ACTION: Rafferty/Bannan (5-0).

6. Final Land Development Plan for 78,750 sq. ft. of Medical Offices and a 10,000 sq. ft. Daycare Facility for Fernhill LLC located at 915 Old Fernhill Road. Richard Craig explained the location of the site and the lay of the land. Dave Sanders indicated the traffic patterns from the Daycare Facility to the public streets. The natural barriers to Rt. 322 were noted, along with the topography of the tract. An excellent aerial view of the tract put the development into perspective showing existing buildings and where the Phase II buildings are planned. Parking was reconfigured to provide for Phase II and Phase III. Francis Jacobs had questions about traffic and school children. She had the location confused with another neighborhood. School Children would not be traveling through this location. Lorraine McDermott questioned how many children and who would be eligible to attend, also the age levels and if School Buses would need to get into the Complex. Her other question was whether this facility would offer a 24-hr. service, and what impact would it have on the area. It was decided that it would have a minimum impact on all concerned because there are no residents in the Complex only Doctor's Offices. The new

traffic signal addresses any traffic considerations. There are state regulations concerning space and numbers for Day Care Facilities. It is not in the Township's province to determine eligibilities for Day Care facilities. It is quite possible that this Day Care is designed for employees of Chester County Hospital and for Nursing Staffs employed in the medical office locations.

MOTION: To recommend approval of the Final Land Development Plan For Phase II of the Fernhill Medical Campus.

ACTION: Bannan/Diehl (5-0).

7. Proposed amendment to Zoning Ordinance Section 84-8 defining Residential Care Center and adding a new subsection 84-21-O Institutional Care Center with Multi-Family Dwellings.

Neighbors in attendance for the discussion were: Dee Wyatte, of 115 Garfield Ave, Christopher Smith and Scott Smith, of 107 Garfield Ave and Frances Jacobs of 119 Garfield Ave. Gudrun Smith and J.C. Smith of 1330 Green Hill Avenue, Lorraine McDermott, 817 Halvorsen Drive, Robin Murlless of 824 Halvorsen and Jane Macauley of 827 Halvorsen Drive were also in attendance. Richard Craig began the discussion by asking for the Commission's comments to be passed on to the Supervisors. For the neighbors present he explained that the planners were strictly an advisory board and that nothing would be enacted at this meeting. The location was found on the Zoning Map and it was noted that there really isn't that much C-2 in the Township. Across from the Cemetery are houses that are being used as residents even though they are non-conforming. The tract which is under consideration for a Residential Care Center is empty space.

Richard Craig reminded the group that the business at hand was a proposed amendment to the Zoning Ordinance Section 84-8, adding a subsection for Institutional Care Center with Multi-Family Dwellings.

Frances Jacobs wanted to report that no one in the Township would listen to the neighbors' concerns. Also Christopher Smith wanted to express his disappointment in a change of zoning because of his investment in the property and his anticipation of its appreciation if a commercial enterprise were to come in. The WAWA fill that Mr. Deaver has put on the tract concerned Scott Smith and he referred to it as contaminated soil. Richard Craig refuted this statement as incorrect and said that the soil was clean fill.

Ms. Gudrun Smith wanted to mention the violence that could accompany a shelter. She also wanted to emphasize that 36-50 children would be living on the site and no one would be paying their way to be educated in the local schools. It really annoyed her that the residence would be tax-exempt.

Mike Bannan wanted to go on the record as saying that he would like the Language of the Amendment to be gender neutral because there are occasions when men and their children are also victims of Domestic Violence.

Dean Diehl mentioned that he understood the "not in my backyard" feelings of the neighbors. But he also recognized that there are no provisions in our Zoning Ordinance for such a spot. He saw the exclusionary problem and the possibility of a curative amendment happening and that the Township would be forced to accommodate such a facility.

Mr. Smith stated that there would be no background checks on people or individuals moving into the facility. Mr. Craig remarked that there are no background checks on people moving into any development in the Township.

Dean Diehl mentioned that there had been no incidents of violence in Berks County from a similar facility. Michael Bannan indicated that there was open land in his development and he wouldn't mind having such a facility near him. Jim O'Brien said that we do not have a Plan before us and until we do, we are talking about an Ordinance change for C-2 and its ramifications. Nancy Higgins discussed the

vulnerability of these citizens and yet wished that there were a perfect spot to place the facility. Needing to be near schools, public transportation and food shopping, Garfield Avenue seems to be the best West Goshen can provide, if it must be in West Goshen Township. As to the Ordinance Change there seems to be no choice but to put it in C-2.

MOTION: To recommend approval of the Ordinance Change for C-2 and to make it gender neutral instead of just for women and children.

ACTION: Bannan/Diehl 1-4.

8. Proposed amendment of Zoning Ordinance Section 84-38 to permit student housing as a permitted use and Section 84-55 E(1)(a) to permit the Board of Supervisors the power to grant requests in its discretion to permit 9 x 20 ft. parking spaces in the I-2 Light Industrial District.

Mike Bannan was against smaller parking spaces. The student housing will be privately owned and utilized for special courses and temporary housing as well as regular student housing. The concept makes the housing pretty elegant for student housing. In the best interest of the Township smaller parking spaces does not seem necessary.

MOTION: To recommend approval of the Zoning Ordinance addition to Section 84-38A(12) of Article XII, I-2 Light Industrial District to add Hotel/Motel and student housing on a minimum lot of 3 acres. But to reconsider smaller parking spaces.

ACTION: Bannan/Diehl (5-0).

9. Information regarding amendments to Chapter 84 entitled "Zoning" and Chapter 12 entitled "Planning Commission" to comply with amendments to the Pennsylvania Municipalities Planning Code were received.

10. Committee Reports. There were no Committee reports.

11. Public Comments.

Lorraine McDermott asked if there was any word on the Cold Spring application. Richard Craig replied that there had been little communication. When asked about time limitations, the Township Engineer said there would not be as long as the applicant was willing to extend the clock. Michael Bannan asked if the matter could be speeded up, and Richard Craig said that he would not put the Plan on the Agenda until the Plan was completed and fulfilled all the necessary measures to meeting the Township's Ordinances. He said there probably is an ultimate time limited for a Plan to be under consideration. He said he would investigate the matter.

12. MOTION: To adjourn the meeting at 8:29 PM.

ACTION: Bannan/Diehl (5-0).

Respectfully submitted,

Nancy Boothe Higgins
Secretary