

**EAST MARLBOROUGH TOWNSHIP
PLANNING COMMISSION
MINUTES OF JANUARY 31, 2012**

Mark Benzel, chairperson, called the meeting to order at 7:30pm in the township building. Additional commissioners present: Susan Beach, MaryNell Ferry and Christine Kimmel. There was a quorum present.

1. Election of officers.

Motion by Commissioner Ferry to keep Commissioner Benzel as chairperson. 2nd by Commissioner Beach. Motion approved. Commissioner Benzel abstained. Motion by Commissioner Beach to keep Commissioner Kimmel as vice chairperson. 2nd by Commissioner Ferry. Motion approved. Commissioner Kimmel abstained. Motion by Commissioner Benzel to keep Ruth Plaughter as secretary. 2nd by Commissioner Ferry. Motion approved.

2. Minutes of November 1, 2011. Motion by Commissioner Ferry to accept minutes as submitted. 2nd by Commissioner Beach. Motion approved.

3. DeSeta Petition to Amend the Zoning Ordinance.

Presentation by Edward Foley of Brutscher, Foley, Milliner and Land, Attorneys Current owners, Lance and Sandy Shortt, also in attendance.

Commissioners reviewed the letter dated September 26, 2011 to Edward and Wanda Deseta and Lance and Sandy Shortt from Jane Laslo, Township Zoning Officer. Commissioners reviewed the letter dated January 27, 2012 to Jane Laslo, Township Manager, from The County of Chester Planning Commission.

Mr. Foley addressed the Planning Commissioners explaining the request by the Shortts to amend the zoning ordinance in order for them to expand the activities and functions at their bed and breakfast at White Wing Farm located on Valley Road. Mr. Shortt described his plan for the facility to include both indoor and outdoor activities using the on site barn and using tented areas as needed to accommodate up to 180 guests. He provided the Commissioners with a booklet containing letters of support for the expansion and pictures of the facilities and landscapes.

Commissioners addressed questions to the Shortts and Mr. Foley concerning adequate parking, lighting, noise issues, sewer adequacy, traffic along Valley Road and Folly Hill Road, trucks relating to catering services, staffing of functions, appropriateness of these activities on an ongoing basis for the rural atmosphere of the area and the concerns of neighbors. It is noted that functions have already occurred in violation of township ordinances.

Chairperson Benzel recognized the numerous neighbors in attendance and allowed for statements and questions. The concerns of the audience included the following: noise from music/bands occurring late into night often until 11:00pm, increased traffic along Valley Road and Folly Hill Road where residents often walk, lack of township personnel to enforce regulations for such events, negative changes in the quality of the neighborhoods and the tranquility of the area, alcohol consumption by guests and the commercial use of the property. The Planning Commission was requested to take a firm stand against the approval of this amendment of the zoning ordinances in view of the negative impact on the area and the concerns of the residents who will be impacted by this change.

Discussion of request by Commissioners included the following issues: appropriateness of this area for these endeavors, definite noise issues because of the topography of this valley area, a commercial usage within a residential area, inadequate parking on site and the likelihood of parking along adjacent roads, already held functions in violation of township ordinances, difficulty of township to enforce restrictions, is on site septic adequate and the concerns of residents impacted by this change in zoning. Commissioners noted that approval of this request relates to the entire township and not just to this property.

It was noted to the Shortts the commissioners welcome them into the area. The White Wing Farm is a valued property in the township as a bed and breakfast and the commissioners hope that it will continue as such by owners who will carry on the upkeep and preservation of the property.

Motion: Chairperson Benzel - We recommend the request for a zoning change go to the township supervisors for review with the Planning Commission opposed to the requested change. We consider the change a request for substantial commercial use on residential property with numerous exacerbating issues. 2nd Commissioner Beach. Yeas 4, nays 0. Motion approved.

4. Weisbrod – Sketch plan for land development.

Edward Weisbrod, property owner, and Wayne Grafton of The Grafton Association, in attendance.

Mr. Weisbrod provided background information concerning the approximate 309 acres, currently under the easements of the Brandywine Conservancy. The acreage is adjacent to New Bolton Center in the area of Mill Road and Line Road. New Bolton has shown no interest in purchasing any of the land. The owner had no success when the acreage was listed on the open market. Commissioners were provided with sketch plans for the area with the third drawing being the currently considered development. This plan shows 13 estate farm lots with lots 6A and 6B to be conveyed to

neighbors. Mr. Grafton described the properties pointing out areas of interest and preservation, driveway and road access, water features, rookery area of the blue heron, plan emphasis on preserving the rural/farm atmosphere and site locations of proposed home construction. A sample of the Proposed Amendment to East Marlborough Township Zoning Ordinance was submitted as follows:

Add Section 403 . A . 2 . C

For tracts greater than 250 acres the average lot size shall be 20 acres, with a minimum lot area for any lot being 10 acres.

Recommendation: The application is a preliminary sketch plan concept and the consensus of the Planning Commission is to support the concept and encourage applicant to move forward to the Township Supervisors.

Adjournment 9:45pm
Respectfully submitted
Ruth Plaughner, Secretary