



# ORPC Oxford Region Planning Committee

Chair: Al Jezyk Jr. Vice-Chair: Charles Fleischmann Treasurer: Robert Ketcham

## January 2021 Meeting Report

**Thank you David Ross for hosting the January Zoom meeting and providing information for this meeting report**

**Date/Time:** January 27, 2020 - 7:00 pm      **Venue:** Zoom Video Conference

**Voting Representatives (and Mark):** John Wallace – East Nottingham; Al Jezyk, Jr. – Elk Township; Joel Brown – Lower Oxford; Robert Ketcham – Oxford Borough; Charles Fleischman – Upper Oxford Township; David Ross – West Nottingham Township.

**Treasurer’s Report:** Checking account balance: ???

### ORPC Reorganization for 2021

After all was said and done, the ORPC officers for 2021 are the same line up: Al Jezyk, Jr (Chair), Charles Fleischmann (Vice-Chair), and Robert Ketcham (Treasurer). Mark Gallant will continue as “acting” secretary. While the ORPC did not discuss the location of in-person meetings post pandemic, it is hoped that they will continue at the Lower Oxford Township building.  Mark will contact Lower Oxford to verify that ORPC meetings can still be held at the Lower Oxford Township Building in 2021.

**Tower Health Letter.** The Region's letter to governing officials yielded responses from County Commissioners Marian Moskowitz (1/9) and Josh Maxwell. The Commissioners office has been in touch with Tower, which indicated it has no desire to close Jennersville Hospital. With that said, there might be changes in service, e.g., Brandywine closing its cardiac unit. Tower has hired a consultant to develop strategies for addressing the heavy debt load.

Commissioners have also reached out to Houlihan, Casey, and Toomey to see what federal funds may be available to help. Commissioner Moskowitz indicated that she would like to participate in a future ORPC meeting. Commissioner Maxwell has contacted individual municipalities. Al asked ORPC members to share any questions with him regarding the Tower Health/Jennersville Hospital issue as he is still expecting a call from Commissioner Maxwell.  Mark will send an email to the rest of the membership with Al’s request.

**Southern Chester County Opportunity Network.** Charlie met with representatives from the SCON (Southern Chester County Opportunity Network), including Jim Mercante, who are concerned about the “digital divide” that represents poor internet connectivity issues for work and school at home.

In a related discussion, the ORPC talked about reviving an effort to provide GIS analysis of homes that are served by high speed internet. Basically, get a layer of all occupied homes and combine with Armstrong Cable’s service area boundaries. Armstrong serves all six ORPC communities - parts of Upper Oxford have service from Frontier and Verizon.

Mark will touch base with CCPC GIS team members and the County DCIS (Department of Computer Information Services) to see what may be available to share with the ORPC and/or the cable providers.

**Annual ORPC Advertisement.** Based on a recommendation from Bob Ketcham, it was agreed that the 2021 annual ORPC advertisement will be placed in Chester County Press rather than the Daily Local. Charlie volunteered to check on whether website publication now suffices.

**Municipal Updates.**

Upper Oxford. As part of their riparian buffer ordinance, Upper Oxford included a reference to the PaDEP's Noxious Weeds ordinance. This resulted in a back and forth discussion with their solicitor who identified a case that suggests references to "latest version of" or "as amended" will no longer be adequate. References must be to a specific edition of other regulations, guidelines, or other criteria.  Mark's Follow-up: This could be a game-changer in the development and execution of ordinance standards. CCPC and other consultants have used both phrases in zoning and subdivision and land development ordinances for years and will need to identify a viable alternative.

West Nottingham. Glenroy Farm was preserved (577 acres in Chester County). The Township's Planning Commission is working on regulations for solar installations in accordance with HB 531 and asked if anyone knows of any regulations in the area that they may be able to reference.  Mark will forward David's inquiry to the County Act 247 Division.

Oxford Borough. The Borough is considering a woodland preservation ordinance based on the woodland classification mapping that was completed by Brandywine Conservancy (BC) earlier in 2020, using BC language. Bob shared that there is little language regarding the identification or protection of flood plains and riparian buffers in their existing ordinances.  Mark's Follow-up: Looking at the Regional Plan, Map 12-P in Chapter 12 identifies potential riparian buffers within the Borough's boundaries.

East Nottingham. Moran farm development -- build in East and Borough. Revised sketch plan submitted.  David Ross asked Mark to determine whether a development crossing muni lines could qualify for an ORPC review. Please find Section X: Review of Developments of Regional Significance and Impact, from the Oxford Region's Intergovernmental Cooperative Implementation Agreement (ICIA), at the end of this report. Mark is recommending that we discuss David Ross' question at the February ORPC meeting.

