

WESTTOWN TOWNSHIP PLANNING COMMISSION MEETING

Stokes Assembly Hall
1039 Wilmington Pike, Westtown Township
July 9, 2014 – 7:30PM

Call to Order

Mr. Pomerantz called the meeting to order at 7:35 and led those present in the Pledge of Allegiance.

Present

Commissioners – Rodia, Adler, Pomerantz, Hatton, Lees and Criddle. Whitig was absent. Also present were Township Planning Director Chris Patriarca, Township Manager Rob Pingar, David Walter of the Westtown Township Historic Commission (HC), John Snook of the Brandywine Conservancy and those mentioned below.

Adoption of Agenda

The Agenda was adopted and approved as amended unanimously (JL/EA).

Approval of Minutes

The minutes of the Planning Commission (PC) meeting of June 18, 2014, were approved as amended unanimously (EA/JL).

Reports

Mr. Lees presented the July 7 Board of Supervisors (BOS) meeting. Items discussed at their worksession included the naming of the loop road off Skiles, the 2014 road program bid results, traffic calming studies, on-lot inspection waivers, historic resources listing ordinance, HC appointments. Items discussed at the regular meeting included the escrow release for Westtown Reserve, PMRS amendment, salt and plowing bids, there was no public comment and they paid the bills.

Mr. Patriarca reported first on the June 30 Bozzuto conditional use hearing. He stated at that hearing the Township consultants Al Federico and Tom Comitta presented testimony into the record on both traffic and planning aspects of the Bozzuto project. He next reported on the July 8 hearing and stated those residents seeking party status were invited to speak and present testimony on the record. He then stated the hearing was continued until July 21.

Announcements

There were no announcements at this meeting.

Non-agenda Public Comment

There were no non-agenda public comments at the meeting.

New Business

1126 Kolbe Lane lot-line adjustment

Mike Manieri (owner of 1126) discussed his proposal to transfer 1.2 acres of land from his property at 1126 Kolbe Lane to his neighbor at 1128 Kolbe Lane. He noted the lot line between the houses will be moved nine feet further from his home and the rear line will run near the stream centerline. He also noted the existing easements will not be altered and that the

proposal does not create any sort of non-conformity with the proposal.

Ms. Adler first asked if the tree line will be on a single property. Mr. Manieri noted the trees would remain in their totality on the 1128 property. Mr. Lees asked about the overall shifting of property lines and Mr. Manieri again noted the rear line generally follows the stream centerline. He followed with a question about the rear property that he indicated was potentially being sold. Mr. Pomerantz followed with a question to Mr. Patriarca about if the proposed adjustment would establish any sort of negative precedent. Mr. Patriarca stated he did not believe any negative precedent will be established as the proposal does not create any nonconformity and is compliant to zoning.

Mr. Lees asked about the easements and if the proposal would affect them to which Mr. Manieri indicated that they would simply be more on his property instead of divided evenly with the 1128. Ms. Adler noted that maintenance of the basin should be clearly conveyed on the plan. Mr. Patriarca indicated that Mr. Manieri will follow-up back with the PC with a formal preliminary-final application for the adjustment in the future.

Westtown Historic Commission and Bozzuto

Dave Walter presented a PowerPoint on the Bozzuto conditional use with the recommendations made by the HC. He first noted the HC recommends the preservation of 1142 Wilmington Pike either through an adaptive reuse or being moved to another site. He stated the property has been identified by the Township previously as locally historically significant. He noted its architecture is a downing cottage in the carpenter gothic style with a façade of locally quarried serpentine stone. He next described the interior condition of the property.

One option the HC sees as a possible means for preservation of the home includes the utilization of 1142 as part of the visual buffer between the development and 202. He then followed with a presentation of other projects in the area where historic structures were incorporated into the overall design of a new project. The second recommendation of the HC is for the project to incorporate materials and colors that complement the historic nature of Chester County.

The third recommendation of the HC is to provide for a ground-penetrating survey of the 18 acres proposed for development as well as the area proposed for the connector road. The HC believes this is needed to discover any sort of historic artifacts that may be present from not just the Brandywine, but also from the former Darlington Corners village. Specific to the Brandywine, Mr. Walter spoke of the Hessian flank that may have impacted the area near the location of the proposed apartments. The final recommendation from the HC is to incorporate "Darlington Corners" into the naming of the proposed apartment complex.

