

# WESTTOWN TOWNSHIP PLANNING COMMISSION MEETING

Stokes Assembly Hall  
1039 Wilmington Pike, Westtown Township  
April 23, 2014 – 7:30PM

## **Call to Order**

Mr. Pomerantz called the meeting to order at 7:30 and led those present in the Pledge of Allegiance.

## **Present**

Commissioners – Rodia, Whitig, Adler, Pomerantz, Hatton and Lees, absent was Criddle. Also present were Township Manager Rob Pingar, Planning Director Chris Patriarca and those mentioned below.

## **Adoption of Agenda**

The Agenda was adopted and approved as presented unanimously (JL/BW).

## **Approval of Minutes**

The minutes of the Planning Commission (PC) meeting of April 9, 2014, were approved as amended unanimously (EA/RH).

## **Reports**

Mr. Pomerantz presented the April 21 Board of Supervisors (BOS) meeting. Items discussed at the workshop were the replacement of the Oakbourne Road Bridge, electrical permitting, the Papenfuss project, PSATS information and the proposed mini-cell tower ordinance. At the regular meeting, issues at Rustin H.S. and frauds were addressed by Chief Bernot, the bi-amplification ordinance was discussed by the solicitor, archeological surveys of the Crebilly Farm were discussed by a citizen and an appointment was made to the Historical Commission.

## **Announcements**

Mr. Pomerantz requested to Mr. Patriarca that an ordinance to address student housing be included for discussion as an agenda item at a future PC meeting.

Mr. Patriarca announced the PC will be formally requesting standing as part of the Bozzuto conditional use application at the April 24 hearing.

Mr. Pomerantz discussed ways for the PC members to make official site visits for development projects and be compliant with Sunshine Laws. Discussed were issues involved with the PC going as a whole, going in small groups and/or as individuals. The general consensus is to try to schedule several small groups to meet on the same day to view the site.

## **Non-agenda Public Comment**

Dave Gifford, of 1131 South Chester Road – Discussed issues related to selling his property due to its location and unique circumstances. After speaking with residential realtors, they have concerns with selling it due to its more commercial nature and commercial realtors like the property but do not want to engage on it without commercial zoning. He is came to the PC to request some of their insights on possibilities of different zonings for the property. Issues discussed by the PC included the surrounding properties, existing lot size, realtors' reaction to

the property, layout of the existing structure, well and septic and appraisals of the property.

Mr. Gifford discussed how the construction of the home results in a smaller rooms that are not desirable for a contemporary home. He further described how moving the structure is not an option due to its large steel and stone foundations, and indicated he did not want to see the building demolished. Mr. Lees expressed his concerns with potential commercial development of the property based on overall lot and bulk standards assuming it was granted appropriate zoning. Mr. Pomerantz followed by stating the monetary issues need to be placed aside with the focus being on what type of commercial business could be done on the property. Mr. Lees then suggested if a zoning change is desired, Mr. Gifford should reach out to an engineer and have a sketch plan developed to see what exactly can and cannot be accommodated on the site. Mr. Hatton indicated his desire to see the property used as a public historic place/open space for the Township.

Mr. Gifford indicated he is not necessarily looking for commercial zoning, but rather some additional flexibility with the existing zoning to allow more people to report to the location for work.

Ken Lawson, of 904 Shetland Court (Pennsbury Township) – Spoke about the need for an archeological assessment for the portion of the Crebilly Farm located within the Brandywine Battlefield. Stated it is needed to identify unmarked graves of American patriots from the battle, and requested the PC make a formal recommendation to the BOS that a full archeological assessment be done on the areas of the Brandywine in Westtown. He read portions of the *Brandywine Battlefield Preservation Plan* specific to the need for these archeological studies.

Mr. Pomerantz asked about the participation of the Robinson Family on the plan to which Mr. Lawson indicated he did not know. Mr. Lawson then presented maps of the Battlefield to the PC and Mr. Rodia asked about involvement of the Brandywine Conservancy. Mr. Pingar followed with several questions. First was asked if the proposed Crebilly development is in the boundary of Brandywine to which Mr. Lawson responded it is located in totality within the landmark since 2013. Mr. Pingar next asked if it has been definitively shown casualties are located on the proposed Bozzuto site. Mr. Lawson stated statistically there will be, and further estimated a cost of approximately \$60,000 to survey the proposed Bozzuto site. Questions were then asked about if the battlefield boundary encompasses the areas proposed for Bozzuto and where the plan is available for review.

## **Old Business**

### Mission statement discussion

Mr. Pomerantz provided a brief synopsis of the reasons for going through this exercise. Mr. Patriarca next read the revised mission statement and other duties of the PC based on a synthesis of the discussion from the April 9 PC meeting. Generally the PC liked the initial draft subject to some minor revisions based on further conversation. Ms. Adler and Mr. Hatton had questions on some of the wordings that were addressed. Further, discussed were the police powers, specifically to identify the *Open Space Plan* and the references to net economic benefit

to the Township. The PC decided they would like to specifically call out both the *Open Space Plan* and net economic benefit as part of the overall statement.

