

WESTTOWN TOWNSHIP PLANNING COMMISSION MEETING
Stokes Assembly Hall
1039 Wilmington Pike, Westtown Township
August 3, 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, Adler, Lees, Walter, and Rohrbach. Also present was Township Manager Robert Layman. There were 5 guests.

Adoption of Agenda

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

Approval of Minutes

The minutes of the Planning Commission meeting of July 20, 2011, were approved with a correction requested by Patricia Platt. In Mr. Wills statement the reference is to “pole barns”. According to Mrs. Platt, it should be “pole barn”. (DW/RH). Patricia Platt asked if the PC minutes were just a summary. Chair Lees said yes.

Reports

Eric Rohrbach reported on the Board meeting of August 1st. At the Work Shop the Board further discussed the billboard proposed for the new C-2 District. At the regular meeting, it was stated that the Township has secured the necessary easement and is ready to proceed with the Lain sewer project. The Board will sign an agreement with the State relating to revisions of the plan for providing public sewer in the Township. The Board will also proceed with the plans for repair of the South New Street bridge. There was also a long discussion during Public Comment relating to playing fields. Many residents were present to ask the Township to provide additional land for playing fields.

Announcements

Elaine Adler reported that another extension of review time, to 11/24/2011, has been received for the Rossiter project, Tract 2008-4. The schedule for PC members attending the Board meetings has been distributed. There is one revision - Eric Rohrbach will cover December 6 and Russ Hatton will cover November 21st. She also reported that the Platt's appeal of the decision to issue the permit for the pole barn on Edgewood Chase Drive has been withdrawn so the hearing scheduled for August 9, 2011 has been canceled.

Non-agenda Public Comment

Patricia Platt, 1065 Edgewood Chase Drive, explained that her appeal was withdrawn. She stated that Judge Shenkin had said that the time for all the codes to be considered was during the review of the permit application and that after the permit was approved, he would not consider subjective criteria. She believes Westtown needs to review its Zoning Ordinance and make changes. She also said that the Township should hire a certified zoning officer. Mrs. Platt thanked the PC for recommending the posting of Building Permit Applications on the website.

Lisa Stuart, 1090 Edgewood Chase Drive, expressed thanks to Mr. Pomerantz and Mr. Walter for their input at the July 20th meeting relating to the posting of permit applications and possible size restrictions of accessory building. She requested that the Commission evaluate the codes for the size and setback of accessory buildings to assure that they meet the best interest of the whole community.

Chairman Lees said that the PC would consider these remarks and will review the zoning issues at some future time.

Zoning Ordinance Amendments,

C-2 Zoning District.

A draft amendment prepared by the Township Solicitor was distributed to the Planning Commission. David Malman, attorney for the Moneys whose property is located in the new C-2 District, was present and requested a copy of the proposed amendment. He explained that the amendment resulted from a concern that the buffer requirements in the new C-2 District would not apply to the existing residential properties within the same district. He is not sure that the wording in the draft addresses this concern. It requires a buffer where the sign property "abuts" a residential use property, but it is not clear if this applies when the two properties are separated by a public road. The Commission members agreed that there should be a buffer for the residential properties under these conditions. It was further noted that according to the Zoning Ordinance, a buffer can be comprised in part of buildings, such as presently exist on the property under discussion, as well as landscaping.

Motion (EA/JL), the Planning Commission recommends that the Board of Supervisors adopt the amendment to the C-2 Commercial District providing that the wording is such that a buffer will be required between a non-residential use and an existing residential use within the District even if the properties are separated by a road. Unanimously approved.

Fences

PC received a draft with revisions by Supervisor Tom Foster. The PC shares Mr. Foster's opinion that the permits should not be required for fences related to agriculture as long as the fence is not located in a required setback. Since many properties with such fences would not be located in the Agriculture Security District, however, the Commission suggests removing that wording. The Commission also suggests that the Township District should be considered separately and permits should not be required for the construction of a fence.

Russ Hatton questioned 1505.H, which states that a permit is not required for repair or maintenance of a fence. PC suggests adding the phrase "as long as it complies with the current Zoning Ordinance regulations"

A new draft will be prepared for the next PC meeting.

Alternative Energy

After reviewing ordinances from several Townships, the Commission concluded that it would be preferable to create one ordinance addressing all forms of alternative energy rather than adopting separate ordinances for each type. It was also decided that technical points should be addressed by reference to the appropriate standard codes rather than being included in the ordinance. The PC would like a draft prepared by the Township Engineer or other qualified person as a basis for further discussion.

Zoning Hearing Board – Application for Variance, 67-4F-5, 12 Stanton Avenue.

The PC received copies of the application for a variance to permit the construction of a front porch which would intrude six feet in the front yard setback and would slightly increase the already non-conforming impervious cover. The PC discussed briefly

Motion (DW/JL), the Planning Commission has no objection to the requested variance providing that it is stipulated that the porch not be enclosed. Unanimously approved. A letter will be sent to the Zoning Hearing Board

Public Comment.

J. P. Florio, a Boy Scout from Troop 149, Thornton, was present to fulfill a requirement for the Citizenship and the Community badge. He would like to know about the issue of lighting the playing fields at Rustin

High School. Mrs. Adler reviewed the history of the lighting application explaining that the Zoning Hearing Board is currently preparing its decision. Mr. Florio asked what young people such as himself could do to influence the Township in such matters. Mrs. Adler indicated that students and parents had been very instrumental in the process of adopting the zoning amendment which permits field lighting and actively participated in the hearings on the current application. Mr. Walter asked if there was any student opposition to the field lighting, its use of electricity and expense, since Rustin seems to pride itself on its strong environmental protection policy. Mr. Florio was unaware of any student opposition.

Adjournment (DW/ER) 8:55pm.

Elaine L. Adler
Planning Commission Secretary