

**Honey Brook Township Planning Commission**  
**Regular Meeting Approved Minutes**  
February 28, 2013

The Honey Brook Township Planning Commission held its monthly meeting on Thursday, February 28, 2013 at the Honey Brook Township building. The meeting was called to order at 7:06 p.m. by Vice-Chair Stacie Popp-Young. Commissioners present were Leslie Siebert, Susan Lacy, and Gary McEwen; Michael Reinert, Township Engineer, was also present.

New Commissioner Gary McEwen was introduced and welcomed to the Commission.

**Minutes**

A motion to approve the January 24, 2013, meeting minutes with date correction of the correct year was made by Leslie Siebert, seconded by Susan Lacy. All in favor. None opposed. The motion carried.

**Subdivision/Land Development Applications**

**Honey Brook Garden:**

**February 14, 2013 - Sketch Plan Submission**

For the applicant, John King of Honey Brook Community Church was present to discuss the plan as shown (attachment: The Knabb Partnership architectural site plan, 1998). The property was purchased from the Chester County Housing Authority with a goal to continue as senior, financially-assisted housing. The tract is bisected by the municipal boundary of Honey Brook Borough and Township. The current plan is proposing to build a church on the Borough side. A parking lot runs through the Township side. There are baseball fields on the Township side, in which home plate will have to moved away from the parking lot to accommodate the improvements on the site.

Mr. King provided a list of items for discussion. One question asked was who to deal with storm water runoff in the parking area. Mike Reinert explained that since the building site is proposed in both the Borough and the Township, it will necessitate a dual review by both municipalities and will need approval from both municipalities. The applicant indicated they will likely need a variance from the Borough for the church building. Each municipality will have a role in the process and impose their regulations within their portion of the project. The applicant was advised to obtain the necessary zoning relief from the Borough first and then present the land development plan to both the Township and Borough. Mike Reinert indicated he would research the possibility of a joint Planning Commission meeting for the project as has been done in the past when tracts are located in both municipalities.

Mr. King stated they are exploring two engineers, but have not chosen one yet.

Stacie Popp-Young asked who owns the ball fields? Mr. King responded they do, and there is a recreation easement on the ballfields. They need to find the origin of the easement, since the building will take place on the easement.

Stacie Popp-Young (upon review of the document) offered that the easement could be from when it was converted into housing, the sellers wanted to keep access to the ball fields. Mike Reinert added they may need to modify and re-record the easement; as long as the original use is maintained it should not pose a problem. Mr. King stated they want to keep the ball fields and the parking as is.

Stacie Popp-Young asked who owns the old schoolhouse/thrift shop?

Mr. King responded they do, and they want to restore the building to its original status; and they want to make one big room into two offices. He further asked what permit is needed to do this? Mike Reinert responded they can check with the code officer at Technicon about the zoning and building requirements. The code officer will advise if stamped drawings are needed.

Gary McEwen asked whether the building is on the historic register?

Mr. King was not sure. Mr. King further asked about the water and sewer connection? Mike Reinert advised him to contact the Northwestern Chester County Sewer Authority for sewer and the Honey Brook Borough Authority for water questions.

Mr. King will address putting in a cemetery with the church, but does this need approval? Mike Reinert advised again to check the zoning ordinance; this would likely need a conditional use granted by the Board of Supervisors after a hearing.

Mr. King had no further questions at this time and thanked the Commissioners for their input.

### **Zoning Hearing Board/Conditional Use Application**

None

### **Pending Ordinances**

Mike Reinert reminded the commissioners of last month's discussion of two recommended zoning amendments based on their regular application of the Ordinance as Township Code Officer. As a follow-up to that discussion, Mike Reinert's office prepared a zoning amendment to address these two issues, plus several others, including a recent State law passed for wireless communication towers. Mike referred to the draft Ordinance #165 (attachment). The proposed amendment includes addressing standards for wireless telecommunications facility definitions based on the new State law, clarifying the maximum number of animals kept on a property to address weaning periods for newborns, revision to the bed and breakfast requirements, and land

development sketch plan requirements. The ordinance language for the wireless communications portion was reviewed by John Good, Township Solicitor, and was found acceptable.

A recommendation to send Ordinance # 165 to the Board of Supervisors for approval was made by Leslie Siebert, seconded by Stacie Popp-Young. All in favor. None opposed. The motion carried.

### **Other Business**

The applicant for the Mark Stoltzfus planning module, while addressing PADEP's response letter, has requested a residual tract waiver for the existing farm associated with their plan. Mike Reinert indicated the applicant has the option of doing replacement soil testing on the residual tract or requesting the waiver. Due to the size of the residue lot, it will remain farmland and the fact it has almost 100 acres, he believes the waiver is a reasonable request.

A motion to approve the planning module with the residual tract waiver for the Mark Stoltzfus subdivision was made by Gary McEwen, seconded by Susan Lacy. All in favor. None opposed. The motion carried.

### **Correspondence of Interest:**

None

### **Future Meetings** - All dates subject to change

March 13th – Regular Board Meeting (6:30 pm)

March 19th - Land Preservation Committee (6:30 pm)

March 21st – Park & Recreation Committee (7:00 pm)

March 28th – Planning Commission Regular Meeting (7:00 pm)

With no further business, a motion to adjourn the meeting was made by Susan Lacy, seconded by Gary McEwen. All in favor. None opposed. The motion carried. The meeting adjourned at 7:57 pm.

Respectfully Submitted,

Leslie Siebert,  
Secretary, Planning Commission

**Honey Brook Township Planning Commission**  
**Regular Meeting Approved Minutes**  
March 28, 2013

The Honey Brook Township Planning Commission held its monthly meeting on Thursday, March 28, 2013 at the Honey Brook Township building. The meeting was called to order at 7:03 p.m. by Vice-Chair Greg Frederick. Commissioners present were Leslie Siebert, Susan Lacy and Gary McEwen; Michael Reinert, Technicon Enterprises Inc. II, Township Engineer, was also present. Stacie Popp-Young was absent at roll call, however arrived at the meeting during the Faulkner Tract discussion.

**Minutes**

A motion to approve the February 28, 2013, meeting minutes with date correction was made by Gary McEwen, seconded by Susan Lacy. All in favor. None opposed. The motion carried.

**Subdivision/Land Development Applications**

**Faulkner Tract Subdivision - Sketch Plan**

The applicant, Ms. Joa Haas was present with her consultant, Mr. Allan Zimmerman of Commonwealth Engineers, to discuss the sketch plan proposal dated March 19, 2013 of a 4 lot subdivision off of Dampman Road. This is a resubdivision of a previous lot (lot #1) created by a 2010 subdivision. Access to the 4 new lots is proposed via a private gravel street off of Dampman Road. The Planning Commission referenced a memo dated March 26, 2013 prepared by the Township Engineer's office to aid in the discussion.

Conditional use is required per the Zoning Ordinance, which will be reviewed by both Planning Commission and Board of Supervisors to create more than 3 lots. It was suggested that the applicant consider this as an initial step before submitting the formal subdivision plan for review under SALDO. The proposed access street is required to be paved by ordinance and would require waivers from the SALDO as shown. The applicant prefers to keep in gravel condition since it is in an agricultural zone and for

financial reasons.

Stacie Popp-Young, just joining the meeting, commented noting the presence of class 1 woodlands; she would be looking for some protection of these features.

With there being no further comments, the Commission will await submission of the conditional use application and/or preliminary subdivision plan for further review at a later meeting.

#### Tel Hai Phases 3 & 4 - Sketch plan

Alexander Piehl of RGS Associates, was present on behalf of the applicant's proposal for land development of Phases 3 & 4 of the previous preliminary plan approved for this property. Mr. Joe Swartz and Bruce Hartshorne of Tel Hai Retirement Community were also present. The Planning Commission referenced a memo dated March 26, 2013 prepared by the Township Engineer's office and a letter from RGS Associates dated March 20, 2013 to aid in the discussion in addition to the sketch plan itself dated similarly.

Mr. Swartz explained that this is a sketch plan for phases 3 and 4 and provided a brief overview of the entire project. The master plan for the community was the result of a previously approved agreement with the Township Board of Supervisors. Phase 2 will be completed in the near future. Phase 3 proposes 111 units consisting of independent living apartments and commons areas. Phase 4 will include market rate and HUD (affordable housing) financed independent living apartments, cottages and open spaces amenities including a multi-purpose building, tennis court, and community garden. The projected construction schedule is to commence in Fall 2013 following obtaining all approvals.

Mike Reinert indicated that he met with the applicant and their sewage consultant last month specifically to address the necessary upgrades to the existing sewage treatment plant as a result of the project. This review and discussion is already in process with Technicon. The Township will be part of the agreement and will have oversight of the plant as dictated by PADEP. Mike Reinert confirmed it was a private community sewage treatment facility and the discharge limits must be monitored and comply with the new DEP standards. The effluent from the plant discharges to

Two Log Run Creek along Beaver Dam Road. The Commissioners will review the planning module at a future meeting.

No further questions were raised at this time pending receipt of a final plan submission in the near future.

#### Tabas Tract - Preliminary Plan

Mike Reinert explained that there is a request by the developer in a letter dated March 14, 2013 to extend the review period for this proposed subdivision until July 22, 2013.

