

## WESTTOWN TOWNSHIP PLANNING COMMISSION MEETING

Stokes Assembly Hall  
1039 Wilmington Pike, Westtown Township  
August 22, 2012 - 7:30PM

### **Call to Order**

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

### **Present**

Commissioners – Hatton, Whitig, Adler, Lees, and Walter. Also present were Township Engineer Rob Pingar, 15 guests and those mentioned below.

### **Adoption of Agenda**

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

### **Approval of Minutes**

Mike DiDomenico, 1530 Woodland Rd, expressed concern that Jeff Miller's presentation, was not included in the minutes of August 8<sup>th</sup> and questioned whether it was included on the tapes of the meeting. Mrs. Adler explained that the presentation did appear on the tape and that the Planning Commission minutes were summary minutes and do not include the entire text of comments and presentations.

Helen Kelleher, 1002 Martone Rd., said that Mr. Miller's presentation was an excellent summary of the sewer issue and asked if the transcription currently being prepared could be added to the minutes as an addendum. Chairman Lees stated that if the transcription was presented at a Planning Commission meeting, it could be asked to the minutes of that meeting.

The minutes of the Planning Commission meeting of August 8, 2012, were approved as submitted (DW/RH).

### **Reports**

Elaine Adler reported on the August 20, 2012 Board Meeting. The Board announced that Eugene Dooley, Chief of Police at East Whiteland, will be the interim head of the Westtown East Goshen Regional Police following the retirement of John Dumond at the end of August. There was a presentation by the West Chester Library requesting financial support from Westtown Township. The attorney for the equitable owner of the Rossiter track stated that it was the applicant's position that no waiver was required for the seepage bed located in the riparian buffer and further that the only other issue remaining was the easement required for sight lines. Township Solicitor Adams suggested that the applicant grant a 30 day extension to allow the Board to consider the stormwater/buffer question. The applicant agreed. The new field lights at Rustin High School were being tested on August 20<sup>th</sup>. Chairman Barber announced that negotiations with the Westtown East Goshen Regional Police association were still ongoing. The Board met with DEP representatives, the residents' group, and Westtown's State Senator and Representative to discuss the draft Act 537 Plan to be submitted.

### **Announcements**

None at this time.

### **Non-agenda Public Comment**

None at this time.

### **Tract 2012-5 Westtown School-Addition to Science Building**

Present for the applicant were Attorney Timothy Barnard and Engineer Robert Lambert. PC received McCormick Taylor review letter dated August 22, 2012.

The addition has a footprint of approximately 6,000 square feet and will be three stories high. There will be no additions to the student body or staff as a result of this building. The building will not create

additional volume for the existing sewer and water systems. The school is considering LEED certification and will incorporate many environmental features including rain water harvesting (using roof drains a source of gray water), infiltration beds, and a rain garden. They are also considering solar panels.

Mr. Pingar stated he did not recommend approving the requested waiver of 149-403.C, the requirement for a tri-party financial security agreement, but would recommend approval of the remaining waiver requests. The remaining items in his review letter are primarily technical and he will discuss with the applicant's engineer.

A revised plan will be prepared. Depending on when the revised plan is submitted to the Township Engineer the PC will schedule another discussion for a meeting in September or the first meeting in October.

#### **Zoning Ordinance Amendment – Alternative Energy**

Present were John Snook and Tony from the Brandywine Conservancy. The consultants recommended that Westtown consider including methane digesters in the Ordinance as a precaution. They suggested restricting their use to specific zoning districts and size tracts. PC concluded methane digesters and outdoor wood burners should be limited to the A/C, Multi-Use and Township District, but the tract size limitation would not apply to the Township District.

Messrs. Snook and also said that it may not be necessary to include regulations for geothermal as it is already strictly regulated by the county health department unless Westtown has specific environmental features it wants to protect or wants to prohibit open loop systems. The Township may wish to require a permit so that the information on file and available if there is a complaint. The PC believes open loop systems should be prohibited. Closed loop systems would be controlled by the CCHD regulations, but a copy of the permit should be submitted to Westtown.

There is currently a provision for wind generators in section 1504 of the Zoning Ordinance which will have to be coordinated with any additional regulations. Issues of height and setback need to be resolved. It was suggested that 50 feet be the limit. Setback should be at least equal to the height of the structure. Noise issue and abandonment should also be addressed. It appears that wind generation should be limited to an accessory use in Westtown.

PC discussed issues relating to solar panels including scale of the installation, status as an accessory or primary use, stormwater management, roof mounted and ground mounted installations, the advisability of requiring a Conditional Use, and issue of glare.

#### **Public Comment**

Paul Spiegel, 903 Elk Lane. Mr. Spiegel has a background in alternative energy and spoke about the improvements in the technology. He urged the PC to encourage the use of alternative energy but not to require a conditional use for all installations.

Mr. Snook indicated that he could have a draft based in the Kennett ordinance ready by the meeting scheduled for September 19<sup>th</sup>. He will include some material from the Woodbury draft which has very precise definitions. He will also include some options on points which the PC has not made a final decision.

#### **Public Comment**

None at this time.

#### **Adjournment (DW/BW) 9:16pm.**

Elaine L. Adler  
Planning Commission Secretary