

2023 WEST PIKELAND TOWNSHIP PLANNING COMMISSION ANNUAL REPORT

January 17

ELECTION

Frank Best was elected Chair and Bill Normoyle was elected Vice Chair.

March 13

LIONVILLE STATION ROAD WAREHOUSE COMPLEX

Noreen Vigilante, Supervisor, attended the meeting to discuss the Audubon Land Development proposal to build an Amazon warehouse complex on the School District's property on Lionville Station Road in Uwchlan Township. The sketch plan, a summary of the School Board meeting discussing the project, and Barbara's email to the Supervisors on the Uwchlan Township planning meeting discussing the proposal were distributed to the members. Noreen expressed concern about the negative impact to West Pikeland Township and sought consultation with the Planning Commission on the Township's response. Issues discussed included: traffic, stormwater, energy regulations, historical impact, quality of water (streams), parking and conservation challenges. Some ideas for possible responses were lawn signs, website and social media posts and educational updates, attending township, county, school and other meetings as advertised. Mr. Normoyle volunteered to help Ms. Vigilante.

BAMBOO ORDINANCE

The drafted bamboo ordinance was distributed and discussed. Amendments were agreed upon.

June 12

ANSELMA CROSSING EXTENSION

A motion was made and seconded and unanimously approved to recommend approval of the Anselma Mill Crossing land development project extension to July 2024.

PERSONS WISHING TO BE HEARD

Kate LaVesur expressed concern about a pool at a house for sale that lacks a fence and a certified cover, which was installed before January 2004 and therefore grandfathered for the fence and safety cover requirements. The Planning Commission discussed the ordinances with her. She plans to ask the new owners to put up a fence or a safety cover, and will follow up with the Planning Commission

ZONING ORDINANCES

The Planning Commission reviewed the ordinances on restaurants, outside eating areas, and food trucks. Ms. Kelley will contact Isett officials for the interpretation for the food truck, history, and ordinance 602(1)(c).

August 14

FOREST ORDINANCE

The members agreed that the West Vincent Forest ordinance addresses issues in West Vincent Township that differ from our issues and is not useful to us as an example.

ZONING ORDINANCE MANUAL

The members recommended review of the zoning ordinance manual by a professional, and purchase of the E-code system. Mr. O'Neill stated that South Coventry has E-code to help with zoning ordinances, updates, resident questions, and search capability. The committee reviewed the Zoning Officer's recommendations for the zoning manual. In addition to some clerical error corrections, the issues were:

1. Accessory apartments (in-law suites) should be permitted in the RC district. The omission clearly was an oversight since in another part of the zoning manual it has the specifications of the accessory apartments in the RC district.
2. The definition of accessory apartment in Section 202, which allows an accessory apartment on properties with ten acres or more but not on the smaller parcels, was tabled for consideration by more than just four members.
3. As to the definition of "Lot" in Section 202, the members agreed that multi-use on one parcels should be permitted in all districts but RC and RD.
4. As to the definition of "Structure" in Section 202, the members disagreed with the Zoning Officer's opinion that driveways and patios are structures. The members agree that the driveways and patios do not need permits, but larger patios and driveways may need earthmoving permits.
5. The members agreed with the Zoning Officer that the RD Zoning District area and bulk requirements for lots less than one acre found in 403.B should be changed to one acre or less.
6. The members agreed that, in the RC Zoning District, area and bulk requirements for lots less than 2 acres should be changed to 2 acres or less.
7. Accessory structures serving active accessory uses and accessory structures with a floor area of 150 square feet or more serving passive use have a minimum required setback of 25 feet, which should be changed to 20 feet.

September 11

ACMEC SALDO APPLICATION

The members received advance copies of the ACMEC application, which the applicant will present to the Planning Commission at its next meeting.

NUISANCE ORDINANCE

Mr. Romano will distribute the shared document for editing.

October 10

ACMEC SALDO APPLICATION

Vince Mancini, attorney for ACMEC, two representatives of the ACMEC organization and Jose Grande, project engineer for ACMEC, presented a land development application for development of a 1,386 square foot temple building adjacent to the existing 608 sq. ft. temple, with additional parking, on the 22.416-acre lot. The existing temple is unable to be consecrated by a guru as built, requiring a second temple. It is not meant for congregation, but for individuals to pray. The temple is to house the deity and once consecrated, cannot be moved. There will be no additional water or sewer construction. The current temple has a well and drainage system. Rest room facilities are housed in a separate location nearby. There will be 27 parking spaces, in addition to nine that currently exist. They do not need additional parking, but it is needed for compliance. It will be approximately 32 ft. in height. The current temple is approved for 28 ft. The RC district allowance is 35 ft. The current weekly attendance is approximately 25-30 people. The temple is not open to the public. Members pray for one hour at a time. There is an annual event at which up to 200 may attend. The grass areas around the temple are used for parking during that event.