A motion to recommend approval of the extension request by the developer to July 22, 2013 was made by Greg Frederick, seconded by Gary McEwen. All in favor. None opposed. The motion carried.

#### Honey Brook Golf Club - Land Development Waiver Request

Mike Reinert provided a description of the project and referenced a letter received by the owners of the Honey Brook Golf Club requesting a waiver of the land development process. The Township received building plans for an expansion/addition to the existing clubhouse. The expansion is approximately 495 square feet. Mike Reinert explained the definition of land development includes any non-residential structure, regardless of size of the structure or expansion. In discussions with the applicant, the impacts on existing infrastructure, traffic, parking, stormwater runoff are very minimal at best.

A motion to waive the land development plan requirements for the 495 square foot addition to the Honey Brook Golf Club was made by Greg Frederick, seconded by Stacie Popp-Young. All in favor. None opposed. The motion carried.

#### **Zoning Hearing Board/Conditional Use Application**

None

#### **Pending Ordinances**

##### On-Lot Sewage Management Ordinance

Mike Reinert presented the first draft of a proposed onlot sewage management ordinance for review by the Planning Commission. He explained that Act 537 is the Official Sewage Facilities Plan for the Township, which was updated and approved by PADEP in 2011. The sewage plan looks at all the areas of the township for existing and future needs. One of the conditions of approval of this plan by PADEP was to create, adopt and implement an onlot sewage management ordinance, which would regulate all existing and future onlot sewage facilities in the Township. The proposed draft has been in the works for several years and has been reduced to incorporate the minimum standards expected by the PADEP. Ultimately, the ordinance must be adopted by the Board of Supervisors and also approved by DEP by the end of this year. It was suggested the Commission review and come prepared to discuss it at next month's meeting.

### **Other Business**

#### **Mobile Home Park Property Management Ordinance**

Mike Reinert described this late addition to the agenda at the request of the Board of Supervisors. Technicon has been performing their annual mobile home park inspections of all parks in the Township. A few of them have continuing code violations, some are considered quite severe and affect the public's health, safety and welfare. These violations are being dealt with as allowed by the existing mobile home park ordinance, however Technicon has suggested possibly "beefing up" the existing ordinance to enforce some of the conditions observed. Technicon has recommended the Township consider adopting either an amendment to the mobile home park ordinance to reference the property maintenance code. By incorporating this code by reference, the Township could regulate such items as unsafe structures/conditions, sanitation, weeds, rodents, and rubbish. This recommendation is based on continued non-compliance in some of the mobile home parks and complaints received by residents within those communities. The Board of Supervisors requested input from the Planning Commission and it was suggested to expand the discussion as to whether it make sense to have a Township wide ordinance of the property maintenance code or just amend the existing ordinance for mobile home parks? Township Solicitor John Good has provided input on this topic, stating it could be referenced in the existing mobile home park ordinance or

adopted Township wide.

There was some discussion around the issues involving Township wide adoption vs. only mobile home parks. A suggestion was made by Mr. Frederick and Mr. McEwen to consider a separate rental unit ordinance and inspection program for the entire Township, however focus on the mobile home parks with the property maintenance code. They stated they have observed conditions of rental units being unsafe and unsanitary with no follow-up by the landlords. Rental unit programs in other municipalities hold the landlord accountable to provide safe living conditions for their tenants by requiring the code officer to make an inspection at time of a change of occupancy.

Concerns were also presented regarding possible public perception of being discriminatory toward mobile home parks, however agreed some of the conditions existing in the parks warranted additional enforcement. There was also concern for the agricultural community and whether a Township wide property maintenance code would be too restrictive toward that community and also larger residential lots in the Township.

In general, the Planning Commissioners were in agreement with adopting the property maintenance code by amending the mobile home park ordinance and possible consideration of a rental unit inspection program for all rental units in the Township.

#### Lanchester Landfill Waiver/Deferral Request - Chapter 20 Stormwater Management Ordinance

Mike Reinert explained that the Chester County Solid Waste Authority Lanchester Landfill located west of the Borough along Route 322 is regulated by DEP. He referenced a letter from ARM Group Inc., the Engineer for the Chester County Solid Waste Authority (CCSWA), dated January 31, 2013 and a memo prepared by the Township Engineer's office dated March 22, 2013 in the discussion. The landfill has kept the Township in the loop as far as stormwater management is concerned for several years. In the past, their designs have been submitted to the Township for their review and comment, did not fully comply with all of the Township's stormwater requirements, but have complied with DEP & NPDES requirements. Minor differences exist between the two sets of regulations, however the main intent of the Township requirements are fulfilled through



the DEP requirements, but not all. Chapter 20 of the Township stormwater ordinance regulates permanent facilities. The landfill is requesting to utilize the DEP requirements and defer compliance with the Township requirements until the facility is closed. Mike Reinert indicated that this deferral request reflects how the Township was handling this topic during Mr. Brown's tenure as Township Manager, but would memorialize it for future tracking.

The commissioners were in agreement with granting a deferral of compliance with the requirements of the Honey Brook Township Stormwater Ordinance, Chapter 20, until such time that the landfill facility is closed, provided that the Authority complies with all DEP regulations associated with their landfill permits. Motion was made by Greg Frederick, seconded by Gary McEwen, all in favor, motion carries.

#### Vice Chairman resignation/reappointment of new Vice Chair

The issue of Vice Chair position was deferred from last month's meeting since the Vice Chair was not present. Greg Frederick would like to resign from the position of Vice Chair and nominate Susan Lacy as a replacement. Susan Lacy indicated she is willing to undertake the position.

A nomination was made for Susan Lacy to take the position of Vice Chair by Greg Frederick, seconded by Stacie Popp-Young. All in favor. None opposed. The motion carried.

Guest Bob Winters asked for more information and guidance regarding something he volunteered for at the Board of Supervisors meeting: a task force for preliminary planning for comprehensive plan update. The previous plan was updated in 2006 and there has been some preliminary discussion for Township and Borough to work on a joint plan.

Stacie Popp-Young asked if the Township is applying for grant for the update. Mike Reinert explained that was his general understanding, however nothing regarding the review process has been decided at this time. The Commission will await further updates on this and consider reconvening the workshop sessions for this purpose.

#### **Correspondence of Interest:**

None

**Future Meetings** - All dates subject to change

April 10th – Regular Board Meeting (6:30 pm)

April 19th – Park & Recreation Committee (7:00 pm)

April 25th – Planning Commission Regular Meeting (7:00 pm)

With no further business, a motion to adjourn the meeting was made by Gary McEwen. Greg Frederick seconded. All in favor. None opposed. The motion carried. The meeting adjourned at 8:35 pm.

Respectfully Submitted,

Leslie Siebert,  
Secretary, Planning Commission

**Honey Brook Township Planning Commission**  
**Regular Meeting Approved Minutes**  
April 25, 2013

The Honey Brook Township Planning Commission held its monthly meeting on Thursday, April 25, 2013, at the Honey Brook Township building. The meeting was called to order at 7:07 p.m. by Chair Stacie Popp-Young. Commissioners present were Leslie Siebert, Susan Lacy, and Greg Frederick; Michael Reinert, Township Engineer, was also present.

Absent : Gary McEwen

Guests: Bob Witters, Dick Reeder

**Minutes**

A motion to approve the March 28, 2013, meeting minutes was made by Susan Lacy, seconded by Stacie Popp-Young. All in favor. None opposed. The motion carried.

**Subdivision/Land Development Applications**

None

**Zoning Hearing Board/Conditional Use Application**

Variance - Tomas and Mary Witman - Rear yard Setback

No one was present for the applicants. Mike Reinert explained that the applicants are proposing to replace an existing building due to deterioration, with an increase in size that will bring the footprint to within 50 feet of the rear lot line. The existing building is non-conforming to the current zoning requirements of 60 feet and the increase in size along with the additional encroachment requires zoning relief. The existing building is 44 years old and was constructed prior to the current zoning requirements.

A motion to recommend taking no position on the variance request and

defer decision to the Zoning Hearing Board was made by Greg Frederick, seconded by Susan Lacy. All in favor. None opposed. The motion carried.

### **Pending Ordinances**

#### ***On-Lot Sewage Management Ordinance #166***

Mike Reinert referenced the draft of the proposed ordinance that he provided last month. The Official Sewage Facilities Plan for the Township was updated and approved by PADEP in 2011 with a condition that the Township must adopt an onlot sewage management ordinance. Highlights include requirement for pumping on-lot systems every three years and a visual inspection by the pumper that must be reported to the Township.

Discussion was held regarding the draft, specifically about whether permits are required for all systems, maintenance agreement requirements and financial securities. It was clarified that new systems or repairs to existing systems will be required to have a permit. Those that exist already and do not require repair or replacement do not need a permit.

Susan asked how the ordinance is going to be communicated to the residents? Mike Reinert stated education is a big part of this process and will be worked into the procedure. Leslie added that fees will need to be clearly stated to the residents.

Mike Reinert stated that he will incorporate some modifications into the draft based on the conversations and will continue to review at the next meeting.

#### ***Property Maintenance Ordinance***

Last month's discussion on the proposed property maintenance ordinance was passed on to the Board of Supervisors at their regular meeting. The Supervisors expressed concerns about singling out rental and mobile home parks solely and preferred a Township wide ordinance with reactive enforcement consistent with how zoning is handled currently.