Mr. Pomerantz first asked about conversations had with Bozzuto and the HC to which Mr. Walter responded that they declined a second meeting with the HC. Mr. Pomerantz followed with a question on the implications for the Township if 1142 is demolished. Mr. Walter noted that numerous historical structures have previously been demolished throughout the Township. He further noted although not eligible for the NRHP, 1142 is a structure of local significance and one of few remaining from Darlington Corners.

Mr. Rodia asked about a projected use for the structure. Mr. Walter indicated that the HC envisions either a professional office use or as part of the apartment complex once brought up

to code. Mr. Criddle notes the significance of this history of the Township due to its use of local stone and distinctive style unique to the area. Mr. Lees noted he would like to see analysis done for these types of applications to determine the economic feasibility of incorporating historic structures in new development on a case-by-case basis. Mr. Hatton and Mr. Walter discussed the moving of versus the incorporating historic structures into new development in addition to the adaptive reuse of these structures. Ms. Adler commended the HC for their efforts and their process to evaluate properties individually when making specific recommendations when necessary.

Mr. Pomerantz concluded with a series of questions to close. He first asked which of the four recommendations is the most important for the HC to see carried out. Mr. Walter indicated the most important is the one to require the preservation of the physical structure. He further noted the most difficult to have the applicant accept would be for the ground-penetrating radar survey. Mr. Pomerantz concluded by asking if the ground radar survey is the recommendation of the most historical significance. Mr. Walter stated if there was a degree of certainty that burials from the Revolution were present on-site, than it becomes more important. He conceded the cost for this was relatively expensive at an estimated \$1500 per day, noted that in the overall scope of the project the costs of the survey are relatively small.

Planning Commission and Bozzuto

John Snook of the Brandywine Conservancy led a discussion with the PC on the Bozzuto conditional use application and SUO amendment as the PC's planning consultant on the application. Mr. Pomerantz introduced Mr. Snook, asked several questions about his professional expertise and then Mr. Snook began his presentation.

He spoke first of the original intent of the SUO was to allow for more intensive development of the Crebilly property along the 202 frontage while generally preserving the western portions of the farm with large lot, residential development. Mr. Snook noted the amending of the SUO is an appropriate approach, but that the Bozzuto application is a bit different as the amendment has not occurred to this point. Further, the BOS is under no obligation to amend the zoning.

He then spoke to the history of the SUO and noted sever of the key components of it. He first spoke of the design component of the SUO including architecture, building massing, etc. He next spoke of how the amendment could allow for the future development of additional apartments within the SUO, but that the original intent of the SUO was to encourage more of a diversity of uses. Mr. Snook suggested the amendment should include language to prevent the SUO from allowing multiple apartments. Next was discussed visual impacts of development of the SUO. He noted the design of the CCRC complimented the existing landscape and further stated design issues can be mitigated for the proposed ACD as part of the process being undertaken. Mr. Snook, spoke of the importance of the connector road to the overall development of the SUO and the ACD.

Next discussed was a more detailed discussion of the proposed changes to the SUO as part of the amendment to allow for an ACD. First a reduction in setbacks was discussed. Mr. Snook noted the reduction can be explained though the taking of SUO land west of the connector road and limiting it to only large-lot homes as a significant mitigating factor for the proposed reduction. With regards to the proposed height increase, he questioned why it needs to be increased in the context of a proposed four-story building. Building length is proposed to be increased, but that the increase is not an issue if the façade is varied. The proposed parking requirement is less than what is required for multi-family in the existing ordinance, but noted that

parking should not drive the overall design. The sign provision proposed are new and allow for significantly larger and more signage than is currently permitted in the ordinance.

Mr. Snook next discussed the “large-lot trade off” of the western portion of the farm. He noted the size and scale of the proposed large-lot parcels will result in a far better landscape than what is permitted with the existing A/C zoning. He reiterated again that the purpose of allowing more intense uses along 202 to allow for the preservation of the western portion of Crebilly from the start. Further, Mr. Snook suggested the preservation of the western portion could be done preferably through conservation easements but also with deed restrictions.

Next discussed was issues related to the actual apartment building. He noted the design should reflect the Chester County landscape. However, he noted his biggest concern with the design being the overall layout of the proposed complex. He suggested the layout could be altered from a layout parallel to 202, to a layout that is on an angle that faces the proposed roundabout. He stated that he believes this change will allow the ACD to appear more natural to the property. Speaking to stormwater management (SWM), he questioned if additional land could be used in an effort to make a more attractive layout on the property for green space.

