

Valley Township Planning Commission

January 10, 2023

Draft Minutes Package

All information contained herein is unofficial until officially accepted as accurate by
the Valley Township Planning Commission

Note that only the official signed minutes contain all exhibits.
Refer to the Secretary for official filing of the full package of minutes

VALLEY TOWNSHIP PLANNING COMMISSION

Meeting Minutes for

January 10, 2023

Unofficial Until Approved

Call to Order

Chair Mr. Bement called the regular Planning Commission Meeting to order at 7:04 p.m. on January 10, 2023, in person in the Valley Township Building Meeting Room and virtually via the GoToMeeting platform due to the COVID-19 pandemic precautions. A public notice was published in the Daily Local News for the entire year of meetings. The agenda was posted on the Township website and at the Township Building. Copies of the agenda were made available for attendees.

The Chair reminded applicants that there is a standing rule limiting discussion to 45 minutes per plan review each meeting. Cooperation by everyone is appreciated. Questions were requested to be held until the end of the presentation.

Members present:

Mr. Denny Bement

Mr. Tom Burt

Mr. Jim Druecker

Mr. Shawn Leonard

Members absent: Mr. Tamarkius Roby

Staff and Professionals present: Mr. Michael Ellis - Pennoni Associates, Inc., Janis Rambo, Valley Township, BOS

Guests present: None

Agenda Items

1. Public Comment
2. Reorganization
3. Review and Approval of Minutes for November 8, 2022
4. Remarks on actions of the Board of Supervisors (BOS)
5. Remarks on actions of the Planning Commission Chair
6. Old Business
7. New Business
8. Other Items not on the Agenda
9. Adjournment

1. Public Comment - None

2. Reorganization

A. Election of Planning Commission Chair

Motion M23101 to nominate Mr. Denny Bement for Planning Commission Chair was made by Mr. Druecker, seconded by Mr. Burt All in favor. None opposed. Mr. Bement abstained. The motion carried.

B. Election of Planning Commission Vice Chair

Motion M23102 to nominate Mr. Jim Druecker for Planning Commission Vice Chair was made by Mr. Bement, seconded by Mr. Burt All in favor. Mr. Druecker abstained. None opposed. The motion carried.

2. Review and Approval of Minutes for November 8, 2022

With no further discussion, *Motion M23103* to approve the November 8, 2022, Planning Commission minutes was made by Mr. Druecker, seconded by Mr. Burt All in favor. None opposed. The motion carried.

3. Remarks on actions of the Board of Supervisors (BOS) - as noted

- A. Conditional Use Hearing Application - Valley Suburban Center - seeking approval pursuant to Section 27-111; 27-205; 27-404 and 27-447 in order to allow a convenience store with accessory filling station within a suburban center mixed-use development at the property located at 1155 West Lincoln Highway - continued to March, 2023, date tbd
- B. Zoning Amendment Application - Highlands Corporate Center - tba
- C. James Druecker reappointed to the Planning Commission for a four-year term to expire 12/31/2026 at their annual reorganization meeting of 1/3/2023
- D. BOS accepted CCAA preliminary land development review extension from January 31, 2023 to April 30, 2023

4. Remarks on actions of the Planning Commission Chair

None

5. Old Business

- A. High Associates Zoning Amendment Application for Planned Development (PD) Zone - Debra A Shulski, Riley, Riper, Hollin & Colagreco, Ken Hornbeck, High Properties, and Paul Lepard, Nave Newell were present for the applicant.

Referring to the Pennoni Review Letter #2 letter dated January 9, 2023, Mr. Ellis indicated in Comment #1 that grocery store was added as a use permitted By-Right use within the PD zone to which they have no objections.

Mr. Bement inquired whether the applicant envisioned the store to be any in particular. Mr. Hornbeck responded in the affirmative, but do not have any identified; they want to have flexibility. Mr. Bement shared that he was not an advocate for a grocery store.

Mr. Druecker asked whether large trucks going in and out would be a problem. The response was that this should not be a problem. Mr. Hornbeck opined that a 50,000 square feet grocery store would not be a problem since they own considerable acreage.

Mr. Leonard wondered whether a grocery store should be conditional use, to manage the traffic. Ms. Shulski responded that a traffic study will be done as required.