Mike Reinert stated that the draft ordinance presented for review is an amendment to the UCC ordinance and adopts the International Property

Maintenance Code by reference as a whole. Stacie and Leslie asked if the PC could obtain a copy of this code to review for next month. Mike Reinert agreed he would forward it to everyone prior to the next meeting for further discussion.

### **Other Business**

Dick Reeder asked whether resolution was reached for a Joint Comprehensive Plan update between the Borough and Township. Apparently the Borough passed a recommendation to work together with the Township in this update. Stacie will look into this with Toni and tentatively set a workshop date for June 13th to begin to look at the comprehensive plan items.

Bob Witters asked whether Mike Reinert was the official liaison between the Planning Commission and the Board of Supervisors. Mike responded that the main focus of the engineer's communication is around development issues, technical items, ordinances and review of zoning applications, etc. He did state that he attends both meetings and translates business items between the two groups. Stacie added that she will try and attend the BOS meetings when she is able.

### **Correspondence of Interest:**

None

### **Future Meetings** - All dates subject to change

May 8th – Regular Board Meeting (6:30 pm)

May 14th - Land Preservation Committee (6:30 pm)

May 16th – Park & Recreation Committee (7:00 pm)

May 23rd – Planning Commission Regular Meeting (7:00 pm)

With no further business, a motion to adjourn the meeting was made by Leslie Siebert, seconded by Greg Frederick. All in favor. None opposed. The motion carried. The meeting adjourned at 8:13 pm.

Respectfully Submitted,

Leslie Siebert, Secretary, Planning Commission

**Honey Brook Township Planning Commission**  
**Regular Meeting Approved Minutes**  
May 30, 2013

The Honey Brook Township Planning Commission held its monthly meeting on Thursday, May 30, 2013 at the Honey Brook Township building. The meeting was called to order at 7:03 p.m. by Vice Chair Susan Lacy, due to the resignation of Chair Stacie Popp-Young. Commissioners present were Leslie Siebert, Susan Lacy, Gary McEwen, Greg Frederick and new member Alex Rahn; Michael Reinert, Township Engineer, was also present.

Absent : None

Guests: Supervisor Joe Fenstermacher, others were present from the Tel Hai Retirement Community and the Amish community, Township Administrator Toni Antonini & Tracy Olsen

**Minutes**

A motion to approve the April 25, 2013, meeting minutes was made by Greg Frederick, seconded by Leslie Siebert. All in favor. None opposed. The motion carried.

**Subdivision/Land Development Applications**

**Tel Hai Phase 3/4**

**March 20, 2013 Sketch Plan Submission**

**May 1, 2013 - Final Plan Submission**

**May 24, 2013 - TEI Review Letter #1**

Alex Piehl of RGS Associates, Inc. represented the applicant. He provided a brief overview of the project using a master plan on the board.

This presentation was a review and update of Phase 3/4 which will include amenities such as a commons, dining hall, and pool, as well as two apartment wings with 111 independent living units. Another section will offer 82 apartments and 19 cottages. Mr. Piehl shared a couple of refinements from the March meeting presentation: the open spaces are

better defined, an open event area on the lawn to the south of the amphitheater; and a garden greenhouse.

Mike Reinert highlighted the main issues:

1. updated the compliance of the timber harvest reforestation efforts, seedlings have been planted; Technicon is overseeing these ongoing plantings.
2. sewage planning and treatment - there have been a number of meetings already with the applicant's sanitary consultant as well as the Township's consultants; the sewage plant upgrades will require DEP approval; the Township will have oversight on this, which is why the information is being carefully reviewed by the Township's consultants.
3. concerns about the water supply - Technicon is asking for additional reports to be submitted to ensure minimum pressure and flow values are provided throughout the new development.
4. the stormwater management plan (SWM) has been reviewed and generally complies with the intent of the ordinance. Minor drafting issues must be resolved during the process.
5. the proposed landscaping plan is adequate; the pump station will require some additional screening which is not yet shown on the plan.

Mr. Piehl stated that a rain garden and the pump station screening will show up in a future revision of the plan. He has gone through the letter with Technicon and feels they can address the issues in the letter.

Greg Frederick asked about the size of the propane tank and expressed concern about it being so close to the housing areas. Mr. Piehl responded that the tank has not been sized and there are other tanks that service various areas of the community. They are working with Sharp Energy. Joe Fenstermacher added that from his experience in the business, the installation would be safe.

Mike Reinert advised that the next step would be for the Commission to provide a recommendation to the Board of Supervisors on the waiver to defer the posting of financial security for Phase 4 until building permit application and any additional requests that may be made. He suggested awaiting submission of a revised plan to address the main concerns presented this evening. There were no other comments pending receipt of a revised plan and supplementary information for review.

## **Todd Road Manufacturing Building May 22, 2013 - Sketch Plan Submission (conceptual)**

Todd Shoaf, senior project manager for Pioneer Management, LLC was present on behalf of the applicant, Benji Smoker. The applicant is looking to construct a 96,000 sq. ft. manufacturing building on 1 of 2 parcels he owns -- 42 acres combined -- and move part of his existing business along Todd Road into this new building.

Mr. Shoaf explained that the project is in the industrial zone and will contain office space for 24 employees, 5 loading stalls, and 54 parking stalls. Access is from Todd Road, and emergency access/exit to route 10 using the existing access through Mr. Smoker's other facility site.

There will be onlot water supply and public sewer, which is located on the south side of Todd Road along a tributary of the West Branch of the Brandywine.

As for the overall layout, the main construction would be on a high point of the property, however an area of precautionary slopes in excess of 15% will be disturbed to access the site from Todd Road. There are no wetlands on the site but the applicants will do a floodplain assessment. It is not a documented FEMA flood hazard district.

The applicant will be looking for a waiver to decrease the landscape requirements; with 3100 feet of lot frontage; the landscape screening requirement would be over 700 trees. The detention basin along Todd Road empties into a meadow and will be designed to address the ordinance requirements.

Greg Frederick asked what the applicant is intending to manufacture and whether there is an issue with emptying anything into wells, and also increased traffic.

Mike Reinert stated that a meeting has been held already regarding the SALDO requirements. Mr. Reinert stated he advised this would be considered a major plan application, which would proceed through the preliminary and final land development review process. A traffic study is necessary looking at truck traffic and minimizing access onto Route 10, a



State highway. The plan may go to PennDot for review as part of the plan process.

There were no other comments pending receipt of a formal plan application.

### **Zoning Hearing Board/Conditional Use Application**

#### **Conditional Use Application - Honey Brook Living Association TEI Memo dated May 23, 2013**

John King was present on behalf of the applicant, which is conducting a renovation project as part of a larger project for the Honey Brook Community Church. The project site is bisected by the Township and Borough municipal boundary; the renovation of the existing schoolhouse/thrift shop is within the Township. On the Borough side, a future expansion of the existing building will occur for a new sanctuary.

Mike Reinert explained that this is an application for change of use, to change the existing schoolhouse/thrift shop into church office space and counseling services. The plan will need to go to the Board of Supervisors for zoning approval. Under Chapter 27 (Zoning) review the following comments were offered:

1. overview of the project in the commercial zone - borough and township lines affected - is allowed by conditional use
2. proposed signage in some places - recommend installation of additional line painting to clarify parking spaces and flow of traffic - one way in and out circular drive
3. while parking on the site appears to be adequate to the rear of the building, how many people would be using the office? The office will be used for counseling services before the church is complete
5. suggestions for additional screening of parking area
6. a traffic impact study, including parking needs

A motion to recommend approval on the conditional use application for Honey Brook Living Association was made by Greg Frederick, seconded by Gary McEwen with the following conditions: 1) compliance with the Technicon review letter of May 28, 2013 except as noted herein; 2) applicant providing written documentation regarding the parking demand for the church offices to meet the intent of the traffic study requirements; 3)

applicant providing suitable line striping to delineate the parking spaces and directional arrows for traffic flow through the site; 4) the existing screening is acceptable, however will be considered again during the land development process; & 5) formal traffic study will be required during the land development process. All in favor. None opposed. The motion carried.

**Multiple Variances/Special Exception - Jonas and Lizzie Stoltzfus**  
**TEI Memo dated 5/24/13**  
**TEI Sketch Plan Review 1/17/13**

Brian Nagle represented and spoke on behalf of the applicants who have been operating a welding shop as an approved rural occupation since 2008 on Maple Street. They are proposing an expansion for additional employees. The applicants own 128 acres on both sides of Maple Street. All principals live on or adjacent to the site.

They are proposing to double the size and add office space, extend parking areas, and expand the detention basin. There is an existing septic system and 6 employees.

The applicants are seeking relief for the front yard setback, relief to increase the maximum building size permitted from 6000 sq ft to 12,000 sq ft; relief to allow an increase in office space to 2400 sq ft. The current setback per the ordinance is 100 ft, the proposal is 47 ft.

Greg Frederick asked what business the applicants have. Mr. Nagle responded welding truck beds.

Joe Fenstermacher, speaking as self-described "friend of the Amish" encouraged members to consider that rural occupations give them sustainable jobs in our community.

Mr. Nagle explained the nature of the variances: rural occupation is a permitted accessory use in the Agricultural district. The current zoning ordinance for a rural occupation stops at twenty acres. His opinion is it should allow for an extrapolation to allow larger acreage to have larger operations. In his opinion the variances requested are not offensive to the ordinance or the neighbors.

