

Pennsbury Township Planning Commission 2013 Annual Report

1. Purpose

Section 207 of the Pennsylvania Municipalities Planning Code (MPC) states “The commission ... shall annually make a written report by March 1 of each year of its activities to the governing body.” This report to the Pennsbury Township Board of Supervisors covers activities undertaken by the Pennsbury Township Planning Commission in 2013.

2. 2013 Activities

a. Subdivision and Land Development Review

(In accordance with the Municipal Planning Code, Section 209.1, (b) (3))

1. Rosecrans – Proposal to renovate the barn on his property in the Highway Commercial (HC) district on Old Baltimore Pike and to operate a wine tasting business (Ten Gallon Hat) with some food, which would be prepared off site. A winery is an allowable use in the HC district, but the issue of the number of parking spaces required needed to be addressed. The Planning Commission voted to recommend to the Board of Supervisors that a total of 38 spaces is reasonable for this winery. The Board of Supervisors approved the proposal subject to 14 conditions.
2. Buccini Lot Line Changes
The reason for the requested lot line changes in this subdivision on Cossart Road is to try and achieve a better balance for the size of the lots and placement of structures presently there. There will continue to be eight ten-acre lots. Mr. Buccini intends to renovate the barn and move out of the farmhouse and into the barn with his family. The Planning Commission voted to recommend approval of the proposed changes to the subdivision. The Board of Supervisors moved to approve the final subdivision plans with conditions.
3. Parker Preserve Lot Line Change
The Planning Commission reviewed a proposed revision to the Parker Preserve subdivision that would increase the size of Lot #17 from 1.0 acre to 1.613 acres by taking land from the adjacent 16.207 acres of HOA owned open space. A motion by a Planning Commission member to support the proposal was not seconded. The Board of Supervisors has indicated conditional support for the proposal and will formally vote on this request in 2014.

b. Ordinance Development

(In accordance with the Municipal Planning Code, Section 209.1, (b) (2))

1. Act 167 – County Storm Water Ordinance:
Matt Houtman drafted the new Pennsbury Township storm water management ordinance to be in compliance with the new Act 167 Countywide Storm Water Management Ordinance. The Planning Commission reviewed the entire document with Mr. Houtman and some changes were suggested.

2. Swimming Pool Ordinance:

The Zoning Ordinance will be amended to allow larger swimming pools, which are more common today. The water surface for in ground pools is not to exceed 900 square feet and for above ground pools not to exceed 300 square feet. Additionally, swimming pool setbacks are now measured from the edge of water surface. Also, accessory structures are better defined.

3. Four Step Design Process

The SALDO was updated to include the Four Step Design Process, consistent with language that was already incorporated into the new Zoning Ordinance in 2012.

4. Riparian Buffer Amendment

The Zoning Ordinance will be amended to address the vegetative management of riparian buffers.

c. Zoning Hearing Board Variance Requests

1. Russomagno: The Planning Commission voted to recommend support of the request for two variances relating to the location and size of a proposed pool (Ordinance 600 square feet maximum) on their 13.75 acre property on Fairville Road. The pool will be in front yard located 467 feet from Fairville Road. The ZHB approved the requested variances.

2. Walker: Requested a variance for a fence to be erected alongside and through a flood plain along Chandler Road. The Planning Commission voted to recommend not supporting the requested variance because of concerns about the fence in the flood plain. The ZHB approved the requested variance.

3. Macie: The Planning Commission voted to recommend support for requested variances for the side yard setback for a pool (Ordinance 50 feet minimum; 25 feet requested) and also a variance for the size of the pool (Ordinance 600 square feet maximum; 800 square feet requested) on a one-acre lot in Parker Preserve. The ZHB approved the requested variances.

4. Atkins: Requested a variance for a backyard setback (Ordinance 50 feet minimum; 35 feet requested) in order to erect an attached garage to a house they own on a lot on McFadden Road at the cul-de-sac. The Planning Commission voted to recommend support of the requested variance. The ZHB denied the requested variance.

5. Qualls: Requested five variances to add a 853 square feet addition to a barn in the Village Commercial district of Fairville Village and for additional parking. The Qualls want to make improvements to the barn so that they can use the building for their offices. Improvements include adding an ADA compliant bathroom and making fire safety improvements. The Planning Commission voted to recommend support all of the five variances subject to conditions. In 2014 the ZHB approved three of the five requested variances and determined that the other two variances were not needed.

6. Short: The Planning Commission voted to recommend support for requested variances for the side yard pool setback (Ordinance 50 feet minimum; 35 feet

requested), the size of the pool (Ordinance 600 square feet maximum; 900 square feet requested) and lot coverage (Ordinance: 15% maximum) on a one-acre lot in Parker Preserve. The ZHB approved the requested variances.

7. Uhrik: The Planning Commission voted to recommend support for requested variances for the side yard pool setback (Ordinance 50 feet minimum), the size of the pool (Ordinance 600 square feet maximum; 800 square feet requested) and lot coverage (Ordinance: 20% maximum) on a 0.72-acre lot in Chadds Ford Knoll. The Planning Commission's support was conditioned upon a viable secondary septic system be identified. The ZHB approved the requested variances. A satisfactory secondary septic system was not identified.

d. Other Activities

1. Operating Principles:

In accordance with the Municipal Planning Code, Section 207

Drafted and adopted Operating Principles for conducting Planning Commission meetings. This document provides the guidelines the commission will follow. Completed February 2013.

2. SALDO Update Grant Money:

Chester County awarded Pennsbury Township grant money to update the SALDO in 2014/2015. The township has hired John Snook from Brandywine Conservancy as consultant on this project

e. Regional Task Forces

1. Kennett Regional Planning Commission:

Planning Commission member Jim Ware represented Pennsbury Township on the Kennett Regional Planning Commission during 2013. Aaron McIntyre also represented the township on the Kennett Regional Planning Commission.

2. Brandywine Battlefield Task Force:

Margo Leach represented the Pennsbury Township Planning Commission on the Brandywine Battlefield Task Force in 2013.

3. Longwood Cooperative Planning Project:

Dennis Smith represented the Planning Commission on the Longwood Cooperative Planning Project in 2013. Kathy Howley and Aaron McIntyre also represented the township on the Longwood Cooperative Planning Project.

Pennsbury Township Planning Commission - February 2014

Dennis Smith – Chairman

Bob Crandell – Vice-Chairman

Chip Horne – Secretary

Margo Leach

Lynn Luft

Jim Ware