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Pocopson Township Planning Commission (PC) Meeting Minutes
Wednesday, February 2, 2022, 7:30 p.m.

Commissioners in-person attendance: Gary Summers, John Hess, Paul Cardell, Rob Miller, Matt Murphy, Sean Rafferty, Mickey Bailey. Consultants in-person attendance: Kristin Camp, PC Solicitor; Craig Kologie, AICP, Zoning Official.


Public in-person attendance: 0 Public remote attendance: 1

1. **Call to Order:** Summers called the meeting to order at 7:30 p.m.
2. **Public Comment on Non-agenda Items:** none.
3. **Election of Chairman/Vice Chairman:** MOTION: Miller moved, Hess seconded, to nominate Gary Summers to serve as Chairman; motion carried. MOTION: Bailey moved, Summers seconded, to nominate Sean Rafferty to serve as Vice Chairman; motion carried.
4. **Institutional Use Zoning Amendment, Amending Ordinance 2022-01 Enacted January 24, 2022:** Camp reviewed the proposed amendments to Ordinance 2022-01 enacted January 24, 2022. The proposed amendments were drafted to address concerns raised by the County of Chester, including but not limited to, the use of residential properties owned by the County in what is now the Institutional District. The County would like to continue to use dwellings as accessory uses within the Institutional District. Camp noted that it was not the intention of the Township to take away such uses, but rather to recognize what might be viable if redeveloped in the future. Camp clarified that under Ordinance 2022-01, the County can continue use of the dwellings for residential purposes, but if there is a change in usage in accordance with the Ordinance, the use cannot revert to that which was previously permitted. Commissioners reviewed additional proposed edit to language associated with height requirements. Camp noted that the Township Solicitor has added a new subsection as to height and building additions and expansions. Commissioners agreed to the proposed clarifying language. Commissioners agreed to deletion of "recreation area" in the Governmental Use section noting that the paddock and structure used for the equestrian therapy program are accessory uses permitted in the district. Kologie noted that there are components of the wastewater treatment facility that can be identified as accessory to an existing use. Camp noted that there is a typographical error in Section 5 as the Section being amended is 250-107.A(9). PUBLIC COMMENT: Colleen M. Frens, Esquire, County Solicitor's Office, thanked the Commissioners for taking time to review the proposed edits and the January 24, 2022 Memo/County Exhibit 1. She noted that the County does not intend to construct a nonconforming building or improvement to the existing facilities. Camp acknowledged that in hindsight, the initial proposed amendments should have been sent to the Director

of County Facilities for guidance and direction on how the County property is used.
MOTION: Rafferty moved, Murphy seconded, to recommend that the Board of Supervisors adopt the proposed amendments; motion carried.

5. **Review of Stormwater Management Section 178-5.D(2):** Camp provided a brief background on the first adoption of the stormwater management section in December 2007 and the subsequent countywide mandate to adopt an Act 167 Stormwater Management Plan. Specific sections offered flexibility in identifying the amount of square footage to implement the level of stormwater controls. Kologie noted that there are standards for agricultural uses that trigger the level of stormwater standards, but outside of such use there is little modification. Kenneth Hoffman, R.L.A., Gilmore & Associates, Inc., Township Engineering, raised a concern while reviewing a current project that there may be a discrepancy in Section 178-5.D(2) in identifying cumulative stormwater calculations. Hoffman pointed out that this Section identifies December 10, 2007 as the starting point "from which to consider tracts as parent tracts relative to future subdivisions and from which impervious surface and earth disturbance computations shall be cumulatively considered". Camp presented that the December date within the Code Section is not an inconsistency, but a date from which, with good record keeping, an accurate calculation can be made as to impervious coverage. Secretary indicated that Township records are maintained and retrieved in paper and in electronic format. Commissioners noted that good recordkeeping should allow credit for improvements removed from any given parcel. Summers expressed that he attended the Board meeting on January 24th when the Applicants - not an engineer for the Applicants - presented the request for a stormwater waiver. He noted that during the meeting, Hoffman requested documentation to confirm the stormwater calculations for an addition to an existing dwelling. The Applicants will be before the Board in March once they obtain documentation from their engineer quantifying improvements to their property. Commissioners agreed that the December date referenced in the Code Section will require accurate property records, but it is an applicant's burden to demonstrate the amount of impervious coverage for the purpose of applying the stormwater ordinance. MOTION: Mille moved, Hess seconded, to recommend that Section 178-5.D(2) remain as adopted. Camp and Kologie noted that an update to the Act 167 Ordinance is in draft form with the County Planning Commission and it may be adopted during an April hearing.
6. **Approval of November 3, 2021 Meeting Minutes (PC did not meet in December or January):** MOTION: Rafferty moved, Murphy seconded to approve the November 3, 2021 Meeting Minutes; motion carried.
7. **Other Business:** no other business.
8. **Adjournment:** at 8:15 p.m., Rafferty moved, Hess seconded, to adjourn the meeting; motion carried.


Susan Simone, Secretary


Gary Summers, Chairman