Pursuant to settlement of a lawsuit, the buildable area for the lot is 5,000 square ft. under a conditional use agreement. Members had questions about the existing driveway, which will need to be extended to accommodate the increased number of parking spaces, and questions regarding the increase in impervious surface required for the additional parking since they may not be necessary to accommodate the existing temple membership. Dan Daley explained that the required amount of parking should be planned for ordinance compliance.

There was discussion of whether the proposed new improvements comply with a condition to the prior approvals that, pursuant to deed restrictions, no new development would occur outside of the permitted unrestricted area that was cross hatched on the prior plans. Mr. Mancini pointed out that the prior agreement with the Township states that the Township will not construe paving as development prohibited in the restricted areas indicated on the prior plan. Discussion ensued concerning observations that other plan elements (e.g., proposed piping, landscaping, etc.) may be located as shown. This question is to be resolved in the ongoing review.

Mr. Mancini argued that because the temple is not housing people, entails less than an acre of disturbance, and no water or sewage is being proposed, it should be considered “Minor Development” and not be subject to the requirements for a Major Development. Dan Daley advised that a Major Development is defined as any development that does not meet the definition of a “Minor Subdivision” (which is limited to lot line adjustments or certain limited residential developments). Accordingly, the project will be classified as a Major Development, and individual waivers for specific activities will be submitted for review.

Mr. O’Neill asked if the buffering requirements imposed by the conditional use approval were being satisfied, and whether the project will be submitted for review by the Historic Commission due to the existing Class II historic resource on the site. Applicant’s engineering review response letter from Mr. Grande indicates the existing buffering is adequate for the new plan, and that Applicant will comply with the requirement for historic commission review. The buffering question should be reviewed and resolved in the ongoing review process.

The meeting ended with the understanding that there are comments made by the township consultants, including those in the review letter from Dan Daley dated 10/6/2023, that need to be addressed before the land development application can be approved.

PERSONS WISHING TO BE HEARD

Two neighbors of the temple property attended the meeting, Mr. Martinez of 936 Skyline Drive, and Mr. Richard Campbell of 916 Skyline Drive. They were concerned that some neighbors received notification of the project while others did not. Dan Daley explained that the ordinance requires that only neighbors abutting the property need to be notified.

November 13

NUISANCE ORDINANCE

There was discussion about whether the nuisance ordinance should include the bamboo ordinance. It was decided that the bamboo ordinance remain as a separate ordinance. The Township’s attorney has reviewed the ordinance.

Mr. O’Neill said there was a past nuisance ordinance that was discussed but never was adopted. He also noted that Section 1105 (Performance Standards) of the Zoning Ordinance addresses several nuisances. The members will compare the proposed ordinance with Section 1105.

SOLAR ORDINANCE

The Chester County Planning Department requested that our Township send possible solar ordinance regulations so the Chester County Planning Department can create a solar ordinance template for the municipalities. Ms. Kelley will send the West Vincent Township solar ordinance to the members. Mr. O’Neill will send South Coventry ordinances to the members, and the members can view them on their South Coventry’s E-code. Ms. LaCroix will ask Phoenixville

Regional Planning Commission for their input, and Mr. Romano suggested that we send this information to our local EAC for comment.

December 11

PERSONS WISHING TO BE HEARD

Maureen Petrucci and Thom Toole, realtors from REMAX Main Line, for Ann Ashton, and residents James and Emily Rothschild (1912 Parker Hill) spoke on the purchase of a portion of the Ann Ashton adjoining property necessitating submission of a minor subdivision plan. Mr. Toole explained the Parker Hill subdivision of 34-1-54.1 in 1998 that divided one lot into seven lots. The Ashton property owner is selling two of the three existing subdivision lots and Mr. and Mrs. Rothschild want to buy a portion of the adjoining Ashton residence lot containing the subject portion of property (.79 acres) to increase the size of the Rothschild property to 2.35 acres and enhance their front yard. There is an old barn that is in disarray that they want to take down when purchasing the property.

Mr. O'Neill questioned whether the proposed new lot line between Rothschild and Ashton would allow for enough setback distance from an existing outbuilding on the Ashton lot. Mr. Toole stated that it would (and that the outbuilding may be taken down regardless). The residents will submit the required paperwork to initiate submission for formal subdivision but wanted the Planning Commission to give some any informal input they may have on their plan. The Commission members did not give any negative input on the proposed plan.

NUISANCE ORDINANCE

The members reviewed the revised nuisance ordinance. There was discussion on the current nuisance ordinance in relation to the new nuisance ordinance (with respect to the noise section). The new ordinance has definitions that were not in the current ordinance. The current ordinance contains standards that are not in the new ordinance. There was also comment that enforcement and standards should be clear enough for laypeople or residents to understand the ordinance language. It was decided that the noise ordinance will be a stand-alone ordinance at this time, and the current nuisance ordinance may be further reviewed for possible revisions. Mr. Romano will send the noise ordinance to the members for comments.