A motion to recommend to the Board, support for the requested variances by the applicants Jonas and Lizzie Stoltzfus was made by Gary McEwen, seconded by Alex Rahn. Greg Frederick, Leslie Siebert and Susan Lacy opposed. The motion failed.

A motion to recommend to the Board, opposition to the requested variances by the applicants above was made by Greg Frederick, seconded by Leslie Siebert. Gary McEwen, Susan Lacy and Alex Rahn opposed. The motion failed.

A motion to recommend to the Board, a position of no position to the requested variances by the applicants above was made by Susan Lacy, seconded by Gary McEwen. All in favor. None opposed. The motion carried.

### **Pending Ordinances**

#### **On-Lot Sewage Management Ordinance #166**

This topic was tabled until next meeting to give new members time to review the documentation.

#### **Property Maintenance Ordinance**

Mike Reinert reported that this topic was previously discussed at the PC and Board meetings regarding a Township wide property maintenance ordinance. In the meantime the International Property Maintenance Code (IPMC) code was sent out to members for review at their request. Mike Reinert has prepared a draft ordinance for review and the Board is looking for a recommendation at this time.

Joe Fenstermacher explained that zoning enforcement under this and any other code in the Township are handled on a reactive basis based on complaints received. He stated his preference is this ordinance should be Township wide and not single out a specific area or type of development in the Township.

Members were encouraged to review the IPMC, 2009 version, and bring questions and concerns for discussion at the next meeting. This issue needs further examination and is tabled until a future meeting, and a

possible workshop date will be explored.

### **Other Business**

#### **Living God Lutheran Church - Chapter 20 SWM Waiver, TEI Memo 5/23/13**

The applicants are proposing construction of a pavilion on their church site. Mike Reinert explained that under a previously submitted land development plan for the tract, stormwater management facilities were proposed to handle flows from the development and also small improvements in the future (such as this pavilion). The current plan complies with the peak flow requirements under the SALDO as designed, however under the new Chapter 20 requirements, the plan does not technically meet the water quality or groundwater recharge requirements without an engineered study. The applicants suggest that a waiver for meeting new requirements for SWM is justified since they will utilize the existing swales and stormwater detention basin for the additional runoff generated.

Mike Reinert explained that a 1200 sq ft roof is proposed and the peak flows from this improvement will be sufficiently handled by the existing basin. However the previous SALDO requirements did not address water quality or groundwater recharge. He believes some infiltration and water quality will be achieved in the existing basin, however unless it is calculated through engineering analysis, exact compliance with the ordinance cannot be determined. Given the presence of the existing basin and stormwater control on the site, Technicon is comfortable with recommending granting the waiver at this time.

A motion to recommend approval of the waiver for the Living God Lutheran Church was made by Greg Frederick, seconded by Gary McEwen. All in favor. None opposed. The motion carried.

Regarding future Workshop Meetings to begin revision of the Comprehensive Plan, Mike Reinert will follow up with Toni Antonini on the time frames.

Currently Vice Chair Susan Lacy is acting Chair. The Chair and Vice Chair elections will be tabled until the next meeting given an additional member may be appointed by the Board at their June meeting.

**Correspondence of Interest:**

None

**Future Meetings** - All dates subject to change

June 12th – Regular Board Meeting (6:30 pm)

June 12th - Conditional Use Hearing (6:30 pm)

June 20th – Park & Recreation Committee (7:00 pm)

June 27th – Planning Commission Regular Meeting (7:00 pm)

With no further business, a motion to adjourn the meeting was made by Leslie Siebert, seconded by Gary McEwen. All in favor. None opposed. The motion carried. The meeting adjourned at 9:11 pm.

Respectfully Submitted,

*Leslie Siebert*

Secretary, Planning Commission

**Honey Brook Township Planning Commission**  
**Regular Meeting Approved Minutes**  
July 25, 2013

The Honey Brook Township Planning Commission held its monthly meeting on Thursday, July 25, 2013 at the Honey Brook Township building. The meeting was called to order at 7:10 p.m. by Acting Chair Susan Lacy. Commissioners present were Leslie Siebert, Susan Lacy, Gary McEwen, and Tracy Olsen; Michael Reinert, Township Engineer, was also present.

Absent: Alex Rahn, Greg Frederick

Guests: Supervisors Joe Fenstermacher and John McHugh; Dick Reeder and others were present were from the Tel Hai Retirement Community and the Amish community.

**Nominations of Chairman & Vice-Chairman**

After a brief discussion for the positions of Chair and Vice Chair of the Planning Commission, a motion to nominate Susan Lacy as Chair of the Planning Commission was made by Gary Mc Ewen, seconded by Leslie Siebert. All in favor. None opposed. The motion carried.

A motion was made to nominate Gary McEwen as Vice Chair of the Planning Commission by Tracy Olsen, seconded by Leslie Siebert. All in favor. None opposed. The motion carried.

**Minutes**

With no additions or corrections, a motion to approve the May 30, 2013, Planning Commission meeting minutes was made by Gary McEwen, seconded by Leslie Siebert. All in favor. None opposed. The motion carried. It was noted that the June 27th meeting was postponed due to lack of quorum present because of severe weather conditions.

**Subdivision/Land Development Applications**

**Tel Hai Phase 3/4**

**March 20, 2013 Sketch Plan Submission**  
**May 1, 2013 - Final Plan Submission**  
**May 24, 2013 - TEI Review Letter #1**  
**June 13, 2013 - Final Plan Resubmission**  
**July 5, 2013 - TEI Review Letter #2**  
**July 11, 2013 - Final Plan Resubmission**  
**July 19, 2013 - TEI Review Letter #3**  
**Component 4A Planning Module**

Alex Piehl of RGS Associates, Inc. was present on behalf of the applicant. He provided a brief update of the project and shared a few of the refinements made to the plan since the May meeting presentation. Mr. Piehl noted that they have reviewed and discussed the July 19, 2013 Technicon review letter with the engineer's office. He had no issues or concerns with the letter and will satisfy the comments.

Mike Reinert highlighted the main issues from his perspective:

1. The stormwater management plan (SWM) requirements appear to have been met.
2. The planning module is under review with the Township; however there appears to be no inconsistencies with the comprehensive plan or from an ordinance standpoint.
3. The water supply plan has been reviewed with the experts on multiple occasions. Technicon and Ebert Engineering are satisfied with the latest discussions and the applicant will provide the requested information for review that it complies with the Township's regulations.

Mr. Piehl addressed an earlier question raised about the safety of propane tanks; there will be six 2000 gallon tanks buried on the property. The ten foot buffer required will be supplied, assuring no proximity to residential homes or parking areas.

Mr. Piehl requested a recommendation on the plan and waiver as well as signing the Component 4A planning module. On a motion by Tracy Olsen, seconded by Leslie Siebert, the Planning Commission recommended a partial waiver to defer the financial security for the Phase 4 improvements until submission of a building permit application. All in favor (one abstain -

McEwen), motion approved. On a motion by Tracy Olsen, seconded by Leslie Siebert, the Planning Commission recommended conditional final plan approval of Phase 3 & 4 for Tel Hai based on compliance with the Technicon review letter dated July 19, 2013. All in favor (one abstain - McEwen), motion approved. On a motion by Susan Lacy, seconded by Leslie Siebert, the Planning Commission authorized the Chair to sign the Component 4A planning module. All in favor (one abstain - McEwen), motion approved.

### **Zoning Hearing Board/Conditional Use Application**

#### **Faulkner Conditional Use - TEI letter dated July 25, 2013**

Victor Kelly, Jr., PE from Commonwealth Engineers, Inc. spoke on behalf of the applicants. Mr. Kelly provided a brief update from his presentation several months ago and integrated the Commission's input and comments for conditional use for four ten acre lots.

The actual subdivision will be handled through the Land Development process following conditional use approval. The plan is proposing single family dwellings on 10+ acre parcels which will be served by a private gravel lane/street. Several waivers will be requested at the land development phase.

Gary McEwen asked how the NPDES will be handled and Mr. Kelly responded that each lot will handle their own.

Mike Reinert distributed and referred to the Technicon review letter dated July 25, 2013. The applicant would like to defer the site development plans for each lot until they have buyers for them; this info will be provided at the time of the building permit application by the individual lot owners.

A motion to the Board of Supervisors for conditional use approval for the Faulkner Tract was made by Tracy Olsen, seconded by Gary McEwen. All in favor. None opposed. The motion carried.

### **Pending Ordinances**

#### **1. On-Lot Sewage Management Ordinance #166**



Some Commission members reviewed this draft ordinance at the July Planning Commission workshop and discussion took place regarding the draft. It was decided to table any recommendations until the next meeting to give more members time to review and comment on the document. Members reviewed and discussed Gary McEwen's comments that were provided. Mike Reinert will check with DEP and Chester County to see if they would entertain an informal review of the document. He also suggested he would incorporate some of the changes discussed and provide a revised document at the next meeting for further discussion. Regarding DEP's deadlines, Mike Reinert stated that a final draft should be agreed upon with the PC and BOS initially, and then presented for public input and comment before considering a formal adoption.

