

**BIRMINGHAM TOWNSHIP PLANNING COMMISSION**  
**Minutes of the Meeting of March 8, 2011**

The regular meeting of the Birmingham Township Planning Commission was called to order at 7:30 p.m. on March 8, 2011 in the Township Building. Present were Chairman Nick DiMarino, Mary Pat McCarthy, Debbie Hineman, Eric Hawkins, Pete Davenport, and Solicitor Fronefield Crawford. Scott Boorse and Scott Towler were absent. Also present was Supervisor John Conklin.

The minutes of the meeting of February 15, 2011 were approved as drafted; Pete Davenport and Mary Pat McCarthy and Eric Hawkins voted in favor, Nick DiMarino and Debbie Hineman abstained.

Greg Kurey of the RPOS presented a plan for a celebration of the Township's 325<sup>th</sup> Anniversary Event, asking for input and support in the planning and production of it. The event is planned for **Saturday, August 27, 2011, probably from 1 to 4 p.m., with a raindate of September 24.** Mr. Kurey listed many elements and some possible resource groups. Mr. Kurey would like PennDOT to close Birmingham Road for a few hours for safety's sake. Mr. Hawkins suggested including fire and emergency service groups. Ms. McCarthy suggested getting a sponsor for re-enactors and using Homeowner Association emails for recruiting help. Mr. Kurey said he hopes for a "living" cemetery tour, some entertainment/activities for children, a theatrical group, and reported that the Supervisors had recommended opening the event to the greater public. Mr. Conklin said the limits of the event will be determined by the number of volunteers coming forward. Chairman DiMarino said there seems to be nothing to be done by the Planning Commission, but that it is up to the individual members to offer help. Messrs. Conklin and Kurey then left the meeting.

In discussion of a Memorandum from Mr. Crawford regarding Limitations on Accessory Structures, Mr. DiMarino noted that the "triggers" for it were two large buildings that had been built or proposed on large lots and the discovery that there are no control limits for them. Mr. Crawford said he had tried to include parameters such as footprint, floor area, height and location (setback) and the lot sizes to which the parameters would apply. He said these parameters can be related to lot size, size of the principal building, and/or location. Mr. Crawford noted that building materials, colors, etc. can only be regulated in the Historic District (under HARB's control); aesthetics can probably not be regulated, especially on agricultural lots. Upon a specific instance raised by Mrs. Hineman, Mr. Hawkins noted that "a change in use" may be regulated, but adding to an existing agricultural use may be a use by right. Ms. McCarthy asked why the Tredyffrin regulations (as an example) are so much stricter than Birmingham's. Mr. Hawkins explained some state regulations. Mr. Crawford described some other ordinances, one providing a sliding scale, another restricting front yards, and said the front yard should be defined as being at the building façade. After further discussion relating to building height, setbacks, lot size, definition of accessory use, "what if" and viewsheds, Mr. DiMarino noted Birmingham's lack of size regulation and asked Mr.

Crawford to provide copies of at least two more *local* ordinances and the discussion will be continued in May.

Neighbor Notification Ordinance: Mr. Crawford had provided a Memorandum regarding Expanded Notifications providing for public notice when there is an application for a change in land use. There are some notification requirements now, but the requirements *could* become extreme, requiring notice to *every* homeowner. The opposite alternative is to leave it to individuals to monitor meeting agendas. Mr. Crawford said that a posting of applications could be required in addition to the individual notifications. Mr. DiMarino asked if anything could be done specific to *easements*. Audience member Lloyd Roach interjected that it was an *action*, not an *application* that prompted this ordinance proposal. After further discussion, Mr. DiMarino asked Mr. Crawford to examine the possibility of notification specific to location (e.g., neighbors on that street) and township commissions.

With no further business, the meeting was adjourned at 9:05 p.m. (Hawkins, Hineman, all in favor).

Respectfully submitted,

Jacquie Roach

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