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Planning Commission (PC) Meeting Wednesday, June 1, 2022, 7:30 p.m.

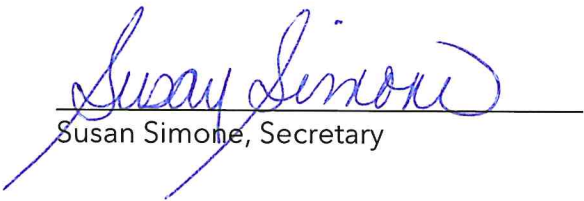
In-person attendance: Commissioners Gary Summers, Sean Rafferty, Matt Murphy, Mickey Bailey, Rob Miller; Consultants Kim Venzie, Solicitor; Ken Hoffman, Township Engineering; and Craig Kologie, Zoning Official. Paul Cardell participated via GoToMeeting Platform. Commissioner John Hess did not attend.

Public in-person attendance: 1

1. **Call to Order:** Summers called the meeting to order at 7:30 p.m.
2. **Public Comment Non-agenda Items:** none
3. **Application for Residential Variance/Appeal from Decision of Zoning Officer; Applicant: Saurabh Sarker, 552 Clearview Road, West Chester, PA 19382; Tax Parcel 63-3-65:** Neil Land, Attorney for the Applicant, presented that the Applicant is a 6-year resident having purchased the single-family dwelling that is situated on about a half-an-acre. The Applicant seeks to construct a 2-car garage and recognizes that there are both setback and coverage challenges in order to do so. Any location for the garage is limiting due to setback requirements. Land noted that the Applicant is an engineer - but not a civil or land engineer - and that he prepared the documents and the calculations submitted with the Application. An engineered survey/site plan prepared by Regester Associates was not available for the meeting. Kologie clarified the allowable percentage of the lot cover and noted that the numbers relative to the setback from the right-of-way are subject of the requested relief. Commissioners discussed at length the variation or inconsistency in the right-of-way encroachment calculations provided by the Applicant and the distance of the proposed garage from Lenni Drive. Based on the documents prepared by the Applicant, Murphy and Rafferty were not able to reconcile the distance of the proposed garage from Lenni Drive when juxtaposed with the Code requirements. Miller noted that the dimensions for the proposed garage as shown on Applicant's Exhibit #7 do not correspond with what has been presented. Bailey inquired as to whether the project will impact any utilities in the right-of-way. Land noted that the house has been there for over fifty years and there are no utilities in the right-of-way. Land added that 4 of the closest neighbors have offered their support for the project. Rafferty and Summers commented that without an engineered survey plan it will be difficult for the PC to make a recommendation. Summers regrets wasting the Applicant's time, but the standard by which the PC provides a recommendation is based on factual documentation. Land indicated that Regester may have the plan set ready by the July PC meeting at which time he asks that the matter be relisted. Miller commented that notwithstanding the Regester plans, the proposed garage is inconsistent with the character and aesthetics of the neighborhood. He added that the proposed garage will be a significant intrusion of the right-of-way. PUBLIC COMMENT: Kathy Miller commented that the proposed garage is an imposition on the neighborhood and will visually block the street corner. She offered no objection to the construction of a 2-car garage but asked that the Applicant identify an alternate location on the property. Venzie commented that the PC and perhaps the Zoning Hearing Board as well may have interest in knowing of the constraints that preclude an alternate location for the proposed garage in order to lessen the impact to the neighborhood and the right-of-way. Summers indicated that the Application can be

listed on a future agenda but that it is critical that the Commissioners receive the engineered survey plan in advance of the meeting.

4. **Approval of May 4, 2022 Meeting Minutes:** Murphy moved, Rafferty seconded, to approve the Minutes as distributed; motion carried.
5. **Other Business:** Kologie distributed the following documents related to the required update and adoption of the Township's Stormwater Management Regulations: County-wide Act 167 Stormwater Management Model Ordinance with highlighted changes; Summary of Changes Table; Matrix of Minimal Mandatory Ordinance Standards; and List of Model Ordinance Sections with Options for Modifying Standards and Requirements. Venzie thanked Kologie for the documents which provide a substantive and comprehensive breakdown of the proposed changes. The last update was in 2013. Pocopson Township holds an NPDES Permit and reports annually through the MS-4 (Municipal Separate Storm Sewer System) program. Without the update, the Township will not be able to renew the permit that is on a 5-year renewal cycle. In a brief overview of the documents, Kologie noted that it is important to identify what is working for Pocopson now juxtaposed with proposed updates and to keep in mind that the Township does not want to overregulate. Just the same, the proposed new ordinance includes stringent provisions and responsibilities for homeowners and homeowner associations to maintain, inspect, and submit records to the township. The proposed amendments take into account the imposition of fees not so much to generate revenue as to cover the costs for inspections. Hoffman offered that the inspection provision is most impactful. Kologie added that another proposed change is the elimination of discharge of dechlorinated swimming pool water. Kologie noted another change is use of the simplified method for new areas of disturbance between 1,000 and 2,000 square feet. Engaging an engineer for the design will not be necessary as there is a workbook within the ordinance to guide the landowner through a process to implement rain barrels, rain infiltration beds, roof runoff remediation, etc. Commissioners agreed to defer the initial review to a subcommittee as has been done in the past. Summers, Murphy, Kologie and PC Solicitor Kristin Camp will meet in the coming weeks to break down the choices. Their findings can be presented during the July meeting. The PC will decide at that time as to the text to submit to the Board of Supervisors. Given the short turnaround for passage of the revised ordinance it will be incumbent upon the Supervisors to provide substantive comments in a timely manner. Last minute changes by the Board are disrespectful to the work of the PC and may delay passage of the legislation. Venzie suggested that Commissioners attend the Board meeting to assist the Board in understanding the framework for the proposed amendments.
6. **Adjournment:** at 8:09 p.m. Rafferty moved, Murphy seconded, to adjourn the meeting.


Susan Simone, Secretary


Gary Summers, Chairman