## **2. Property Maintenance Ordinance**

Susan Lacy reported that members started to discuss the IPMC, 2009 version, and draft ordinance at the workshop. Since all members were not present for comment, it was decided that this topic needs more time for further examination at a future meeting or workshop.

## **3. Zoning Ordinance Amendments - Kennels**

Joe Fenstermacher was present on behalf of the Board of Supervisors to provide background for the proposed amendment. As a result of review and discussion of an enforcement issue, the Board requested a modification of the existing ordinances to reference State regulations and merely regulate zoning related matters pertaining to this use. The current ordinance has several inconsistencies with the State regulations and the Board prefers to address the inconsistencies via amendment to avoid potential future challenges.

John McHugh stated that he discovered the ordinance and was not aware there was one until recently. Leslie Siebert raised concerns about the availability of the State regulations, and how the residents would be informed about it.

Mike Reinert stated that he provided input to the Township Solicitor, who prepared the amendment, and agrees with its content based on the Board's direction in this topic. He further stated that it allows enforcement of setbacks and lot area requirements, however defers performance criteria

and licensure to the State.

A motion to approve the kennel ordinance amendment was made by Tracy Olsen, seconded by Gary McEwen. All in favor, one abstain (Siebert). Motion approved.

### **Other Business**

**Workshop meeting dates** - Susan Lacy indicated that it would be necessary to have workshop dates in order to discuss the Property Maintenance Ordinance in more detail, and also begin the process of updating the Comprehensive Plan. The PC requested that Mike Reinert speak with Toni Antonini regarding someone from the Brandywine Conservancy coming to the next Planning Commission meeting to introduce the process. It will be put out to the residents to see if there are any interested parties that would like to be involved in the process. The next workshop is planned for Thursday, September 12. The August date conflicts with the scheduled Town Hall meeting as noted by Supervisor John McHugh.

### **Correspondence of Interest:**

DEP Letter re Adoption of Countywide Act 167 Ordinance

Mike Reinert explained that amendments will be proposed to the existing ordinance (Chapter 20 of Code) as a result of this adoption. DEP approved the regulation on July 2, 2013 and Chester County adopted it on March 27, 2013. We will be seeing a draft in the near future.

### **Future Meetings** - All dates subject to change

Aug 8th – Supervisors Town Hall Meeting (6:30 pm)  
Aug 14th - Board of Supervisors Regular Meeting (6:30 pm)  
Aug 15th – Park & Recreation Committee (7:00 pm)  
Aug 29th – Planning Commission Regular Meeting (7:00 pm)  
Sept 12th - Planning Commission Workshop (7:00 pm)

With no further business, a motion to adjourn the meeting was made by Gary McEwen, seconded by Leslie Siebert. All in favor. None opposed. The motion carried. The meeting adjourned at 8:55 pm.

Respectfully Submitted,

*Leslie Siebert*

Secretary, Planning Commission

**Honey Brook Township Planning Commission**  
**Regular Meeting Approved Minutes**  
August 29, 2013

The Honey Brook Township Planning Commission held its monthly meeting on Thursday, August 29, 2013 at the Honey Brook Township building. The meeting was called to order at 7:05 p.m. by Chairperson Susan Lacy. Commissioners present were Leslie Siebert, Gary McEwen, Alex Rahn, Greg Frederick and Tracy Olsen; Michael Reinert, P.E., Technicon Enterprises, Inc. (TEI), Township Engineer, was also present.

Others attending: Supervisor Joe Fenstermacher, John Snook of the Brandywine Conservancy, and various residents from the community.

**Minutes**

With no additions or corrections, a motion to approve the July 25, 2013, Planning Commission meeting minutes was made by Greg Frederick, seconded by Gary McEwen. All in favor. None opposed. The motion carried.

**Subdivision/Land Development Applications**

**Poplar Realty (Tabas Tract) Preliminary Plan**

Mr. Jon Tressler of Boucher & James, Inc. was present on behalf of the applicant. At the request of the Planning Commission, the plan had previously been discussed with John Snook of the Brandywine Conservancy regarding recreational facilities, hiking trails, and open space and minor adjustments were made based on the recommendations.

John Snook, Senior Advisor at Brandywine Conservancy provided a brief update of the project and shared a few of the suggestions made for the open space management and recreation. He presented an overview using a map, pointing out open space and wetlands. The frontage is heavy on open space, with development set back from neighboring properties. Passive recreational facilities were recommended for all age groups, such as a tot lot playground and trails for pedestrians and bicycles. The

pedestrian trail would cross the East Branch of the Brandywine and eventually lead into the Struble Trail. He is recommending that woodland areas remain, with invasives removed annually. A meadow area should have biannual mowing.

A question was raised about the use of the amenities by Township residents. Mr. Snook responded that the recommendation is to keep the perimeter under the homeowners association (HOA) with the option to dedicate it to the Township.

With no further discussion, the Planning Commission will await the submission of a revised preliminary plan reflecting this general layout for recreation and open space at a future date.

### **Pleasantview Welding - Final Land Development Plan**

James Haigney of Commonwealth Engineers was present on behalf of the applicant to discuss the plans. He referred to the TEI review letter dated August 20, 2013 and stated that he plans to meet with the Township Engineer to review the comments further then submit a revised plan in the near future.

The overview of the project is to expand the outdoor storage facility with the intent to make it more user friendly. In order to achieve the desired layout, a joint permit will be required to mitigate the wetland disturbance proposed. Approvals from the County Conservation District, Department of Environmental Protection (DEP), and the Army Corps of Engineers will be needed. Mike Reinert reiterated that the major issues for this plan are obtaining the wetland approval from the various agencies and handling stormwater management issues. These matters will be worked offline with the Township Engineer and DEP. No further action was necessary pending submission of a revised plan from the applicant.

### **Cambridge Mennonite Church - Minor Land Development**

The Pastor of the church (name unavailable) was present as the applicant proposing an expansion of the existing church facility.

Mike Reinert stated that he has had some discussions with the engineer of the project and reviewed the application as a minor land development plan

due to the scope of work proposed. The Planning Commission was in agreement that it may proceed as a minor land development/final plan submission.

Mr. Reinert explained that the key issue is the applicant will require conditional use approval before the Board of Supervisors to implement their proposed project. This approval is before the Board of Supervisors with recommendations from the Planning Commission. It was suggested that the applicant proceed with the conditional use application at this time, then once approved, the plan can be reviewed for final plan approval. The applicant indicated they would proceed per the suggestions of the Planning Commission. No further action was necessary pending receipt of a conditional use application from the applicants.

### **Ricmar Subdivision - Sketch Plan**

James Haigney of Commonwealth Engineers was present on behalf of Richard Hoover, applicant. The scope of the project is a lot consolidation of seven existing parcels and resubdivision into two new lots. Lot #1 would include the existing buildings and other structures associated with Hoover Building Specialists, and Lot #2 would remain vacant agricultural lands at this time. No land disturbance or development is proposed at this time. The Planning Commission had no further comments regarding the proposal pending receipt of a final subdivision plan for review.

### **Zoning Hearing Board/Conditional Use Application**

#### **Variance - Sweetwater Properties LLC - Proposed Diner Sign**

Mike Reinert explained that the applicants are proposing to erect a sign for the Wimpy and Dee's Diner that is larger than what is permitted under the zoning ordinance in the Industrial district. The Zoning Officer denied the sign permit and the applicant has chosen to request a variance to allow the proposed sign of approximately 44 square feet (25 sq. ft. allowed).

After discussion to clarify the Planning Commission position options, a motion to recommend to the Board of Supervisors for opposition to the variance was made by Leslie Siebert, seconded by Greg Frederick. Two in favor (Siebert, Frederick). Four opposed (McEwen, Rahn, Lacy, Olsen). The motion failed.

A second motion to recommend to the Board of Supervisors to support the variance was made by Alex Rahn, seconded by Tracy Olsen. Two in favor (Rahn, Olsen). Four opposed (Siebert, Frederick, Lacy, McEwen). The motion failed.

A third motion to recommend to the Board of Supervisors to take a position of no position to the variance was made by Gary McEwen, seconded by Leslie Siebert. All in favor. None opposed. The motion carried.

### **Pending Ordinances**

#### **1. Permitted Retail Uses - TEI Memo dated 8/22/13**

Prior to this topic being discussed, Mr. Fenstermacher stated that he would like the Planning Commission to consider some revisions to the rural occupation requirements in the current zoning ordinance. The Supervisors believe that some of the requirements should remove the need for zoning relief if certain design standards are followed and would like to see the ordinance amended accordingly. Mike Reinert stated that he was aware of the desire of the Board on this issue, specifically pertaining to the current ordinance, which requires a special exception for outdoor storage for rural occupations. He stated that the current ordinance could possibly be amended to remove the zoning relief requirement, but maintain the design standards for screening and buffering. A draft of the changes will be prepared for discussion at the September 12th workshop.

Discussion continued on the Retail Uses TEI memo dated August 21, 2013. The current Township regulation is based on building size restrictions in the Commercial and Industrial zoning districts. The current ordinance allows a building size for retail sales by right in the Commercial district up to 8,000 square feet; anything larger requires a variance. In the Industrial district, no retail sales is permitted by right, however retail sales are permitted by conditional use if proposing over 25,000 square feet of building size. The question has been posed in past discussions why a mid range building size isn't specified in the ordinance. The Planning Commission discussed the topic and referenced other ordinances that merely utilize impervious coverage percentage to regulate retail uses. The consensus agreed that some mid-range parameters should be permitted and requested the Township Engineer to draft something for members to review and comment

further at the upcoming workshop on September 12, 2013.

