

MINUTES
WORCESTER TOWNSHIP PLANNING COMMISSION
WORCESTER TOWNSHIP COMMUNITY HALL
1031 VALLEY FORGE ROAD, WORCESTER, PA 19490
THURSDAY, DECEMBER 21st, 2024 - 7:00 PM

1. CALL TO ORDER

The meeting was called to order at 7:02 PM

2. ATTENDANCE

All members were present.

3. APPROVAL OF MEETING MINUTES

A motion to approve the minutes from the November 21, 2024 Planning Commission meeting was made by Mr. Koch and seconded by Mr. Sherr. They were approved unanimously with the following modifications:

- Correction of the vote result from "4, 1, 0" to "4, 0, 1" to recommend the approval of the Bradford Smith Subdivision, with Mr. Andorn abstaining.
- Removal of the word "by" from the phrase "the motion was approved by unanimously."
- Correction of the spelling of resident Winnie Hayes' name.

4. LAND DEVELOPMENT

Consider Recommendation for approval of LD 2024-01 Wangia Minor Subdivision at 1205 Hollow Road

John Evarts, Township Engineer, provided his review letter and stated that the majority of the items have to do with the building process rather than the actual subdivision itself. Mr. Evarts also followed up on a concern that Mr. Andorn raised at a prior meeting regarding prior subdivisions of this property and has concluded that due to the age of prior subdivisions, the current plan is in compliance with our ordinances. Lastly, Mr. Evarts addressed the request of continuing access to a barn on the property which will be address through an access easement.

Waivers were discussed regarding sidewalks, road widening and traffic impact fees.

The applicant's engineer stated that applicant is willing to comply with all staff and engineering comments before recording plan.

Mr. Sherr asked if there was any public comment on the matter.

Mr. Koch made a motion to recommend approval of the subdivision with the requested waivers, Ms. Greenawalt seconded the motion, and the motion passed 5-0.

Review of LD 2024-04 - Cathcart Investment Partners Sketch Plan – 1507 Potshop Rd

Tom Bentley of Bentley Homes made a general presentation of the plan, a 11-unit subdivision with lots of an average of 7 acres. The homes are planned to sell for \$1.7 million to start.

Mr. Koch asked who would be maintaining the stormwater basin, Mr. Bentley responded that they weren't sure yet.

Mr. Bentley also mentioned that they support a deed restriction for the lots that would prevent additional subdivision in the future. Mr. Sherr supports that option. Ms. Greenawalt commented that the plan was beautiful.

General discussion on potential waivers, who would own the road, lot size and topography. The lots are also planned to be private wells and on-site septic.

General reaction from Planning Commission was positive and Mr. Bentley stated they will take the feedback and come back in the future.

5. **OTHER BUSINESS**

Mr. DeMeno requested feedback on merging the November and December meeting in 2025 to one meeting to be held in early December to avoid the holiday season overlap. Planning Commission was well received. Mr. DeMeno will incorporate that into the proposed meeting schedule for 2025.

6. **PUBLIC COMMENT**

None

7. **ADJOURNMENT**

The meeting was adjourned at 7:34 PM.

**TOWNSHIP OF WORCESTER
MONTGOMERY COUNTY, PENNSYLVANIA**

ORDINANCE 2025-____

**AN ORDINANCE AMENDING SECTIONS OF THE TOWNSHIP CODE
REGARDING ACCESSORY STRUCTURES AND ASSOCIATED DEFINITIONS**

WHEREAS, from time to time, corrections and other revisions are required to be made to the Township Code of Worcester Township;

WHEREAS, the Commonwealth of Pennsylvania mandates that municipalities have published in a newspaper of general circulation all proposed ordinances that make such corrections and revisions, at a great expense to municipalities;

WHEREAS, Worcester Township consolidates such corrections and revisions into one proposed ordinance, in lieu of individual ordinances, so as to minimize the expense incurred by the taxpayers in meeting this unfunded advertisement mandate; and

WHEREAS, the Board of Supervisors of Worcester Township has determined that it is in the best interests of the Township to amend the Township Code as set forth herein below.

