

WESTTOWN TOWNSHIP PLANNING COMMISSION MEETING

Stokes Assembly Hall
1039 Wilmington Pike, Westtown Township
November 20, 2013 - 7:30PM

Call to Order

Chairman Lees led those present in the Pledge of Allegiance and called the meeting to order.

Present

Commissioners – Rodia, Whitig, Adler, Lees, Walter, and Hatton. Also present were Township Manager Robert Layman, Township Engineer Christie Pace, Supervisor Elect Michael DiDomenico, five guests and those mentioned below.

Adoption of Agenda

The Agenda was adopted as presented submitted. (BW/DW)

Approval of Minutes

Because the audience podium microphone did not function during the PC meeting on November 6, 2013, there was comment on possible omissions in the minutes as presented. PC member Pomerantz submitted a memo. Steve Rodia said he felt the minutes were incomplete. Russ Hatton commented that the PC minutes are not a transcription. Dave Walter suggested that the minutes of the Planning Commission meeting of November 6, 2013, should be approved with the notation that some information was not recorded. Elaine Adler itemized what was normally included in the PC minutes and said the November 6th minutes included all of the essentials. In the past when someone felt that more details should be recorded, an addendum was attached to the minutes. Motion (DW/SR) PC approved the minutes of the November 6th meeting. Additional comments may be attached as an addendum. For – Lees, Walter, Adler, Rodia. Against – Hatton. Abstain – Whitig.

Reports

Jim Lees reported on the November 18th Board meeting. At the Work Shop the Board discussed the On-Lot Management program which will be put into effect by the end of the year. At the regular meeting the Board presented the 2014 Budget. The budget is balanced and will include provision for a new sound system for this meeting room. The Board announced that as part of the new on-lot management program there will be a fee of \$100 per year for each property with an on-lot system. Fee will be billed quarterly along with the trash collection fee. The Board then convened the Conditional Use Hearing for the Rustin Flex Development. There was a presentation by the West Chester Area School District (WCASD) and comments from residents in attendance. The Hearing was continued to December 19th. The Board approved the placement of an on-lot system on Township space and the phosphorus reduction system for the sewer plant. The Board will take under consideration increasing the current 500 foot limit for notification in case of Conditional Use and Zoning Hearing Board applications.

Announcements

Elaine Adler said that the Solar Installation/Fire Fighting Concerns item was moved from the 11/20 agenda to the 12/4 agenda since Dick Pomerantz could not be present tonight.

Invitations to the Township's Holiday Reception on December 10th have been mailed.

Non-agenda Public Comment

Township Manager Layman said that the Board asked about PC interest in the Master Planner's program conducted by the Chester County Planning Commission. Jim Lees said he had attended one of the series and recommended it highly. Several PC members indicated interest.

Walter Pavelchek, South New Street. Noted that the Board had also expressed interested in arranging a meeting with the Planning Commission members.

Tract 2013-1 WCASD Rustin Flex Conditional Use

Present for the school district were Attorney Ross Unruh, Operations Manager Kevin Campbell, and Engineer D. L. Howell.

Mr. Howell presented several plans showing different views of the site and how it fits into the general area. He also presented a color rendering to further clarify the open space issue. He also presented a cross section showing how the development would appear from Shiloh Road. While not visible at all from sections of Shiloh Road where there is an embankment, the project would be visible in the area of the stormwater basin. Engineer Pace asked if this basin could be retrofitted to help reduce phosphorus.

Chair Lees asked about change in the topography of the site as a result of construction. Mr. Howell replied that there would be very little and described the street grades as 5% to 8%. Russ Hatton asked about distance between houses. Mr. Howell replied the average distance was about 30 feet as required by Ordinance. Steve Rodia cited a memo from Mark Gross, Township Road Master, concerning cul-de-sacs, and the problems plowing them. Mr. Howell replied that these cul-de-sacs are very short which minimizes this problem. He also indicated there were no drainage facilities in the cul-de-sacs.

Unknown female. Could the plan be designed as one long loop, without the cul-de-sacs? Mr. Howell said it could, but it would not be as desirable.

Russ Hatton asked about public access to the open space and maintenance of the trail, etc. Mr. Unruh answered that the trail would be open to the public and that the playing fielding could be open if that is the Township's decision. The HOA would be responsible for maintenance unless the Township chose to do it. PC noted the potential liability issue. Steve Rodia noted that the WCASD proposed to use the money received from the sale of this property for the capital budget. Mr. Unruh claimed the school district was responsible for securing best possible price for the land and that the proposed density provided the greatest value. Mr. Rodia commented that PC members and residents were not convinced the possible increased profits would outweigh the benefits of reducing the scope of the plan. Mr. Unruh supplied clarification of the existing farm lease which is part of the open space.

Christie Pace said that there did not appear to be any zoning issues that could not be resolved during the actual land development review process but noted that the Dunning Drive intersection had not been studied as requested by the Traffic Engineer. This, along with possible widening of Shiloh Road, can be addressed during land development as well.

Sally Bannerman(?), 1020 E. Street Road. Concerned with traffic on Route 926, particularly in the morning when school traffic coincides with rush hour.

Richard Newman, 1000 Plumly Road. Asked about the new renderings and the advisability of having only one entrance to a project of this size.

Jeannette Donohue, 926 Hunt Drive. Asked about use of the trails and use of open space for events such as the cross country races, and the financial significance of reducing the number of houses. She also asked about the retention basins.

Peter Galantino, East Street Road. Asked about stormwater management. Mr. Howell replied that no water from this development would impact his property. He explained that the area is not experiencing more total rain in recent years, but there is an increase in the number of storms with over two inches of rainfall.

Mr. Carroll(?) 1020 E. Street Road. Asked for an explanation of reason for the 50+ units.

