


Planning Commission (PC) Meeting Minutes
Wednesday, March 16, 2016, 7:30 P.M.

Commissioners in attendance: Gary Summers, Suzy Breiseth, Meg Johnson, Mickey Bailey, Rob Miller, Sean Rafferty.


Consultants: Craig Kologie, AICP, Castle Valley Consultants, Zoning Official; Kristin Camp, PC Solicitor; Brittany Hackman, P.E., Township Engineer.

1. **Call to Order:** Summers called the meeting to order at 7:30 p.m.
2. **Public Comment Non-agenda items:** no public comment on non-agenda items.
Summers introduced Matt Murphy. Murphy is contemplating submitting a letter of interest to the Board to fill one of the two commissioner vacancies. PC agreed to revise the order of agenda items to move item 7a (Marlboro Springs) under Other Business to the top of the order.
3. **Preliminary Subdivision/Marlboro Springs/East Marlborough Township (Parcels 61-3-1.1, 63-3-1):** Scott Emerson, Bentley Homes, presented a preliminary plan showing the proposed 26± acre parcel located in East Marlborough Township. Lot 7 is the existing home (street address is 2054 Marlboro Road). The Plan proposes creation of 11 lots. During discussion, it was determined that the driveway/entrance is located in Pocopson Township. For this reason, Emerson will need to submit the preliminary plan to Pocopson Township for approval, demonstrating that the driveway meets the standards of the Pocopson Code. Camp added that Emerson should contact the Chester County Office for the Recorder of Deeds to determine the documentation the Recorder will require from Pocopson Township.
4. **Ordinances:**
 - a. **Riparian Buffer Amendment** - John Theilacker, AICP, Associate Director for Municipal Assistance, Brandywine Conservancy, reviewed the proposed draft amendment to the zoning chapter for increased forested riparian buffer protection. This matter was discussed previously during the January 20, 2016 PC meeting. The draft attached to the March 11th review memo was submitted to the PC Solicitor for comment and those comments have been incorporated. Commissioners discussed the definition of an "impacted riparian buffer" and agreed that while it is a good definition, the phrases after the word "plants" is confusing. Use of the word "predominantly" is troublesome because plant cover can consist of invasive species given that a perfect riparian buffer may not exist. The wording is subjective but stylistic changes might bring clarity to definition. It was not decided as to interpretation of the degree of impact of plant material to an existing buffer. Other edits included the following: i) page 2, 250-87 F. - removal of the word "bikeway"; ii) page 5, 250-87 F.(7)(d) to name the local farm service agency; iii) same page (7)(f) suggested square footage ranged from 2,000 to 10,000; iv) page 2, (3)(b) revise to remove Zoning Officer approve and insert specific language with regard to project duration; v) general suggestion to substitute "man-made" with the word "artificial" and to revise language to be gender neutral. The draft will be resubmitted for the April 20th PC meeting.

- b. Greenway Corridor - Theilacker presented a proposed Habitat Corridor Map dated December 4, 2015, prepared by the Conservancy at no charge to the Township. Current Township Code references to the greenway corridor have been an issue of sorts for quite some time given that the "corridor" has been developed over the years with the various elected Board of Supervisors having granted modifications to allow construction. Theilacker suggested and the PC agreed, that amendments to the Code references should be included in the proposed draft riparian buffer ordinances. The Township Code provides protection for natural features without the specificity of a designated corridor.
 - c. Keeping of Animals - Camp provided preliminary comments to the current Ordinance Section 250-92 last amended November 2009. She provided background regarding the broad interpretation by the Office of the PA Attorney General with the regard to the Agriculture, Communities and Rural Environment (ACRE) Law and the state statutes in applying the right-to-farm standards to equine operations. Regulating animal density requires consideration that includes and may not be limited to nutrient and manure management. Municipalities generally lack personnel to enforce all concerns; therefore, they rely on state and county agencies which may or may not be able to take enforcement measures if appropriate. PC will continue to work on reviewing this Code section for additional amendments with regard to species and animal density.
5. **Approval of February 17, 2016 Meeting Minutes:** Breiseth moved, Rafferty seconded, to approve the Minutes dated February 17, 2016; motion carried.
 6. **Meeting Dates:**
 - a. Board of Supervisors March 28, 2016
 - b. Planning Commission April 20, 2016
 7. **Adjournment:** At 8:30 p.m., Johnson moved, Rafferty seconded, to adjourn the meeting; motion carried.



Susan Simone, Secretary



Gary Summers, Chairman