

PLANNING COMMISSION
MEETING MINUTES
August 26, 2015, 7:00 PM

MEMBERS PRESENT:

Colleen Preston, Chairman
Frank Scarpato, Vice Chairman
Marie Hittinger
Rick Schroder
Charles Shock
Aimee Bowers

OTHERS PRESENT:

Steven C. Brown, Township Manager
Dawn Maciejczyk, Administrative Assistant
10 audience members

I. CALL TO ORDER

Ms. Preston called the meeting to order at 7:05 p.m.

II. PUBLIC COMMENT

There was no public comment.

III. APPROVAL OF MEETING MINUTES

The meeting minutes of July 29, 2015 were reviewed.

Mr. Shock made a motion to approve the meeting minutes of July 29, 2015 Mr. Scarpato seconded the motion. The motion was approved by a vote of 6-0.

IV. PLAN EXTENSIONS

1. Powers/Dutton preliminary subdivision plan- December 11, 2015 no comment.
2. Ridgewood/Needham Farms Ltd preliminary land development plan- November 10, 2015 no comment.
3. London Grove Village- September 20, 2015 no comment.

V. AGENDA ITEMS

1. London Grove Village- Wine and Spirits store

Ms. Andrea Finerosky with the Pettinaro Company, introduced the plan to take an existing pad, add to it while reducing the size of another. This has the effect of keeping the square footage the same as the plan that was approved ten years ago. Mr. Scarpato made a motion to recommend approval based upon final review and comment from Mr. Ron Ragan, Township Engineer. Ms. Hittinger seconded and the motion was approved with a vote of 6-0.

2. Indoor recreation definition Zoning Ordinance amendment

Mr. Brown reviewed that there is an application to amend the Township Zoning Ordinance to modify the definition of indoor recreational use. The application comes from Mr. Remo Toto; he hopes to put an indoor target range in the old Boomers property. The current definition is ambiguous and requires the Township Zoning Officer to conduct an analysis, which is unusual. The decision lead to appeals to the Zoning Hearing Board and the Board of Supervisors decided they would consider an

amendment to the ordinance. Mr. Neil Land, attorney for Remo Toto, has prepared an amendment to the ordinance definition to make it clear this would be permitted in the commercial district.

Mr. Neil Land explained that the property would include a target range, a restaurant and some retail sales. They submitted the change because Mr. Land and Mr. Toto do believe the ordinance was vague and did actually require the Zoning Officer to make a determination. There is nothing in the Township Ordinance that permits an indoor shooting range except for in the ISU District which is occupied by SECCRA. This is the perfect place for it as it is not in a residential area. Mr. Scarpato commented that he agrees it is the perfect place for it but what if someone wants to open one in a residential area? This new definition would open that up. Mr. Schroder suggested not limiting the definition to just firearms and including archery as well. He also asked how do you ensure that the facility is safe for whatever the indoor activity is? Mr. Land said Action Target provided materials on how it will be constructed, the exhaust system that will be used, etc. Action Target will also be hired to manage this indoor target range and there will be licensed instructors there at all times.

Mr. David Babbit, land planner, presented on behalf of Nancy Truitt, Carrollton Avondale Company and KMR Daycare. He suggested that a more appropriate way to allow this use would be by adding the definition to include target ranges by conditional use or special exception. He believes it rises to the level of additional review and standard, e.g. of the setbacks, buffering and the safety and security. Without reviewing these issues the township is just taking the applicant's word.

Mr. Jim Thomas, attorney for Ms. Nancy Truitt, suggested that the Township utilize the NRA guidelines; otherwise the Township is giving the applicant/owner carte blanche. He noted that London Grove Township does have additional standards for wineries and composting. Proper design and standards would protect the Township from any lawsuits. Mr. Scarpato said the idea of the use is acceptable but wants to reference the NRA standards. The Planning Commission comments were: 1. Not adopting the amendment as written, 2. Need to control and regulate, continually, for safety, 3. Multiple uses with-in building is a concern, 4. Use the NRA guidelines, 5. Allow by special exception or conditional use. Mr. Scarpato said he would like more time to consider the issues. Ms. Preston agreed. Mr. Scarpato suggests the Board of Supervisors postpone the hearing due to the concerns.

A motion was made by Mr. Scarpato to reject the amendment as written due to the lack of information before the Planning Commission, however it could be recommended with additional information provided, seconded by Ms. Bowers and approved with a vote of 6-0.

3. Riparian buffers

Ms. Ann Hutchinson and Ms. Seung Ah Byun, with Natural Lands Trust (NLT) and the Brandywine Conservancy reviewed the proposed ordinance. They intend to discuss the following ordinance pieces: "trigger," increasing buffer width to 100 feet and restoration standards. Mr. Schroder finds the 100 feet to be acceptable. He also said there is not enough land development at this time for the ordinance to impact the water quality. Section 300 "B" Ms. Bowers suggest that the "triggers" be: subdivision and/or land development, special exception, conditional use and variance if more than 1,000/5,000 s.f. of impervious/disturbance.. The Planning Commission agreed.

Regarding Section 300 "C," Mr. Schroder said he wants to be sure that the Conservation Plan is actually improving water quality. The Planning Commission stated they want the Natural Resources Conservation Service (NRCS) to approve the plan. The Planning Commission also wants to make sure the plan is implemented and maintained.

Restoration standards will be discussed at the next regular meeting on, September 30, 2015, will also discuss 100 feet vs. 150 feet for the buffer.

4. Lighting amendment

Mr. Scarpato made a motion to table the lighting amendment till September, Ms. Bowers seconded the motion and it was approved with a vote of 6-0.

VI. ADJOURNMENT

The meeting adjourned at 9:15 p.m.

Respectfully submitted,

Dawn Maciejczyk,
Administrative Assistant