

**BIRMINGHAM TOWNSHIP PLANNING COMMISSION
MINUTES OF THE MEETING OF NOVEMBER 10, 2009**

The regular November meeting of the Birmingham Township Planning Commission was called to order at 7:30 pm in the Township Building with the following members present: Chairman Nick DiMarion, Scott Towler, Scott Bourse, Mary Pat McCarthy, Debbie Hineman, Janet DeCaestecker, and Doug Marshall, and Solicitor Fronefield Crawford. Eric Hawkins arrived at 8:00.

The minutes of the October 13 meeting were approved as presented. (Bourse, Hineman)

West Chester Mercedes Benz: Attorney Ross Unruh and architect Dominic J. Marziani, at the request of the Supervisors, presented the PC with a plan proposing a change in the façade design of the Mercedes dealership on Route 202. This would be a change in the conditional use; a hearing is scheduled for December 21. The new design came from the automobile company headquarters, not from Mr. Marziani. In summary, the new design would include new metal siding and a newly-extended canopy. After numerous questions, the negative comments from the PC members focused on the change from the stone facing currently on the building – that being more in keeping with Birmingham tradition. On a motion by Doug Marshall, seconded by Scott Bourse, the members voted to recommend that the Supervisors deny the request, keeping the building as it is, in lieu of changing the design.

Temporary Signs in the Commercial District: Mr. Crawford distributed five pages of the Township's Zoning Code, showing how commercial district sign rules are scattered and inconsistent. Discussion included questions about fence signs, memorial crosses, political signs (exempted), special events, repeated events, window signs, and responsibility (owner vs. renter). The result was consensus that control must be maintained, there should be size and time limitations, and there should be safety considerations (e.g., line-of-sight). Chairman DiMarino asked Mr. Crawford to check the Urban Land Institute rules and draft an ordinance for discussion at the December PC meeting.

Windmill Towers: Generators are governed by the noise ordinance, so the discussion was limited to windmills. Eric Hawkins pointed out that they are structures, so they'd be subject to height limits. Mr. Towler suggested that solar panels, especially in large lot areas, be included in the discussion. Mr. DiMarino suggested that, while economics may currently prohibit any proposals, location would be important; he alerted Mr. Crawford that a possible ordinance regulating windmill towers and solar arrays will be one of the upcoming topics.

Announcements:

*Mr. Crawford has started his own law firm and has been retained as the Planning Commission Solicitor.

* East Bradford Township sent a letter to our Supervisors on October 21 assuring Birmingham that the Scenic Byway suggestions were intended for the enjoyment of local residents, not to encourage tourism.

* Arden Forge is expected to submit a modified Sketch Plan or Preliminary Plan in December or January, probably needing many exceptions.

* Mr. DiMarino reported that an e-mail summarizing the PC discussion of the Bull-Durham conditional use change application and Fronefield Crawford's input has been sent to the BOS. The e-mail included two recommendations: review the hours of operation, especially the closing times, and restrict the music, announcements and other noise to the interior of the building. Pending implementation of those two recommendations, the PC does not object to the proposed change in use.

The meeting was adjourned at 8:45. (Marshall, Hawkins) Chairman DiMarino will notify the PC members if the December meeting is cancelled.

Respectfully submitted,

Jacquie Roach

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