With regards to historic structures, Mr. Snook noted the structured to be demolished were part of Darlington Corners. He further stated that although not eligible for the NRHP, the structures are of local significance. He noted the serpentine home should be preserved or removed and not destroyed. Mr. Snook also endorses the notion of some sort archeological survey of the property to be developed. Specific to the Brandywine Battlefield, he noted it is under a high threat for degradation due to development and also spoke about the Hessian movement in the vicinity of Crebilly. He noted that although unlikely to find human remains on the ACD site, to rule it out altogether was “cavalier.” Mr. Snook then discussed his experience with an archeological excavation near the Brandywine Conservancy. He stated that although that the excavation did not yield much in terms of items from the Revolution, but did yield many other unexpected items in the process, and further noted this process can be a worthwhile undertaking.

Next discussed was recreational space and amenities. He noted that SALDO regulations require specific levels of open space and that the space shall be consistent with other open space planning documents. With this, he noted a neighborhood park west of 202 as an identified need by the Township. He further spoke of trail provisions mentioned in existing Township plans and ordinances. To meet recreational needs, Mr. Snook suggested a linear park along the proposed connector road with a multi-use path to afford residents views of the farm and recreational amenities. He further suggested a tot lot be added as a recreational amenity for the apartments.

Speaking to traffic improvements, Mr. Snook generally deferred to Al Federico’s comments. He again did emphasize the importance of the connector road to the overall project. He also deferred to Tom Comittas comments on fiscal impact, and also noted fiscal impact cannot be used as a justification for denial of an application.

Mr. Hatton asked first about sewer proposed with the CCRC, to which it was proposed to be pumped along 926 to the Rustin pump station. He followed with a question on active recreational space at Crebilly, and Mr. Snook indicated there was some discussion on trails with the CCRC. He then further reiterated his idea for a linear park as being appropriate for Crebilly and necessary due to the poor access to other recreational amenities in the Township with the

202 crossing. Mr. Hatton next asked about why apartment complexes were not considered when the SUO was initially established. Mr. Snook noted that apartments were simply not considered and that omission should not be interpreted as something specific or intentional against apartment development.

Ms. Adler asked if the zoning map should be amended to eliminate the SUO designation for the properties west of the connector road if they are to become large-lot residential home sites. Mr. Snook responded that this is something that should be taken under consideration to be carried out. She followed with a question on when calculating acreage for open space should only the 18 acres where the ACD is proposed count or should Crebilly in its entirety be considered. Mr. Snook indicated SALDO is not clear but that the large-lot portion could be given a waiver, but that the remainder of the SUO is potentially fair game.

Mr. Pomerantz spoke of his opinion on the overall significance of Crebilly to the Township. He followed with a question about the layout of the ACD as designed and its overall effect on Crebilly as a whole. Mr. Snook responded that the new buildings could have a more inviting view and sense of presence at the roundabout to seem more like it belongs there. He concedes any development will take away from Crebilly as it currently rests, but that it can be mitigated through a more thoughtful site design. Mr. Pomerantz next asked about the potential of “transient” residents and how they might impact the community. Mr. Snook responded by stating rental units attracts people in transition (i.e. moved to the community), and that these people are not detrimental to the community due to what they bring overall. Mr. Pomerantz concluded by asking if the proposed apartments do not represent Westtown as much criticism of the project argues that apartments do not fit within the existing land use patterns of the Township. Mr. Snook stated that the Township anticipated more intense development within the SUO along 202. He noted the scale is not that large for an apartment proposal, large building do exist in the vicinity and that the project will not necessarily look out of place at the proposed location.

Mr. Rodia asked about if the proposed recommendations stated are out of line based on the overall scale of the proposed project. Mr. Snook stated he does not feel it is fair for Bozzuto to be responsible for all of the proposed amenities within the SUO outside the apartments. However, maybe agreements can be made to make them fairer to all sides. Mr. Rodia followed-up with a question about the “large-lot tradeoff” and how a conservation easement could be used to make this happen. Mr. Snook noted the advantage of the conservation easement is that the easement is held through a third party that is required to enforce it. He noted there are more costs associated with conservation easements that are not incurred through deed restrictions. Further he stated that in some Townships, the endowment costs for conservation easements are paid for by the Township as the open space is in the interest of the municipality.

Public comment

Mr. Pomerantz asked John Rendemonti to plan on being in attendance at the next meeting and to schedule his time before the PC at that meeting or one that follows in the future.

Adjournment

10:23 pm (SR/DC)

Respectfully submitted,

Chris Patriarca
Planning Commission Secretary