

**PLANNING COMMISSION
MEETING MINUTES
September 29, 2021**

The September meeting of the London Grove Township Planning Commission was held on September 29, 2021 at 7:00 p.m. in the London Grove Township Meeting Room, 372 Rose Hill Road, West Grove, PA 19390. A public notice was published in the Chester County Press on December 9, 2020.

The agenda was posted on the Township website and at the Township building on Friday, September 24, 2021. The agenda was also sent out through Constant Contact (email) on September 24, 2021. Copies of the agenda were available for attendees.

MEMBERS PRESENT:

Frank Scarpato
Charlie Shock
Kurt Engleman
Pat Tucci

MEMBERS ABSENT:

Bran Lynch, Chairman
Steve Edwards
Kevin Runey

STAFF PRESENT:

Ken Battin, Township Manager
Dawn Maciejczyk, Township Secretary
1 Audience Member

I. CALL TO ORDER

Mr. Shock called the public meeting to order at 7:03 p.m. He stated since neither the Chair or Vice Chair are present this evening he nominates Mr. Scarpato to run this evenings meeting. Mr. Scarpato accepted the nomination. Mr. Shock made a motion, seconded by Mr. Tucci and approved by a vote of 4-0.

Changes were made to the original agenda due to matters arising to the attention of the Commission within 24 hours of the meeting. The matter was de minimums and did not involve the expenditure of funds.

II. VICE CHAIRMAN RESIGNATION

Mr. Scarpato announced that Mr. Runey has submitted his resignation to the Planning Commission effective immediately. He stated that the Commission needs to select a new Vice Chairman.

III. NOMINATE AND VOTE ON NEW VICE CHAIRMAN

Mr. Shock nominated Mr. Scarpato as the Vice Chairman. Mr. Scarpato accepted the nomination. Mr. Shock made a motion to appoint Mr. Scarpato as the Vice Chairman effective immediately, seconded by Mr. Tucci and approved by a vote of 4-02.

IV. PUBLIC COMMENT (on agenda items)

Mr. Scarpato called for public comment on agenda items. There was none at this time.

V. APPROVAL OF MEETING MINUTES

The Planning Commission members reviewed the meeting minutes of August 25, 2021. Mr. Engleman made a motion to approve the minutes of August 25, 2021, seconded by Mr. Tucci and approved by a vote of 4-0.

VI. SUBDIVISION PLANS ACCEPTANCE AND ACKNOWLEDGEMENT

Mr. Tucci made a motion to accept and acknowledge the minor subdivision plans for 620 W. State Road, seconded by Mr. Shock and approved by a vote of 4-0.

VII. AGENDA ITEMS

Zoning Ordinance Update Part 3 and Part 18 Recommendation

Mr. Scarpato explained that this document has been in the works for many years. In 2018 the Board did approve the Zoning Ordinance with the promise to review the AP Zoning District and make some necessary changes. After Covid hit this was kind of pushed to the side for a little bit of time. Now that it is back in front of us, the major change that the Board

is looking to do is change the 20 acre lot in the AP District back to the 10 acre lots and some other little minor changes. Mr. Shock stated I would like to praise whoever continued this with part 18 adding chickens to the animal permit. Mr. Scarpato asked Mr. Battin shouldn't it be up to the Board of Supervisors to update it from here. Mr. Battin explained the process and how the Planning Commission relied on the third party, Mr. Wayne Grafton, which is acceptable by law. Mr. Battin explained there are now three options that the Commission has. 1. You can vote to recommend this as is to the Board of Supervisors; 2. You can recommend that we go back to the drawing board and start again or; 3. You can add suggestions and pass along to the Board.

Mr. Scarpato stated in my experience with this Commission, we did everything were supposed to do. We made suggestions and a recommendation and at this point in time, I don't... Mr. Battin stated the changes you are seeing now are ones that were recommended by the public. Mr. DiFrancesco had some that were put in and some that were not and other public as well. The Board did listen to the public comment and made some changes. The chickens in part 18, that actually came from a Board member. There was quite a bit of influence here.

Mr. Battin stated the important thing to understand with the Zoning Ordinance is it's just like a plan. It needs to be constantly looked at and updated. The Board did ask Mr. Grafton to take a deeper dive into flag lots and he's looking at that now. In most municipalities updates occur frequently.

Mr. DiFrancesco asked, will there be no discussion of the points I brought up and the letter I presented at the last meeting? Mr. Scarpato stated just as I mentioned earlier, from the Planning Commission point of view, I think your voice really needs to be heard at the Supervisors level. I don't think that it's a point here that's going to help you because it's not going to change at Planning Commission. If it's going to change, it will change at the Supervisor level. I think you can get better justice there. At this level we are just merely recommending, were reviewing, and were going over and following guidelines, following advice from the county and our solicitor. For us to actually make that change it's not going to happen because it's all done by the Supervisors. Some valid issues could be accomplished better at a meeting with the Supervisors.

Mr. DiFrancesco stated it is my impression that the Planning Commission makes recommendations to the Supervisors and it would certainly be helpful if there was some discussion of those items and the Planning Commission had input to guide the Supervisors and it would certainly be helpful from my perspective.

Mr. Scarpato stated I can agree with that but I don't know how far your suggestions go at the Planning Commission level to be honest. I don't disagree or agree with your suggestions. In the past when we have done this it's always ended up going to the Supervisors on recommendation. Our weight unfortunately is a lightweight so in the past when we made strong recommendations it was changed without our recommendations. Being effective is letting the Supervisors do their job and we are making the recommendations. This is not a bad zoning ordinance. It might not help you specifically, but we know that issues and concerns were listened to by the public and some were added in.

Mr. Engleman stated I'm new to the process, I have not been involved in crating the Zoning Ordinance but I do have experience sitting on the Zoning Hearing Board, I have experience interpreting ordinances when cases come before us and I want to echo, this is something that needs to be tested, there is nothing you can do sitting in an office going through it page by page to see how it's really going to play out once it's out there. I'm aware of that and in reviewing these ordinances and the letter we received last month, I tried to keep that in mind. The one comment the county makes in regards to the terms intensive and extensive agriculture I think is worth noting. We should highlight that so the Township Solicitor looks at it. Overall, I think there is a lot of work that has gone into this ordinance, we can likely take that next step. There is no real need to create additional steps to this process.

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Mr. Battin stated we do have intensive and extensive agriculture defined in the definitions. The solicitor does have it and is looking at it. Since it is defined she doesn't see an issue. The solicitor would write a letter to go in front of the Board when and if they choose to take it to a hearing.

Mr. Scarpato asked, is there a motion to accept the zoning changes to move forward to the Board of Supervisors. Mr. Tucci made the motion, seconded by Mr. Engleman and approved by a vote of 4-0.

VIII. PLAN EXTENSIONS

Mr. Scarpato reviewed the plan extensions for:

Development	Application	Date Accepted	90 Day Expires
Needham Farms	Preliminary	March 15, 2005	February 2, 2021
Barbara Yeatman	Preliminary/Final	October 1, 2018	December 14, 2021
Cliff Anderson	Preliminary	June 30, 2021	December 27, 2021
David O'Neill	Preliminary/Final	September 29, 2021	December 28, 2021

There were no comments.

IX. PUBLIC COMMENT (non-agenda items)

There was none.

X. ADJOURNMENT

Mr. Shock made a motion to adjourn the meeting at 7:27 p.m., seconded by Mr. Tucci and approved by a vote of 4-0.

Respectfully submitted,

Dawn Maciejczyk
Township Secretary