## **2. On-Lot Sewage Management Ordinance**

Mike Reinert stated that he made the changes to the draft ordinance as discussed at previous meetings and forwarded the document to the PADEP for informal comment. PADEP responded that the draft version looked good with no further comment. Mr. Reinert advised that the next step in the process is for both the Planning Commission and Board of Supervisors to agree on the draft version then begin discussions to educate the public prior to formal action on the ordinance. He suggested possibly a town hall type educational meeting with a presentation from the Township consultants for the public's feedback and comments prior to finalizing the ordinance. It was suggested to continue discussion of this topic at the September 12th workshop and all members were asked to review the ordinance and prepare questions as necessary.

## **3. Property Maintenance Ordinance**

It was decided that this topic warrants further examination at the workshop on September 12.

### **Other Business**

#### **1. Elmer Stoltzfus - Component 1 Planning Module**

Mike Reinert explained that the applicant is proposing an accessory dwelling on his existing property and by PADEP regulations, requires a sewage planning module. The Zoning Officer and Planning Commission is required to sign the module for consistency with local ordinances. Mr. Stoltzfus will be required to obtain permits for the accessory dwelling and meet the zoning requirements, which it appears the applicant can achieve based on Technicon's review.

A motion to authorize the Planning Commission Chair to sign the planning module was made by Gary McEwen, seconded by Greg Frederick. All in favor. None opposed. The motion carried.



## **2. Brian Yarnall - Stormwater Management Waiver Request Letter**

James Haigney of Commonwealth Engineers was present on behalf of Brian Yarnall, 190 Township Line Road for three waiver requests from Chapter 20, Stormwater, as noted in a letter dated August 21, 2013.

Mike Reinert referred to the TEI memo dated August 22, 2013 and their recommendations for granting the waivers since the proposed disturbance is less than one acre and the requested waivers will be in compliance with the recently adopted Countywide Act 167 plan.

A motion to grant relief from Chapter 20, Section 401.3A(4)(b), 402.B.(1)c, 403.B(7), and 203.2.D for the Brian Yarnall site plan was made by Greg Frederick, seconded by Leslie Siebert. All in favor. None opposed. The motion carried.

Bob Witters asked whether the Planning Commission workshop will include comprehensive plan preparation and offered to be a resident volunteer. Susan Lacy has spoken with Toni Antonini about the process, and there was talk of having someone from the Brandywine Conservancy invited to come and give us an overview of what is needed. Supervisor Joe Fenstermacher added that he would see whether the BC representative would agree to come to the next BOS meeting to outline the comprehensive plan process due to the other business items on the workshop agenda.

### **Correspondence of Interest:**

None

### **Future Meetings** - All dates subject to change

September 11 - Board of Supervisors Regular Meeting (6:30 pm)  
September 12 - Planning Commission Workshop (7:00 pm)  
September 17 - Land Preservation Committee (6:30 pm)  
September 19 - Park & Recreation Committee (7:00 pm)  
September 26 - Planning Commission Regular Meeting (7:00 pm)

### **Adjournment**

With no further business, a motion to adjourn the meeting was made by Alex Rahn, seconded by Gary Frederick . All in favor. None opposed. The motion carried. The meeting adjourned at 9:14 pm.

Respectfully Submitted,

*Leslie Siebert*  
Secretary, Planning Commission

**Honey Brook Township Planning Commission**  
**Regular Meeting Approved Minutes**  
September 26, 2013

The Honey Brook Township Planning Commission held its monthly meeting on Thursday, September 26, 2013 at the Honey Brook Township Building. The meeting was called to order at 7:10 p.m. by Chairperson Susan Lacy. Commissioners present were Leslie Siebert, Gary McEwen, Alex Rahn, and Greg Frederick; Michael Reinert, P.E., Technicon Enterprises, Inc. (TEI), Township Engineer, was also present. Absent: Tracy Olsen

**Minutes**

With no additions or corrections, a motion to approve the August 29, 2013 Planning Commission meeting minutes was made by Gary McEwen, seconded by Greg Frederick. All in favor. None opposed. The motion carried.

**Subdivision/Land Development Applications**

None

**Zoning Hearing Board/Conditional Use Application**

**1. Variance - Benco Associates, LLC - precautionary & prohibitive slope disturbance/permitted uses/timeline**

Todd Shoaf, RLA, Pioneer Management LLC, was present on behalf of the applicant. Richard Hoover was also present. The applicant is requesting several variances for a proposed non-residential access driveway in an area of precautionary and prohibitive slopes. The best location for an access drive would be off of Todd Rd in lieu of another access onto Route 10. In order to construct the access driveway to serve a future land development on what will be lot #4, disturbances will be necessary that exceed the ordinance criteria. The request is for zoning variances for precautionary and prohibitive slope disturbance and time extension to allow sufficient time to complete the subdivision/land development planning. A traffic study will be required for the land development.

Mike Reinert added that our Township ordinance currently allows residential driveways to go through prohibitive slope areas, but is silent on non-residential applications.

A motion to recommend to the Board of Supervisors to support the variance for precautionary slope disturbance was made by Gary McEwen, seconded by Alex Rahn. All in favor. None opposed. The motion carried.

A second motion to recommend to the Board of Supervisors to support the variance for prohibitive slope disturbance was made by Gary McEwen, seconded by Alex Rahn. All in favor. None opposed. The motion carried.

A motion to recommend to the Board of Supervisors to support the variance for a six month time extension was made by Greg Frederick, seconded by Alex Rahn. All in favor. None opposed. The motion carried.

## **2. Special Exception - Hessian Co LTD (Peddler Inn property) - change of use**

The applicant was not present. Mike Reinert had previous discussions with the applicant regarding their plan to convert the current building use from a restaurant to offices, none of which are permitted by right in the Mixed Residential (MR) zoning district. The conversion of a non-conforming use to another non-conforming use requires a special exception. The result of the change would likely result in less traffic and impact to the community overall.

A motion to recommend to the Board of Supervisors to support the special exception application of Hessian Co., LTD for change of use from restaurant to offices was made by Alex Rahn, seconded by Gary McEwen. All in favor. None opposed. The motion carried.

## **Pending Ordinances**

### **1. Zoning Amendment - Retail Uses, Rural Occupation, Street Line**

Mike Reinert stated that he made some minor language modifications based on input from John Good, Township Solicitor, the Board of Supervisors and discussions at the last Planning Commission workshop.

A motion to recommend to the Board of Supervisors to adopt the zoning amendment on retail uses, rural occupation, and street line as written and advance to the Chester County Planning Commission for review was made by Gary McEwen, seconded by Alex Rahn. All in favor. None opposed. The motion carried.

## **2. On-Lot Sewage Management Ordinance**

As discussed previously, the proposed ordinance draft will require resident review and education prior to adoption and implementation. The Planning Commission requested maximizing resident notification and public education prior to adopting the ordinance. A fall newsletter will be coming out, and information will be added to the Township website. It was suggested that the public education meeting should be advertised in several different areas to maximize public awareness.

Mike Reinert provided a draft version of a powerpoint presentation he would be recommending to be shown at an advertised public education meeting for the residents. The tentative date of this meeting is December 12th, however would be formalized through the Board of Supervisors. Mike explained the content would essentially be the same as shown in the draft, but would be customized based on any additional input from the group. The presentation would include guest speakers consisting of a soil scientist, sewage hauler, and designer/installer to assist in educating the public. Members were asked to review the draft prior to the next workshop and provide any input so the final presentation can be prepared.

## **3. Property Maintenance Ordinance**

Examples of rental inspection and property maintenance ordinances from Bechtelsville Borough and Heidelberg Township in Berks County were provided by Mike Reinert as requested at the last workshop meeting. Mike suggested the group should review these drafts further and discuss in more detail at a future workshop, possibly in November.

### **Other Business**

1. The next Planning Commission workshop will be October 10th with an agenda to focus on the comprehensive plan update. Brandywine Conservancy will be present to lead the discussions.

Dick Reeder commented that he heard the Borough is working separately on their plan rather than working jointly. There will be clarification on this by the next workshop.

2. Mike Reinert added that the William Beam property on Chestnut Tree Road submitted agricultural building permits to the Township, which require a formal stormwater management plan. Mike indicated that the applicant

has retained a consultant to prepare a plan on their behalf, however following review, the plan does not comply with all current requirements of a Category III plan per Chapter 20. The plan does appear however to comply with the Category II criteria and also comply with the eventual stormwater amendments forthcoming as a result of the recent approval of the Act 167 Countywide plan. The applicant may likely be requesting relief from the current ordinance requirements as a result. An informal survey of the members resulted in agreement with the plan as proposed and based on the engineer's satisfaction with same.

### **Correspondence of Interest:**

1. Mike Reinert referenced the September 20, 2013 CCPC letter on Zoning Ordinance Amendment for kennels, boarding kennels, and animal shelters as information only. The Ordinance will be advertised for public hearing and potential adoption at the October Board of Supervisors meeting.

