



Planning Commission (PC) Meeting Minutes
Wednesday, November 7, 2018, 7:30 P.M.

Commissioners in Attendance: Gary Summers, Mickey Bailey, Rob Miller, Matt Murphy.
Commissioners Absent: Sean Rafferty, Paul Cardell, John Hess.
Consultants in Attendance: Kristin Camp, Solicitor; Craig Kologie, Zoning Official.

1. **Call to Order:** Summers called the meeting to order at 7:30 p.m.
2. **Public Comment:** Board Chairman Ricki Stumpo commented that on behalf of the Supervisors, she wanted to thank the Commissioners for the work they do throughout the year. The Supervisors recognize the time commitment and very much appreciate the work of the PC.
3. **Ordinance Discussions:**
 - a. Sections of Chapters 190 & 250 - Roadways/Road Classifications: during the October PC meeting, proposed recommendations were discussed to amend sections of the Township Code. The recommendations were submitted in 2013 by Township Engineer James Hatfield and are also found within Chapter 6 of the 2014 Township Comprehensive Plan ("Comp Plan"). Collateral material provided by Kologie and Camp was discussed as follows:
 - i. Using provided terminology, Pocopson has 2 types of roads; as a result, SALDO and Zoning Chapters of the Township Code do not match up with regard to road classifications on the Comp Plan maps.
 - ii. Chester County Planning Commission Road Classifications applicable to Pocopson include minor arterial, minor collector, and local distributor and local being one in the same.
 - iii. Criteria for determining a road classifications is based on, but not limited to, length of road, access to the road, and types of traffic.
 - iv. Township roads can be classified as residential and collector; per the Comp Plan, future development in the Township will access state roads so state road standards will apply.
 - v. Construction standards differ for road classifications, i.e., stone, binder course, wearing course, etc.
 - vi. Amending the sections of the Code chapters will not present an adverse effect on the transportation and road inventory in terms of development or usage; PC does not anticipate a rewrite of the Code to address the recommendations.

MOTION: Miller moved, Murphy seconded, to recommend submission of the proposed amendments to the sections of Chapters 190 and 250 regarding roadways and classifications as discussed and as identified and recommended in the 2014 Pocopson Township Comprehensive Plan to the Board of Supervisors for review and to authorize review by the Township Solicitor for subsequent adoption; motion carried.
4. **Chapter 78, Fireworks, Public Comment October 29th Board Meeting:** Secretary indicated that the Board requested the PC revisit the recommended amendment in light of public comment during the October 29th Board meeting. Board asks that the PC look at the setback distances for use of fireworks. Summers noted that the PC had

intense conversations as to the specific protective language that can be added to the amendment of the Township Code given that fireworks are controlled by state law. He noted that it is the state police who enforce the state law as the Township does not have a local police department to enforce Township ordinances. Camp noted that the state law indicates that fireworks cannot be ignited within 150 feet of an occupied structure. Likewise, display fireworks cannot be ignited within 300 feet of a facility as described within the law that sells or stores fireworks or combustible material. PUBLIC COMMENT: Steve Grabicki, the owner of a farm in the Red Bridge Farm community, commented that repetitive and constant use of fireworks in the area have created dangerous situations where horses on his property are spooked, in distress, and riders are often thrown. Based on the current Township ordinance, he contacts his neighbors and asks them to let him know in advance when they plan to set off fireworks so that measures can be taken to secure the horses and alert riders. PC appreciates the difficulty for everyone when fireworks are ignited, and noted that the state police should be called if the fireworks are excessive or a concern. They agreed that Grabicki was taking the proper steps to try to minimize the situation and offered that perhaps equine equipment such as muffling for the horse's ears would be of value. Murphy added that as a farmer, he has found it to be effective to reach out to the community generally when there is concern for the welfare of his livestock or a perceived nuisance. Sometimes the contact is most enlightening. Grabicki commented that the horse lobby within the state is working on trying to amend the legislation and that it was unfortunate that the state law passed as part of the fiscal code. Summers and the PC assured Grabicki that the recommendation is not to repeal the Fireworks Chapter in its entirety, but to amend it so that it mirrors the state law. PC agreed to resubmit the recommended amendment to the Fireworks Chapter to the Board of Supervisors to authorize review by the Township Solicitor and subsequent adoption.

5. **Public Meeting Schedule:** Secretary indicated that the regular meeting of the Board of Supervisors is November 27th. The PC does not meet in December. Discussion ensued with regard to the first meeting in January given that the annual reorganization meeting is January 7th and the first Wednesday in January is the 3rd. Commissioners agreed to meet on Wednesday, January 16th.
6. **Approval of Meeting Minutes:** MOTION: Miller moved, Murphy seconded, to approve the October 3, 2018 meeting minutes as submitted; motion carried.
7. **Other Business:** no other business.
8. **Adjournment:** At 8:09 p.m., Miller moved, Murphy seconded, to adjourn the meeting; motion carried.



Susan Simone, Administrative Secretary



Gary Summers, Chairman