Barbara Menkins, 1034 Shiloh Road. Asked if additional buffering could be placed between the development and the land which she and her father farm. She emphasized that farms create noise, smell, etc., and noted that this generates complaints from adjacent residents. Mr. Howell commented that those purchasing the new houses would be aware of the existing farm.

Motion (DW/BW), the Planning Commission recommends that the Board grant Conditional Use approval to Tract 2013-1, WCASD Rustin Flexible Development with the following conditions:

1. Submit a Community Impact Study.
2. Retrofit the existing Stormwater basin along Shiloh Road to improve phosphorus reduction.
3. Provide an evaluation of the Dunning Drive intersection as part of the Traffic Study.

For – Lees, Walter, Adler, Whitig. Against – Hatton, Rodia. **Motion carried.** A letter will be sent to the Board of Supervisors.

Tract 2013-7, Conditional Use-Bozzuto Apartments

Present for the applicant were Attorney John Jaros, Engineer Keith Lieberman, and Pete Sikora representing Bozzuto Development. PC received McCormick Taylor review letter dated November 18, 2013. Mr. Jaros presented a plan for one large, four story apartment building and three smaller, two story apartment buildings on the 18 acre site on the west side of Route 202. This is a revision of the plan previously presented to the PC. He also noted that the Township had to adopt an amendment to the SUO Overlay District before this plan could be approved and said that the applicant was not requesting any action by the PC at this time.

Mr. Lieberman briefly described how this tract was assembled and the potential uses of the remainder of the Crebilly tract. He also reviewed the proposed road improvements. The developer would construct an access road from 202 and the section of the proposed parallel road from this road to Route 926. 250 apartment units are proposed. Mr. Lieberman indicated that the plan complies with all Zoning Ordinance requirements except the maximum building length. The applicant believes that the building design mitigates the perception of excessive length and therefore could be approved by the Board as part of the Conditional Use. There will be a berm and landscaping on the 202 frontage.

In response to questions, Mr. Sikora stated that there would be a mix of 50% one bedroom apartments, 35% two bedroom, and 15% three bedroom. He anticipates primarily single, professional tenants and few children based on another similar apartment complex in the area. The average rental would be \$1,800.

Tract 2013-6 Zoning Amendment – Visual Arts Center (VAC)

Present were Theodore Bartkowski and Tom Committa. Mr. Committa explained that he had been involved in review of the draft ordinance by the Township Solicitor. In response to questions, Mr. Bartkowski said that the proposed 500 square foot display was 9 feet larger than the 202 sign and explained the different technology. Mr. Bartkowski said he did not object to defining height by feet rather than stories. He believes the plan is based on 12 foot stories.

Steve Rodia again asked about the impact on adjacent residents. Mr. Bartkowski emphasized that land contouring and landscaping which would be designed to minimize the impact of events held in the amphitheater. Dave Walter asked what would happen if the proposed VAC program failed. Mr. Bartkowski emphasized that the remainder of the building was still viable and the VAC section could be re-purposed. He also stated that the peak hours for use of the VAC would probably be weekends and after school-evening.

In response to questions on parking, Mr. Bartkowski said that there were approximately 90 parking spaces under the building and there were conditional arrangements for additional parking within 600 of the site.

Chair Lees asked if this proposed zoning would apply to any other site. Mr. Committa said that there was at least one other tract on West Chester Pike.

Christie Pace suggested the PC recommend revising the proposed amendment to include the requirement for additional studies, such as view shed and noise impact, as determined by the Township. PC members are very concerned that parking is adequate. Mr. Hatton expressed concern that the Township was creating an ordinance for a specific project. He also asked if there was a demand for this use.

Mr. Committa gave a summary of the research that went into determining the potential viability of the VAC center, creating the proposed amendment and the proposed plan. Mr. Bartkowski emphasized that the proposed mixed use of this building would provide a sustainable base for an arts facility of this kind. He said that this mixed use could not be accommodated in the existing R-3 Zoning. Mr. Hatton asked if this could be accomplished with variances. Mr. Committa said it was highly unlikely. Mrs. Adler asked how Westtown would benefit by allowing this significant revision of its usual signage regulations. Mr. Bartkowski said it would provide a cultural enhancement to Westtown and the surrounding communities, it would create a first rate architectural feature, and it would help create a sense of place. He indicated that if approved he would anticipate occupancy of the building within three years.

Mr. Bartkowski also said that his partner had been in negotiation with owners of possible off-site parking across Green Lane. He anticipates a full pedestrian crossing on Green Lane and a possible traffic light at the intersection at the West Chester Pike/Green Lane intersection. If the parking is not available, the project cannot progress.

PC summarized its concerns as the need for additional studies on noise and view shed, the hours of illumination of the VCT, the size of the VCT, the building height, requirement for public sewer, adequate parking, and provision for pedestrian access. After discussion is appeared that all but three of these issues were adequately adequately covered by existing or proposed ordinance requirements.

Motion (EA/DW), the Planning Commission recommends that the Board of Supervisors adopt the proposed Visual Arts Center amendment with the following revisions:

1. Maximum building height should be expressed in feet as well as stories.
2. Public sewer is required.
3. The VCT display is not illuminated between 11pm and 6am.

For – Lees, Walter, Adler, Whitig, Rodia. Against – Hatton. **Motion carried.** A letter will be sent to the Board of Supervisors.

Arborview – Parallel Road Connection, Discussion postponed to December 4th meeting.

Public Comment

Walter Pavelchek, South New Street. Mr. Pavelchek explained his reasons for recommending that the proposed 202 Parallel Road not be connected to the Stetson jughandle.

Adjournment

10:50pm (DW/EA)

Elaine L. Adler
Planning Commission Secretary