NOW, THEREFORE, the Board of Supervisors of Worcester Township, Montgomery County, Pennsylvania, hereby ordains and enacts as follows:

SECTION I

1. Chapter 150, Zoning, Section §150-9 shall be modified as follows:
 - a. Definition of Accessory Building shall be modified to read: See Accessory Structure
 - b. Definition of Accessory Structure shall be added and read: A structure that is accessory to and incidental to that of the principal structure(s) and that is located on the same lot.
 - c. Definition of Barn shall be added and read:
 - d. Definition of Greenhouse shall be added and read: A glass building in which plants are grown that need protection from cold weather.
 - e. Definition of Silo shall be added and read: A tall cylinder used for bulk storage of agricultural products.
 - a-f. Definition of Agricultural Products shall be added and read: Any commodity or product that comes from agriculture, whether raw or processed, and is intended for human or animal consumption.

SECTION II

1. Chapter 150, Zoning, Section §150-177 shall be deleted in its entirety, and replaced to read:

Commented [DD1]: Adding multiple definitions. Primarily, removing accessory building and replacing with accessory structure as a catch all for all structures that are not the primary ones. Added definitions for the rest are there as they are mentioned multiple times in other areas of the zoning ordinance with no definitions at all.

A. Accessory uses and structures to a single-family detached residential use shall be regulated as follows:

(1) ~~In the AGR, R-175, and R-AG-175 Districts, structures accessory to single-family residential uses, except those regulated in Subsection A(2) through (9) below, shall be located in the rear yard or side yard only, and no closer than 15 feet to a property line. In all other districts, and at all properties created pursuant to Option 1 or Option 2, as set forth in Article XVIA, Conservation Subdivisions, structures accessory to single-family residential uses, except those regulated in Subsection A(2) through (9) below, accessory structures shall be located in the rear yard or side yard only; said accessory structures may be erected in the rear yard not closer than 10 feet to the rear property line subject to the following requirements:~~

~~i. Accessory structures 250 square feet or less in gross floor area have a minimum rear and side setback requirement of 5 feet and a maximum height of 12 feet~~

~~ii. Accessory structures between 250 square feet and 1200 square feet in gross floor area have a minimum rear and side setback requirement of 10 feet and a maximum height of 15 feet.~~

~~iii. Accessory structures 1200 square feet or greater and less than 3000 square feet in gross floor area have a minimum rear and side setback requirement of 20 feet and a maximum height of 25 feet.~~

~~iv. Accessory structures - 3000 square feet or greater in gross floor area have a minimum rear and side setback requirement of 30 feet and a maximum height of no greater than the maximum allowed principal building height in that location.~~

~~(2) Unless otherwise permitted below, accessory structures in any zoning district shall not be higher than 15 feet. [Amended 5-16-2018 by Ord. No. 277; 5-19-2021 by Ord. No. 284]~~

~~(3) Private garages (whether attached or detached) may not encroach on any yard setback and must be located entirely within the building envelope of the lot on which they are located. Attached garages shall not exceed the height restriction for principal buildings in the applicable zoning district, and detached garages shall not exceed 20 feet in height such unoccupied and~~

~~(4)~~(2) Private swimming pools shall be constructed in accordance with the applicable Township ordinances and shall be located entirely within the rear yard of the lot on which the pool is located and at least 10 feet behind the closest part of the main building. However, in no case shall the distance from the pool to the side or rear property line be less than 25 feet. In the AGR, R-175, and R-AG-175 districts, excluding properties created pursuant to Option 1 or Option 2, as set forth in Article XVIA, Conservation Subdivisions, the distance from the pool to the side and rear property lines shall be not less than 50 feet. The water edge shall be the line for measurement of these setbacks. All filters, heaters and accessory structures incidental thereto shall meet the same setback criteria. Freestanding spas and hot tubs shall be exempt from the requirement to be located at least 10 feet behind the closest part of the main building.

Commented [DD2]: This is a wholesale replacement of this section. It removes "private garages" as a specific thing with specific requirements and merges them into "accessory structures". The new setbacks and sizes are based off of lot size and the size of the proposed accessory structure. This will allow larger lots larger accessory buildings with appropriate setbacks and greater heights allowed with those larger setbacks.

Commented [DD3R2]: Response to feedback: Have eliminated size delineation to simplify. Now is self limiting.

Commented [DD4]: Removed this section as it will be at odds with newly revised Section A(1) as far as structure height. Heights are now addressed in that section.