### **Future Meetings** - All dates subject to change

October 9th - Board of Supervisors Regular Meeting (6:30 pm)

October 10th - Planning Commission Workshop (7:00 pm)

October 17th – Park & Recreation Committee (7:00 pm)

October 24th – Planning Commission Regular Meeting (7:00 pm)

### **Adjournment**

With no further business, a motion to adjourn the meeting was made by Gary McEwen, seconded by Alex Rahn. All in favor. None opposed. The motion carried. The meeting adjourned at 8:05 pm.

Respectfully Submitted,

*Leslie Siebert*

Secretary, Planning Commission

**Honey Brook Township Planning Commission**  
**Regular Meeting Approved Minutes**  
October 24, 2013

The Honey Brook Township Planning Commission held its monthly meeting on Thursday, October 24, 2013 at the Honey Brook Township Building. The meeting was called to order at 7:10 p.m. by Vice Chairperson Gary McEwen. Commissioners present were Leslie Siebert, Gary McEwen, Tracy Olsen, and Greg Frederick; Michael Reinert, Technicon Enterprises, Inc. (TEI), Township Engineer, was also present.

Absent: Alex Rahn, Susan Lacy

Guest: Glenn Bentley, AICP, Chester County Planning Commission

**Minutes**

With no additions or corrections, a motion to approve the September 26, 2013 Planning Commission meeting minutes was made by Greg Frederick, seconded by Tracy Olsen. All in favor. None opposed. The motion carried.

**Guest Presentation**

Glenn Bentley of the Chester County Planning Commission was present to discuss various questions about the Act 247 process with the Planning Commission. He has been visiting a number of municipalities in the County seeking comments and feedback regarding a potential new review format. Feedback was provided by members and Mr. Reinert. Mr. Bentley will consider all of the comments received and forward more information at a later date to all municipalities.

**Subdivision/Land Development Applications**

**Henry S. Zook**

**October 4, 2013 - Preliminary/Final Plan Submission**

**October 18, 2013 - TEI Review Letter #1**

Roger Fry, PLS was present on behalf of the applicant, Zook's Welding. He referred to a response letter dated October 23, 2013 which was drafted

in reference to the Township Engineer's review comments. The response letter has yet to be reviewed by the Township Engineer. The applicant is proposing to add portions of property to an existing parcel; and add a second building to expand the existing (welding) operations. There is some existing screening already in place along the southern boundary. Mr. Fry stated he was not seeking a formal recommendation at the meeting, however wanted feedback on two issues: minor vs. major land development submission designation and landscaping.

Mr. Reinert stated their office has reviewed the plan as a minor land development and appears to meet the intent of the minor submission criteria. There are no major changes or increases to current operations and parking proposed; merely redistribution of the existing business. Based on these comments, members' consensus was to treat this as a minor land development plan submission.

Regarding landscaping, discussion included recommending a buffer between the two uses. Mr. Reinert went through the landscape buffering trees as per the ordinance. The applicant wants something "reasonable," and agrees to screening the new building at the very least. Mr. Reinert offered to take photos of the existing conditions for further review by the Planning Commission at a future meeting. No further action was taken.

**Lloyd King - 450 Gooseberry Lane**

**October 15, 2013 - Sketch Plan Submission & Supporting Documentation**

**October 18, 2013 - TEI Memorandum**

Mr. King was present and wishes to move the building envelope approved as part of the Troy Stacey Subdivision in 2007 for lot #3. The relocation would result in the removal of additional woodland areas. Mr. Reinert explained that there were deed restrictions (covenants) placed on the open space and woodland areas of the approved subdivision plan back in 2007. The matter was discussed with the Township Solicitor and a letter issued dated September 24th with his comments.

Some discussion occurred regarding the standing of the original covenant. Members asked Mr. Reinert to obtain further information and background to the original agreement and subdivision approval before commenting further or making a recommendation.



### **Pleasantview Welding Expansion**

October 17, 2013 - Time Extension to March 30, 2014

Mr. Reinert explained that the applicant is requesting a time extension of five months mostly due to the wetland issues present on the property and obtaining a joint permit from the PADEP/Army Corps. A motion to accept the time extension requested by Pleasantview Welding until March 30, 2014 was made by Greg Frederick, seconded by Tracy Olsen. All in favor. None opposed. The motion carried.

### **Cambridge Mennonite Church**

October 17, 2013 - Time extension to February 25, 2014

A motion to accept the time extension requested by Cambridge Mennonite Church until February 25, 2014 was made by Greg Frederick, seconded by Tracy Olsen. All in favor. None opposed. The motion carried.

### **Zoning Hearing Board/Conditional Use Applications**

None

### **Pending Ordinances**

#### **1.) On-Lot Sewage Management Ordinance**

The first public education forum is planned for December 12, 2013 in concert with the Township Town Hall Meeting.

#### **2.) Property Maintenance Ordinance**

This will continue to be addressed in further detail at the next Planning Commission workshop.

### **Other Business**

The Planning Commission workshops for November and December will be determined at a later time due to the upcoming holidays and rescheduled regular meetings.

**Correspondence of Interest:**

None

**Future Meetings** - All dates subject to change

November 13th - Board of Supervisors Regular Meeting (6:30 pm)

TBD - Planning Commission Workshop

November 14th – Park & Recreation Committee (7:00 pm)\*

November 21st – Planning Commission Regular Meeting (7:00 pm)\*

\*Date Change due to Holiday

December 12th - Town Hall Meeting/Onlot Sewage Public Education meeting

**Adjournment**

With no further business, a motion to adjourn the meeting was made by Greg Frederick, seconded by Tracy Olsen. All in favor. None opposed. The motion carried. The meeting adjourned at 8:35 pm.

Respectfully Submitted,

*Leslie Siebert*

Secretary, Planning Commission

**Honey Brook Township Planning Commission**  
**Regular Meeting Minutes**  
November 21, 2013

The Honey Brook Township Planning Commission held its monthly meeting on Thursday, November 21, 2013 at the Honey Brook Township Building. The meeting was called to order at 7:10 p.m. by Chairperson Susan Lacy. Commissioners present were Leslie Siebert, Gary McEwen, Susan Lacy, and Greg Frederick; Michael Reinert, PE, Technicon Enterprises, Inc. (TEI), Township Engineer, was also present.

Absent: Alex Rahn, Tracy Olsen

Guests: Supervisor Joe Fenstermacher, Supervisor John McHugh, Honey Brook Borough Planning Commission members, Chris Falencki, Borough Engineer, applicants and residents.

**Announcements**

Supervisor Joe Fenstermacher reported that Tracy Olsen would be stepping down from the Planning Commission and that he would be volunteering for appointment at next Supervisors regular meeting.

**Minutes**

With no additions or corrections, a motion to approve the October 24, 2013, Planning Commission meeting minutes was made by Greg Frederick, seconded by Gary McEwen. All in favor. None opposed. The motion carried.

**Subdivision/Land Development Applications**

**1. Lanchester Properties - Church Expansion**

**\*\*Joint Discussion with Honey Brook Borough Planning Commission\*\***  
**November 8, 2013 - Sketch Plan Submission**

Randy Hoover, P.E. of TeamAg and John King, Lanchester Properties, were present for the applicant. As previously discussed, Phase 1 of the project includes 33 apartments converting into Sunday School rooms and a new church sanctuary; resulting in 28 residences and adding counseling offices in the rear that would be open to the public. The project spans both the Borough and the Township municipal boundary therefore the presentation was held with both Planning Commissions this evening. The building, majority of the development and parking area is located within the Borough portion of the site; some parking and stormwater management facilities within the Township portion.

Additional parking is necessary for the full build-out. A traffic study has already been done, using Sunday morning as the projected time of busiest use. Two signs are being considered, one for the church and one for the counseling center. Other requirements were discussed such as landscaping of the bio-retention areas with shrubs and trees along the park. A review letter was provided by the Borough Engineer of the sketch submission since the majority of the development is located within the Borough. Discussion was held on how the review process would proceed moving forward and the Engineers will discuss this topic further upon submission

of a preliminary plan.

The applicants were hoping to present a preliminary plan by December. Consensus was that another Joint Borough and Township meeting to address the preliminary plan would be held, which would probably be best suited for January based on submission deadlines. No further action was taken.

## **2. Lloyd King - 450 Gooseberry Lane**

**October 15, 2013 - Sketch Plan Submission & Supporting Documentation**

**October 18, 2013 - TEI Memorandum**

**November 11, 2013 - TEI Memorandum on Conservation Easement History/Photo Exhibit**

As previously discussed last month, applicant Mr. Lloyd King was present and wishes to move the planned building envelope as shown on the approved Troy Stacey Subdivision plan, which would entail removal of additional woodland areas within a dedicated conservation easement on the property. Per the PC's request, Mr. Reinert obtained further information and background to the original agreement which was reviewed, referring to memos dated July 11, 2007 (RE: Baron Hill Farms Subdivision Sketch Plan) and memo dated November 11, 2013 Historical Background of Conservation Easement Establishment. Concerns were raised by several of the PC members regarding the preservation of Class 1 Woodland areas in the Baron Hills, maintaining the historical integrity of previous Township decisions related to the Troy Stacey Subdivision plan, and violating an approved conservation easement.