Elk. Champ Mills Mushrooms has broken ground. Apparently, a literal reading of Elks ordinances required an exorbitant escrow. Al wondered what protections are in place for preliminary excavating and stormwater infrastructure. Must comply with CCCD guidelines and applicable erosion and sedimentation regulations.

## ☐ Subcommittee Reports.

Transportation Subcommittee. Tiffany asked that members of the Transportation Subcommittee complete their review of chapters 4 (transportation-related recommendations) and 9 of the Multimunicipal Comprehensive Plan by March 1, 2021.

Historic Subcommittee. Karen Marshall will contact the regional representatives soon to set up a meeting to further the discussion related to the future of historic preservation in the Region and the review of current municipal historic regulations.

EAC. First steps to implement work plan approved in December: 1) coordinate submission of grant applications touching on water quality in the region and 2) Set up information sharing meeting for April. Meetings are held on the fourth Monday of the month. Mark requested to be added to the list of invitees for the monthly Regional EAC meetings.

## Secretary Follow-up Necessary

As indicated by an  above.

**Website Updates:** See for yourself: [www.chesco.org/planning/oxfordregion](http://www.chesco.org/planning/oxfordregion)

**CCPC Staff in Attendance:** Mark Gallant

**Next Meeting:** February 24, 2021. Christy Hannum, OMI Director, will be in attendance. We will also discuss David Ross' questions regarding the review of Development of Regional Significance and Impact when proposed development crosses municipal boundaries. Please refer to the following excerpt from the Region's ICIA:

## SECTION X: REVIEW OF DEVELOPMENTS OF REGIONAL SIGNIFICANCE AND IMPACT

- A. **Subdivision, Land Development Review Role:** Proposals for a development of regional significance and impact (as defined below) shall be brought before the ORPC for review and comment.
1. **Submittal and Review Process:** It shall be the responsibility of the municipality where the application/development is located to direct the applicant/developer to forward to the ORPC for review and comment any subdivision or land development proposal (whether submitted as a formal application, sketch plan, as part of a conditional use or special exception application, or as part of a variance application). The power to approve or reject a development of regional significance and impact shall be exercised only by the municipality where the property, for which the approval is sought, is located. (MPC Section 1104.b.2.)
  2. Review comments are advisory only and shall be directed to the Manager or Secretary of the municipality submitting the plans, application or proposal for distribution to the appropriate governing and advisory bodies of that municipality, consistent with the municipality's review process. Review comments submitted by the ORPC shall be maintained by the municipality in which the proposed subdivision or land development is located.
  3. Proposals for developments of regional significance and impact shall be forwarded to the ORPC within five (5) days of their submittal to the municipality to allow for review and comment within the time-frame specified by the MPC. A review by the ORPC shall not exceed this time-frame unless an extension is granted by the municipality where the application is located and the developer who submitted the plan. (MPC Section 1104.b.2.)

4. In reviewing developments of regional significance and impact, the ORPC shall only consider the general consistency of the proposal as it relates to the guidelines for land use and density set forth in the adopted Multimunicipal Plan.
5. The absence of a response by the ORPC to a submitted development of regional significance and impact shall constitute neither an endorsement of nor opposition to the submitted plan, but shall be considered as “no comment.”

*Definition of Development of Regional Significance and Impact:*

**Development of Regional Significance and Impact** - A subdivision or land development that, because of its character, magnitude, or location, will have substantial effect upon the health, safety, or welfare of citizens in the Region’s municipalities. (MPC) Any subdivision or land development proposal (whether submitted as a formal application, sketch plan, as part of a conditional use or special exception application, or as part of a variance application) will be considered a development of regional significance and impact if it meets or exceeds any of the following:

1. Residential:  $\geq 100$  new lots or units.
2. Non-Residential:  $\geq 75,000$  square feet of floor space.
3. Any development generating more than 250 peak hour trips per day.
4. Any development that proposes  $\geq 300$  parking spaces.
5. Any other proposed subdivision or land development, which in the opinion of the governing body of the municipality in which it is proposed, could have a regional impact or an impact beyond the boundaries of that municipality and for which that municipality desires input from the ORPC.
6. The ORPC may request that a development not meeting the above criteria be submitted for their review. Compliance with this request shall be at the discretion of the municipality in which the development is located.