

**East Vincent Township
Planning Commission Meeting Minutes
March 21, 2023 7:00 PM**

Vice-Chairman Rocky Roeger opened the meeting with the Pledge of Allegiance at 7:00 PM. Also in attendance were: Nicole Keegan, Member; Bill Hoffman, Member; Cindy VanHise, Township Engineer; and Catherine Ricardo, Township Manager. Austin Hodge, Chairman, attended virtually. Nev Lynch, Member, and Chris Orzechowski, Member, were absent. There were twelve (12) guests in attendance in person and (6) guests in attendance virtually via Zoom.

1. Minutes of February 21, 2023

Motion to approve the minutes as presented.

Moved: B. Hoffman

Second: R. Griffith

Vote: Unanimous

2. Reports:

The Engineer's Report and Board of Supervisors minutes were received. No action was taken.

1. Old Business

A. Ordinance #249: AP Zoning Text Amendment:

R. Roeger stated that the Board of Supervisors considered feedback from the Planning Commission regarding the AP Zoning District text amendments, considering the validity challenge before the Township for the property at 91 Bertolet School Road. R. Roeger stated that following discussion at the last Planning Commission meeting on this topic, the Board of Supervisors has provided additional direction to focus on the multiplier and leave other issues for the Ordinance Committee to address with the rest of the Zoning Ordinance rewrite. R. Roeger stated that the draft text contemplates amending the multiplier in the AP Zoning District from 0.10 to 0.13. R. Griffith asked how many acres are associated with request for the property that the validity challenge is. C. Ricardo stated it is 11 acres. C. Ricardo stated that the Board wanted minimal changes to the entire district. R. Griffith stated that if they change the multiplier so it allows for over 10 acres, it will not help preserve land. C. Ricardo stated that the draft text is an interim solution to address the validity challenge. B. Hoffman stated that he does not like that the Township is in the position of being under the gun so he thinks it should be looked at that way. B. Hoffman stated that it affects more than just one property but agrees with sending their notes of concerns to the Board. R. Roeger asked what R. Griffiths concern with the multiplier of 0.13 is. R. Griffith stated that it seems like it is the only way to get around exclusionary zoning and have large lot zoning. C. Ricardo stated that one solution is to move forward with this as an interim solution and then move forward immediately after revisiting it in a more comprehensive way, and this challenger is not going to wait for them to revisit it in a comprehensive way. C. Ricardo stated that the Township has a duty to act on this challenge. A. Hodge stated that he would like it to be on the agenda next month to incorporate some of the comments. A. Hodge said they would be approving the 0.13 this evening and then next month move on to a comprehensive view of the text. R. Griffith asked what the timeline would be to complete the review of the text. A. Hodge stated that they can approve a zoning change anytime they want and send it to the Board, a whole re-write would take several months. B. Hoffman would like to follow Austin's lead.

Motion to recommend approval of Ordinance #249 AP Zoning District Text Amendments, as presented this evening.

Moved: A. Hodge

Second: R. Roeger

Vote: Rescinded

Motion to recommend settlement with the property owner at 91 Bertolet School Road and revisit with the notes as discussed, this evening.

Moved: R. Roeger

Second: A. Hodge

Vote: Rescinded

Public Comment:

- **Mark Brancato of Barton Drive** – M. Brancato stated that the Planning Commission should pull back a little bit; why is the multiplier even being changed, just for one property owner? M. Brancato stated that the County Planning Commission stated that we should be enhancing our ordinances, not changing them. M. Brancato stated that they need to be mindful of the properties of the Comprehensive Plan.
- **Michael Tractman of Traber Lane** – M. Tractman asked what the justification is here? M. Tractman stated that the only justification is that someone filed a lawsuit and were afraid they may win. M. Tractman stated that the Township Supervisors should do the right thing with this and base their decisions off the facts.
- **Christine McNeil of Nottingham Drive** – C. McNeil stated that you are the Planning Commission, they have an opportunity to do the right thing, so they need to follow what Chester County Planning Commission asked them to do. C. McNeil stated that they need to be wise about this and not be pressured.
- **Elaine Milito of Hallman Mill Road** – E. Milito stated that she agrees with everything the previous commenters stated. E. Milito stated that they cant even take that action back once the multiplier is changed.

Motion to recommend denial of Ordinance #249 as presented this evening, and instead recommend the Board of Supervisors consider settlement with the property owner at 91 Bertolet School Road pertaining to the validity challenge and Zoning Hearing Board application, and further revisit the AP Zoning District text with the notes of the Planning Commission as discussed this evening as follows:

- Any further consideration of text amendments to the AP Zoning District should be looked at wholistically and with full consideration of impacts to the other Zoning Districts;
- Residential uses for subdivision should be limited to properties not currently used agriculturally as of the effective date of the ordinance;
- Consider map changes for rezoning certain properties currently in the AP District that may not reflect the purpose and intent of the AP District or present use of the property;
- Consider Zoning text amendments to the AP District to include additional provisions to encourage the most appropriate uses for properties containing prime agricultural soils and encourage agricultural uses generally.

Public Comment:

- M. Brancato stated that they should take the holistic approach, and recommends they keep the motion very simple.

Moved: R. Roeger

Second: A. Hodge

Vote: Unanimous

B.325 Quarry Road – Golden Lion Tamarin

A. Hodge stated that the Township has a subdivision and land development application for four townhouses for the property at 325 Quarry Road. A. Hodge stated that over the past 12 months there has been no forward progress on the project, except for the applicant granting extensions. R. Roeger stated that the extension of time expires on March 30th and the Applicant has not paid any outstanding professional fees in over 6 months. A. Hodge stated that recommendation for denial is contemplated at this time due to the expiring extension of time and outstanding professional fees.

Motion to recommend denial of the Subdivision Land Development Application for 325 Quarry Road – Golden Lion Tamarin.

Moved: B. Hoffman

Second: A. Hodge

Vote: Unanimous

2. New Business

A. 620 W. Seven Stars Road – Planning Module

This agenda item has been tabled because more documentation has been submitted.

Public Comment:

- **C. McNeil** asked that when there is a Planning Commission meeting that if on the front page it would notify the public if there is a meeting and then they can click and see the agenda items right away. R. Roeger asked if that can be complete. C. Ricardo stated that it can.

Motion to adjourn the meeting at 9:27 PM.

Moved: B. Hoffman

Second: R. Roeger

Vote: Unanimous