A motion to recommend denying the request for a modification to the approved building envelope and conservation easement to permit the development depicted on the sketch plan dated September 20, 2013 prepared by Della Penna Engineering, Inc. was made to the Board of Supervisors was made by Greg Frederick, seconded by Gary McEwen. All in favor. None opposed. The motion carried. The Planning Commission encouraged proposing an alternative development of the property to comply with the approved subdivision plan.

The applicant was advised to attend the December 11, 2013, Board of Supervisors meeting.

## **3. Henry S. Zook**

**October 4, 2013 - Preliminary/Final Plan Submission**

**October 18, 2013 - TEI Review Letter #1**

**October 25, 2013 - Preliminary/Final Plan Resubmission**

**November 4, 2013 - Photo Exhibit of Existing Landscaping (emailed to PC)**

**November 15, 2013 - TEI Review Letter #2**

Roger Fry was present with the applicant, Zook's Welding. As discussed in the previous month's meeting, the applicant is proposing an addition to an existing business in order to provide more storage for current (welding) operations.

Regarding landscaping and screening, the Planning Commission requested screening of the building with evergreen plants along the western parking area and deciduous tree plantings south of the proposed building expansion, which will serve as buffers to adjacent existing uses.

A motion for conditional final plan approval to the Board of Supervisors provided the application addresses the Township Engineer's letter of November 15, 2013 and propose plantings as requested was made by Gary McEwen, seconded by Greg Frederick. All in favor. None opposed. The motion carried.

**4. Stoltzfus MFG-IP LLC (176 Westbrook Dr., King's Table Expansion)**  
**November 13, 2013 - Sketch Plan Submission**

Mike Reinert explained that a land development plan was done previously for this property in 2002. The property is located in the Industrial zoning district (McConnell Industrial Park). The project proposes an expansion of the existing business on the property, which primarily will affect parking and stormwater on the site.

A motion to accept the plan application as a minor land development was made by Gary McEwen, seconded by Greg Frederick. All in favor. None opposed. The motion carried.

**Zoning Hearing Board/Conditional Use Applications**

None

**Pending Ordinances**

1.) On-Lot Sewage Management Ordinance

Mike Reinert reminded members of the first public education meeting on December 12, 2013 at 6:30 p.m. with the Township Town Hall Meeting to follow at 7:30 p.m.

2.) Property Maintenance Ordinance

This item will be revisited in further detail at the next Planning Commission workshop.

**Other Business**

Discussion around the next Planning Commission workshop was held and decided to commence again in 2014. Tentative dates in 2014 will be explored, possibly January 9th, at which time members will look at the Comprehensive Plan update. Susan Lacy presented a rough schedule for the 2014 meetings in conjunction with the Brandywine Conservancy.

**Correspondence of Interest:**

None

**Future Meetings** - All dates subject to change

December 11th - Board of Supervisors Regular Meeting (6:30 pm)

December 12th - On-Lot Sewage Management Public Education Meeting (6:30 p.m.)

December 12th - Town Hall Meeting (7:30 p.m.)

December 19th - Planning Commission Regular Meeting (7:00 pm)\*

\*Date Change due to Holiday

**Adjournment**

With no further business, a motion to adjourn the meeting was made by Gary McEwen, seconded by Greg Frederick. All in favor. None opposed. The motion carried. The meeting adjourned at 9:27 p.m.

Respectfully Submitted,

*Leslie Siebert*  
Secretary, Planning Commission

**Honey Brook Township Planning Commission**  
**Regular Meeting Minutes**  
December 19, 2013

The Honey Brook Township Planning Commission held its monthly meeting on Thursday, December 19, 2013 at the Honey Brook Township Building. The meeting was called to order at 7:05 p.m. by Chairperson Susan Lacy. Commissioners present were Joe Fenstermacher, Leslie Siebert, Gary McEwen, Alex Rahn and Greg Frederick; Michael Reinert, Technicon Enterprises, Inc. (TEI), Township Engineer, was also present.

It was noted that Supervisor Tracy Olsen has resigned from the Planning Commission and Supervisor Joe Fenstermacher was appointed in her place.

**Minutes**

With no additions or corrections, a motion to approve the November 21, 2013, Planning Commission meeting minutes was made by Gary McEwen, seconded by Alex Rahn. All in favor. None opposed. The motion carried.

**Subdivision/Land Development Applications**

**1. Poplar Realty (Tabas Tract)**

Mike Reinert stated that the applicant contacted his office and stated they would not be attending this evening. The engineer will make revisions based on the latest review letter and resubmit to the Township at a future date.

**2. Ricmar Real Estate, LP**

August 19, 2013 - Sketch Plan Submission

**November 12, 2013 - Final Plan Submission**

**December 12, 2013 - TEI Review Letter #1**

Allan Zimmerman, Commonwealth Engineers, was present for the applicant, Ricmar Real Estate, LP. The proposed plan would consolidate several parcels of land and then resubdivide them into two parcels with no development planned at this time.

Mike Reinert explained that this is a minor subdivision plan and was reviewed accordingly. The December 12, 2013 review letter was discussed and several items were clarified by the applicant and Township Engineer. The proposed use will be noted as agricultural for this subdivision plan. Additional notes will be added to the plans to address several of the other comments. A wetland report will be submitted and it was determined a waiver was not needed if received. A waiver will be requested for the stormwater management plan submission with a note to be added to the plans since no development is planned at this time. The applicant has addressed the side lot line requirement to meet the ordinance. Input was requested on the landscaping plan. The applicant indicated that future landscaping will be done on the land development plan per the SALDO and would prefer to defer it until that time.

A motion to recommend approval of the waiver request for stormwater management plan until submission of a land development for either lot to the Board of Supervisors was made by Gary McEwen, seconded by Alex Rahn. All in favor. None opposed. The motion carried.

A motion for conditional final plan approval to the Board of Supervisors with a note added to the plan for landscaping to be proposed at time of land development submission in accordance with the SALDO was made by Gary McEwen, seconded by Alex Rahn. All in favor. None opposed. The motion carried.

### **3. Maureen Miller**

Mike Reinert stated that the applicant contacted his office and stated they would not be attending this evening. The engineer will make revisions based on the latest review letter and resubmit to the Township at a future date.

### **Zoning Hearing Board/Conditional Use Applications**

#### **1. Samuel & Judith Benne** - Front Yard Setback, 247 Vincent Drive

Township residents Samuel and Judith Benne were present on their own behalf for their variance request for a proposed one story addition onto their existing home in order to accommodate a disabled family member. Discussion pointed out the hardship issues which directed the construction to the west side of the residence due to storm water runoff, existing utility trench



for cable and phone lines, electrical meter and sewer system components. A variance is requested to encroach into the front yard setback. It was noted that this is a corner lot and contains two front yards. The owners of the neighboring properties will be notified as part of the zoning application, however the applicants noted that they have not expressed objection to the project.

A motion to support the variance request from section 27-603.2.A of the zoning ordinance to the Board of Supervisors was made by Gary McEwen, seconded by Alex Rahn. All in favor. None opposed. The motion carried.

### **Pending Ordinances**

#### **1) On-Lot Sewage Management Ordinance**

Mike Reinert updated members of the first public education forum that was held December 12, 2013, in concert with the Township Town Hall Meeting, and provided copies of the most recent version of the draft ordinance. The draft ordinance is posted on the Township website and has been run by DEP with a positive response.

Discussion around the ordinance followed including input from Supervisor Joe Fenstermacher regarding previous ordinances (DAR and animal control) considered by the Township. Joe felt that this ordinance may be undermining the authority of the County Health Department and should be researched further. Joe suggested tabling further discussion of this draft until feedback from the County Health Department was obtained confirming the Township's authority for enforcing this ordinance.

Resident Willard Sunstein of Cupola Road provided written input regarding his research and opinion on septic system maintenance. He expressed his disagreement with the pumping requirement in the ordinance, preferring an inspection clause be added in place of the pumping requirement. Members requested additional time to review his submission.

A motion to table further consideration of the On-Lot Sewage Management Ordinance until next month was made by Alex Rahn, seconded by Joe Fenstermacher. Joe Fenstermacher will contact the Chester County Health Department and provide their response; members will read the information provided by Mr. Sunstein. All in favor. None opposed. The motion carried.

## **2) Property Maintenance Ordinance**

Due to the On-Lot Sewage Management Draft Ordinance and Comprehensive Plan Update projects, this item will be revisited in a future meeting.

### **Other Business**

The next Planning Commission workshop will be January 9, 2014 and future meetings are advertised as needed. The Planning Commission will focus on the Comprehensive Plan update. Susan Lacy presented a rough schedule for the 2014 meetings in conjunction with the Brandywine Conservancy.

### **Correspondence of Interest:**

None

### **Future Meetings** - All dates subject to change

January 6th - Reorganization Meeting/ Regular Board of Supervisors Meeting (6:00 pm)

January 9th - Planning Commission Workshop (7:00 pm)

January 16th - Parks & Recreation Meeting (7:00 pm)

January 21st - Land Preservation Meeting/ Farmer's Breakfast (8:00 a.m.)

January 23rd – Planning Commission Regular Meeting (7:00 pm)

### **Adjournment**

With no further business, a motion to adjourn the meeting was made by Joe Fenstermacher, seconded by Gary McEwen. All in favor. None opposed. The motion carried. The meeting adjourned at 8:30 PM.

Respectfully Submitted,

*Leslie Siebert*, Secretary, Planning Commission