

BOARD OF SUPERVISORS
MEETING MINUTES
September 24, 2015
6:00 P.M.

MEMBERS PRESENT:

Richard Scott-Harper, Chairman
David Connors, Vice Chairman
Robert Hittinger
Michael Pickel
Robert Weer

STAFF/OTHER PRESENT:

Steven Brown, Township Manager
Vicki Kushto, Township Solicitor
25 audience members

I. CALL TO ORDER

Mr. Scott Harper opened the meeting at 6:02 p.m. He stated the Board closed a public hearing on September 16, 2015 to consider an amendment to the Zoning Ordinance that would modify the definition of "indoor recreation"; tonight the Board will discuss what action to take. There was no public comment.

II. FIRST BUSINESS

Mr. Scott Harper asked for comment from the Board of Supervisors. Mr. Connors thanked Mr. Toto for bringing a business into the Township. He stated that the Township has to provide for all uses and feels this location is appropriate but believes the amendment should include NRA guidelines.

Mr. Scott Harper asked Ms. Kushto what a change would do to the timeline. Ms. Kushto said it has to go to both the Chester County Planning Commission and the Township Planning Commission, they each have thirty days to comment and then we would hold a public hearing. Finally, another public meeting is needed to decide. Mr. Scott Harper asked could it be approved and impose the requirement Mr. Connors suggested? Ms. Kushto said no. Mr. Scott Harper agrees with Mr. Connors.

Mr. Weer said the NRA is a standard not followed by a governing body. Mr. Scott Harper said it is comprehensive and address our concerns. After a brief discussion about referencing non-governmental standards in our ordinances, Mr. Pickel said he agrees with Mr. Connors and Mr. Scott Harper.

Mr. Hittinger asked if we could have the Planning Commission develop standards? Ms. Kushto said we could but would create a two tiered review process. Ms. Kushto said the Board of Supervisors action would be to authorize her to prepare the desired ordinance for advertising and a hearing.

Ms. Kushto asked if the Board of Supervisors wanted to make it a separate use with a new definition? She also said the Zoning Ordinance does not seem to allow indoor recreation elsewhere.

Mr. Connors said to make it a separate use and definition and allow in the Interchange Commercial District. The Board of Supervisors want it to be a use by right. Ms. Kushto also reviewed the appropriateness of the Industrial vs. the Interchange Commercial Districts, the Industrial District has four hundred plus acres and the Interchange Commercial has 125 acres. The Board of Supervisors wants it located in the Interchange Commercial District.

Ms. Kushto asked if the Board of Supervisors would like any other conditions, e.g. the list of Mr. Babbitt's, 10 conditions. The Board of Supervisors reviewed the conditions. They want to include # 7, # 10 and # 8- hours of operation. Mr. Alex Toto said they planned to operate from 9:00 a.m. till 9:00 p.m. Monday through Saturday and 10:00 a.m. till 5:00 p.m.

on Sundays. Mr. Connors is concerned with hamstringing a business. He believes the composting ordinance limits hours to 7:00 a.m. till 10:00 p.m. and wants to be consistent. The Board of Supervisors agrees.

A motion was made as outlined by Ms. Kushto:

1. Amend the definition of indoor recreation to eliminate the reference to shooting ranges.
2. Create a new definition for the use.
3. Make it a use by right
4. Permit it in the Interchange Commercial District
5. Create standards as discussed, including numbers 7, 10 and 8 (7:00 a.m. till 10:00 p.m.) from Mr. Babbitt's list.

Mr. Connors made the motion, seconded by Mr. Pickel and approved by a vote of 5-0.

The Board of Supervisors set the next hearing date at 6:00p.m. on November 4, 2015.

III. ADJOURMENT

The meeting adjourned at 6:30 p.m.

Respectfully submitted,

Steven C. Brown
Township Manager