Mr. Bement asked whether the consensus of the members is that grocery stores be allowed by conditional use. Certain standards must comply in that zone. If allowed By-Right, they would have the same criteria in zoning. Members agreed with allowing grocery stores as a By-Right use.

Mr. Ellis went on:

- Comment #2 - they are not opposed to By-Right on a minor road in the PD zone. Most minor roads would be able to accommodate this. Car washes were requested to be a Special Exception. Mr. Leonard pointed out needing to have conditions for hours of operation, especially near a residential zone. Mr. Ellis shared that there is no restriction to proximity to residential zone right now. Mr. Bement stated to leave car washes as a Special Exception use.
- Comment #3 - allowance for any manufacturing “except for noxious or offensive or have unfenced or visible outdoor storage,” and allowing outdoor storage restricted to non-hazardous, and is enclosed by a six (6) foot high fence. This is # 15 in the revised version.
- Comment #4 - allowing Multi-Family Dwellings (MFD) (noting residential is not allowed now) with open space and height requirements. This was previously discussed. Ms. Shulski affirmed that they can keep By-Right in the criteria; they are adding a use, not spot zoning. Mr. Ellis said MFD standards can be put in as a By-Right use.
- Comment #5 - MFD is not permitted along the frontage of Lincoln Highway
- Comment #6 - allowing 60 feet maximum building height (from 40 feet), unless it abuts a residential parcel, then it would remain 40 feet. This would be limited to MFD.

Mr. Bement asked from a purely administrative point of view which was least costly. Mr. Ellis responded By-Right. It does not need to go through a Conditional Use process which is more costly and takes more time. It assures compatibility with the surrounding development.

Mr. Bement then asked from a governance standpoint: Mr. Ellis said will look at no matter what, and recommended to put the compatibility language in the By-Right use. Most of the language is already in there. The Concept Master Plan is a two-step process and needs to be submitted first.

- Comment #7 - alcohol sales - Mr. Bement offered an example of his HOA several years ago that wanted to provide wine and beer for their social events - there weren't any township restrictions. They dealt directly with the Liquor Control Board, had to jump through hoops, Health Department, etc. He doesn't recommend it. The Liquor Control Board is restrictive enough by itself. No sales are allowed anywhere in the township. The applicant is proposing a separate accessory Conditional Use. The recommendation was to leave the township out of it; it will stay as written.
- Comment #8 - reducing the minimum lot width from 175 to 150 feet. There was no objection.
- Comment #9 - there was no objection to proposing density of twelve (12) dwelling units per acre; density will be dictated with other criteria
- Comment #10 - landscape strips in front, recommended to leave as written - they can be relocated to the rear or another area
- Comment #11 - open space requires maintenance by the landowner - this is consistent with the Zoning Ordinance

Mr. Bement shared a comment from the September 9, 2022, letter asking whether steep slopes can be included in open space. In checking the Ordinance, Mr. Ellis noted that steep slopes of 30% or greater cannot be included.

Mr. Bement asked about indoor recreation areas such as riding academies as an exception - can this also include indoor shooting ranges? Mr. Ellis said the township would have to allow shooting ranges in some area of the township. He checked to see if these are provided in another areas: HC, RC, R2, C.

Mr. Ellis said a clean copy will go to BOS.

With no further discussion, *Motion M23104* to recommend approval to BOS for amended changes to the High Associates zoning application for Planned Development Zone was made by Mr. Bement, seconded by Mr. Leonard. All in favor. None opposed. The motion carried.

6. New Business

- A. PSATS conference begins on April 23rd. Let Mr. Bement know if any member is interested in attending. The township covers expenses.