[Amended 5-19-2021 by Ord. No. 284]

~~(5)~~(3) Private tennis courts and private sports courts and all facilities incidental thereto shall be located on a lot 60,000 square feet or larger and in the rear yard only. Except as set forth below for lighted courts, a private tennis court shall not be less than 50 feet from the side and rear property lines, and a private sports court shall not be less than 75 feet from the side and rear property lines. A vegetative screening landscape buffer in accordance with the Worcester Township Landscape Ordinance requirements for rear and side yards as set forth in § 130-28 of the Worcester Township Subdivision and Land Development Ordinance shall be provided for all private tennis courts and private sports courts and all facilities incidental thereto. To the extent required by the Township Engineer, all tennis courts and sports courts shall have stormwater management facilities. All required stormwater management facilities shall be approved by the Township Engineer.

The lighting of a private tennis court or private sports court shall conform to § 150-200. Any lighted private tennis court or sports court shall not be less than 100 feet from the side and rear property lines. No tennis court or sports court shall be illuminated after 9:00 p.m. Sunday through Thursday, or after 10:00 p.m. on Friday and Saturday.

~~(6)~~(4) Private stables for the keeping of horses and livestock and barns shall be permitted on properties having a gross lot area of three acres or more. A gross lot area of three acres shall allow a maximum of two large animals (e.g., horses, cattle, llamas). Two small animals (e.g., goats, sheep, mini horses, ponies, yearling horses or cattle, donkeys) shall be the equivalent of one large animal. Each additional acre of gross lot area shall allow the keeping of one additional large animal or the equivalent. All grazing areas shall be suitably fenced to contain the animals at all times. All buildings and structures (including rings, but not including fencing) used for the housing, stabling, training, and recreational enjoyment of such animals shall be located within the building envelope and shall be no higher than 35 feet.

Commented [DD5]: Added barns to this. Barns with no electric, water, etc., are agricultural buildings, but with those features, they are accessory structures like any other. Adding this here I believe will fit the intent of this section while giving the zoning officer more clarity.

~~(7)~~(5) Decorative structures such as garden trellises, arbors, statues, benches, and the like, but specifically not including storage units, sheds, greenhouses, or other work areas, may be located no closer than 15 feet to any property line, but not within the ultimate right-of-way of any road.

~~(8)~~(6) Private mailboxes shall be located as required by the United States Postal Service. Private newspaper boxes may be located adjacent to private mailboxes and no closer to the cartway than a private mailbox.

~~(9)~~(7) Private driveways shall be regulated by § 150-155, and private parking spaces shall be regulated by § 150-153.

~~(10)~~(8) Structures associated with public or private utilities (such as water, stormwater, sanitary waste, power, fuel, telephone, and cable) to serve permitted agricultural and single-family residential uses shall be exempt from the setbacks in this section.

- B. Accessory uses authorized by this chapter shall not be interpreted to include nonpermanent structures for the sale of goods, which are prohibited by Chapter 119,¹ except as otherwise set forth therein.
- C. Private or public school uses. Accessory structures such as backstops,

dugouts/team structures, retaining walls, scoreboards, bleachers (permanent or movable), benches, goals (permanent or movable), or similar accessory structures associated with outdoor sports and athletic facilities may be located or erected within 50 feet of a front lot line or 40 feet of any other property line subject to the following: **[Added 1-15-2014 by Ord. No. 248]**

- (1) Backstops shall be permitted on any baseball or softball field but shall be limited to a maximum height of 40 feet;
- (2) Scoreboards shall be permitted and shall not be considered signs so long as the scoreboard complies with the following:
 - (a) Scoreboards shall not contain any advertisement for any company, product, or service;
 - (b) Scoreboards shall be limited to a maximum size of 36 feet by 10 feet;
 - (c) Scoreboards shall be limited to one per field;
 - (d) Scoreboards shall be limited to a maximum height, when mounted, of 20 feet from average surrounding grade within a stadium and 15 feet when mounted at all other fields on a single property; and
 - (e) Scoreboards, if illuminated, shall:
 - [1] Be internally illuminated LED displaying only the score and necessary game information and shall be illuminated only during the time of play and for a maximum period of 30 minutes following the end of play; and
 - [2] Neither cast any illumination off of the subject property nor create a nuisance or intrusion to the privacy of adjacent residential property owners or the public;
 - (3) Dugouts or team shelters shall be limited to two per field, one for the home team and one for the visiting team;
- (4) Dugouts or team shelters shall be a maximum size of 12 feet by 50 feet;
 - (5) No structure shall be located or erected so as to interfere with the sight triangle of any intersection; and
- (6) Fences and walls shall be regulated by § 150-182LJ.

Commented [DD6]: Change to meet new section number in pending fence section amendment.