

WESTTOWN TOWNSHIP PLANNING COMMISSION MEETING
Stokes Assembly Hall
1039 Wilmington Pike, Westtown Township
March 9, 2011 - 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, Whittig, Adler, Lees, Walter, Pomerantz, and Rohrbach. Also present was Township Manager Robert Layman.

Adoption of Agenda

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

Approval of Minutes

The minutes of the Planning Commission meeting of February 23, 2011, were approved as submitted. (BW/RH)

Reports

Elaine Adler reported on the March 7th meeting of the Board of Supervisors. Chairman Foster reviewed the Work Session saying that items discussed were the proposed billboard, changes to the Use and Occupancy Permit for the resale of residential property, additional yard waste pickups, a proposal for apartments on the Crebilly tract, and planting of trees in the right of way. Ms. Adler advised the Board that the Planning Commission has begun work on pending zoning amendments, specifically the fencing regulations. The PC is considering that a permit be required for the installation of a fence. Tom Foster expressed concern about the impact of increased fencing regulations on agricultural uses. The revised regulations would exclude agricultural uses from the permit requirement. The Board suggested PC consider regulations relating to plantings under power lines which is an on-going problem. The Board adopted two ordinances, one restricting all parking on certain streets and prohibiting the parking of dumpsters, unlicensed vehicle, etc. on public streets, the second prohibiting left turns from East or West Pleasant Grove Road onto Route 202.

Announcements

Elaine Adler asked anyone interested in attending the planning sessions to be held in conjunction with the PSATS conference in April to fill out the registration forms and return them to the office.

The Township Engineer and Solicitor have responded to the PC question relating to riparian buffers. The Solicitor advises that the requirement can be waived by the Board of Supervisors. The Engineer's memo indicates that he would oppose such a waiver for the plan currently under discussion by the PC.

Zoning Hearing Board Application – Chester County Outdoor LLC. Mrs. Adler announced that the hearing on this matter was continued to March 31, 2011. The Planning Commission will consider comments for the Zoning Hearing Board at a March meeting. Bob Layman advised that the Township is discussing the billboard application with the company involved. Locations other than the one included in the application are being considered.

Non-agenda Public Comment

There were no guests and no public comment.

Zoning Ordinance Revisions

PC reviewed a draft of proposed changes to the Fence and Walls section of the Ordinance which was prepared following last meeting's discussion. PC also received comments from the Township Solicitor, Bob Adams. This memo stated that a requirement for a fence permit is appropriate and supplied some possible language relating to circumstances where a property survey might be necessary. Engineer Rob Pingar also supplied comments including suggested language relating to permanent easement and the fencing sections from several other communities.

PC again discussed whether or not to require a setback from the property for a fence. While there was not a unanimous conclusion, a setback will not be put in the draft at this time. The Solicitor's language relating to requiring a survey only if the property owner cannot demonstrate that the property line location is known and identified in the field and on the permit plan will be added to the draft.

The PC agrees with the Engineer's suggestion that fences should not be permitted in any permanent easement. The current Ordinance mentions only pedestrian and stormwater easements. The Township presently warns anyone who calls about installing a fence that if the fence is in an easement, the owner of the easement may remove the fence and is not required to replace it. It was noted that most easements are seldom used and it doesn't seem reasonable to ban fences entirely. The Solicitor and the Engineer will be asked for further comment on this issue.

Requiring a fence around a retention/detention basin was discussed, but PC did not decide to include this requirement.

PC members expressed concern on the issue of fence maintenance if fences are placed on the property line. Dick Pomerantz suggested that the permit should include a statement that the adjacent property owner should not unfairly deny access for the fence owner to maintain the fence.

PC agrees that an exclusion from the height limitation should be provided for an athletic use (such as a tennis court) similar to what is provided for in the Willistown Ordinance.

Elaine Adler will prepare a new draft for PC discussion. PC will discuss various items with Bob Adams and Rob Pingar who will be attending the PC meeting on March 23rd.

Public Comment.

Russ Hatton asked if we had heard from the Environmental Management Center as to the benefits of yearly membership. There has been no reply to date.

Adjournment (RP/DW) 9pm.

Elaine L. Adler
Planning Commission Secretary