Mr. Pingar stated his preference for the PC mission statement was the longer version and noted the BOS should be involved with the statement in the sense the MPC clearly states what shall be and what may be the role of the PC at the behest of the BOS. Mr. Pomerantz noted the mission statement exercise was a genesis from previous conversations with the BOS on the role of the PC.

Mr. Pomerantz indicated his preference for the longer statement as he feels it provides a better context of the role of the PC. Specifically, his concern was that it does not differentiate what makes Westtown PC different from others. Mr. Hatton followed with his preference the shorter one as a mission statement, but that maybe a longer statement of purpose is more appropriate. There was then a discussion of mission versus purpose statements.

Mr. Whitig recommended to utilize the shorter version as the mission statement of the PC. Mr. Pingar then noted there are several locations where the mission statement can be posted in the office. Mr. Whitig then made an official motion the PC utilize the shorter version of their mission statement, subject to several minor changes and approval of those changes by the PC. The motion passed <sup>unanimously</sup>.

Walt Pavelchek, of 1050 South New Street – Noted a short revision to the text for clarity.

### **New Business**

#### How the Planning Commission works with both the Board and other Township Commissions

Mr. Pomerantz provided context of the discussion as being a directive from the BOS to the various commissions on how they can better work with each other and the BOS. He first asked about the relationships between the BOS and Commissions and what are the initial issues that come to mind. Ms. Adler noted there needs to be better communication and awareness amongst the groups to make each aware of their specific expertise as issues arise. She further suggested the minutes from the other Commissions could be distributed to the PC to improve these communication/awareness issues. Mr. Whitig and Mr. Lees also noted the communication issue and suggested the possibility of PC members attending other commissions' meetings to improve communication.

Mr. Rodia asked about the possibility of having an internal intranet/messageboard for the

Commissions to discuss issues. Mr. Hatton expressed his concern with the fact minutes only reflect what occurs in their regular meetings and do not reflect any discussion that may have occurred outside those meetings. He would like to see more frequent communication and the development of brief "status reports" to update each other, possibly through an appointed member of each Commission. Mr. Pomerantz stated he would like to see the Commissions brought together at the onset of large projects to discuss issues within each Commissions defined role to improve awareness. To improve communication, he stated space should be given for the Commissions to provide "status updates" in the quarterly newsletter or provide blogs on the website for each of the Commissions to provide these updates.

Ken Lawson, of 904 Shetland Court (Pennsbury Township) – Stated the website should include information for new residents to be able to more effectively understand the roles of the various Commissions.

Walt Pavelchek, of 1050 South New Street – Noted that there is rarely coordination between the various Commissions and the BOS when discussion of issues that affect all of them. He suggested the Township formally appoint a person to attend the various Commission meetings and report back to each in an effort to integrate each more effectively with one another. He believes this will be effective in getting all relevant information before each of the Commissions that the minutes may not adequately express.

Mr. Patriarca indicated he would defer to the PC on the way this information is distributed. He noted that he could send via e-mail other Commission minutes and/or briefly discuss them at the onset of the regular PC meeting. Mr. Pingar then noted the website could be used more effectively to improve communication/awareness issues amongst the Commissions.

The next question Mr. Pomerantz asked was what the BOS expectations should be for the PC. Mr. Rodia, Mr. Lees, Ms. Adler and Mr. Hatton indicated the PC has the responsibility to review and report back to the BOS and be the group getting into the details when making these decisions. Mr. Whitig noted the PC is inherently reactionary on issues of specific developments, but proactive in the crafting of ordinances and plan amendments. Mr. Pomerantz stated the PC should have a working knowledge of issues involved with typical applications and the ability to ask substantive questions of applicants that appear before the PC. He further stated the BOS should give the PC leeway to have these discussions in full with the applicant before they make recommendations to the BOS in such a way as the PC is not playing "catch-up." Mr. Di Domenico noted the BOS is working actively to empower the individual Commissions to more effectively do their job as well as to encourage more collaboration with each other.

Mr. Pomerantz requested to the BOS that they do not make their opinions known until after the PC makes their recommendation. He then asked if the PC should have their own solicitor, at least for the major meetings where a solicitor's opinion would be useful. Further was asked the ability of the PC to have other experts present to the PC such as fiscal impact and design. Mr. Pingar indicated in the future, the PC may be able to bring in outside consultants when evaluating projects and making recommendations to the BOS. He further stated the PC should do more of the "heavy lifting" for the BOS to assist in making their decisions easier, and in order to do that not make any approval until all of the Township's questions are answered by the associated review consultants.

Mr. Pomerantz next asked Mr. Pingar and Mr. Patriarca their expectations from the PC to them.

Mr. Patriarca indicated he expects the PC to have a very open dialogue to get information to the PC in an understandable and reasonable manner. Mr. Pingar wants the PC to continue to educate themselves in order to more effectively carry out their job and continue to improve communication between the PC and administration.

Mr. Pomerantz concluded with a brief discussion of the role of the PC with the public. The general consensus was for the public, the PC needs to work through all of the available materials in an unbiased manner to make the best possible recommendations to the BOS in the best interest of the Township as a whole.

**Adjournment**

10:30 pm (SR/DP)