7. Other Items not on the agenda

A. Township Engineer Report/Updates - Mr. Ellis

1. Lincoln Highway Corridor Plan - Public Meeting is to be held on February 27, 2023 - the draft plan for comment is just about done - the Task Force will issue this on Friday to the Steering Committee, and will welcome any feedback. The Public Meeting will be set up with stations to answer questions.
2. Revised zoning ordinance amendment - accessory residential quarters, increased By-Right building area in the Industrial Zone, update multiple-family residential overlay township. Mr. Ellis said this dates way back. Comments back from the Chester County Planning Commission are good comments. The BOS considered these at their last meeting; an amendment is being revised to include the Chester County Planning Commission comments. Public comments for so-called "in law suites," for setbacks, and parking, etc. Once stated they could only be occupied by a blood family member; now "caregiver" is being added, along with an allowance for the property owner to live in the big or small house. When the property owner dies, there needs to be a plan to convert it back. The plan would be inspected by the Zoning Officer annually. The lock requirement was removed - it would be hard to enforce.
3. Westwood Ridge Land Development Plan submitted - coming up - on Valley Road
4. Chester County Airport Phase 1 Land Development Plan submitted - Preliminary Plan submitted - they are proposing a Final Plan - this could be in front of members in February
5. NECS land development plan partially submitted - it was not accepted as not enough copies of the application, and the professional escrow fees have not yet been received (as of January 6). Mr. Ellis said this is a sports complex plan that extends slightly into Valley Township - the parking extends into Valley Township - with access off Lincoln Highway. They have not reviewed it yet.
6. Mr. Druecker is scheduled for the Planning Commission report to the BOS next week. Mr. Bement will present in February. (Leonard, March)

8. Adjournment

With no further business, *Motion M23105* for adjournment was made by Mr. Bement, seconded by Mr. Druecker. All in favor. None opposed. The motion carried. The meeting ended at 8:57 PM.

Valley Township Planning Commission

Voting

Motion M23101

Date: January 10, 2023

Member: Mr. Druecker Seconded by: Mr. Burt

Subject: Nomination of Mr. Denny Bement for Planning Commission Chair

Denny Bement	Aye_____	Nay_____	Abstain__X__	Absent_____
Tom Burt	Aye__X__	Nay_____	Abstain_____	Absent_____
Jim Druecker	Aye__X__	Nay_____	Abstain_____	Absent_____
Shawn Leonard	Aye__X__	Nay_____	Abstain_____	Absent_____
Tamarkius Roby	Aye_____	Nay_____	Abstain_____	Absent__X__

Motion M23102

Date: January 10, 2023

Member: Mr. Bement Seconded by: Mr. Burt

Subject: Nomination Mr. Jim Druecker for Planning Commission Vice Chair

Denny Bement	Aye__X__	Nay_____	Abstain_____	Absent_____
Tom Burt	Aye__X__	Nay_____	Abstain_____	Absent_____
Jim Druecker	Aye_____	Nay_____	Abstain__X__	Absent_____
Shawn Leonard	Aye__X__	Nay_____	Abstain_____	Absent_____
Tamarkius Roby	Aye_____	Nay_____	Abstain_____	Absent__X__

Motion M23103

Date: January 10, 2023

Member: Mr. Druecker Seconded by: Mr. Burt

Subject: Approval the November 8, 2022, Planning Commission minutes

Denny Bement	Aye__X__	Nay_____	Abstain_____	Absent_____
Tom Burt	Aye__X__	Nay_____	Abstain_____	Absent_____
Jim Druecker	Aye__X__	Nay_____	Abstain_____	Absent_____
Shawn Leonard	Aye__X__	Nay_____	Abstain_____	Absent_____
Tamarkius Roby	Aye_____	Nay_____	Abstain_____	Absent__X__

Motion M23104

Date: January 10, 2023

Member: Mr. Bement Seconded by: Mr. Leonard

Subject: To recommend approval to BOS for amended changes to the High Associates zoning application for Planned Development Zone

Denny Bement	Aye__X__	Nay_____	Abstain_____	Absent_____
Tom Burt	Aye__X__	Nay_____	Abstain_____	Absent_____
Jim Druecker	Aye__X__	Nay_____	Abstain_____	Absent_____
Shawn Leonard	Aye__X__	Nay_____	Abstain_____	Absent_____
Tamarkius Roby	Aye_____	Nay_____	Abstain_____	Absent__X__

Motion M23105

Date: January 10, 2023

Member: Mr. Bement Seconded by: Mr. Druecker

Subject: Adjournment

Denny Bement	Aye__X__	Nay_____	Abstain_____	Absent_____
Tom Burt	Aye__X__	Nay_____	Abstain_____	Absent_____
Jim Druecker	Aye__X__	Nay_____	Abstain_____	Absent_____
Shawn Leonard	Aye__X__	Nay_____	Abstain_____	Absent_____
Tamarkius Roby	Aye_____	Nay_____	Abstain_____	Absent__X__

