

WESTTOWN TOWNSHIP BOARD OF SUPERVISORS REGULAR MEETING

Westtown Township Municipal Building, 1039 Wilmington Pike, Westtown

Monday, 1 December, 2014 at 7:30 PM

In attendance were: Chair Carol De Wolf, Police Commissioner Tom Haws, Township Manager Rob Pingar, and Township Roadmaster Mark Gross, Historical Commission Chair Dave Walter, and Planning Commission member Brent Whitig. There were 2 guests present.

I. **Call to Order**

Chairman De Wolf led the Pledge of Allegiance and called the meeting to order at 7:30 PM.

II. **Approval of Minutes (November 17, 2014)**

Mr. Haws made a motion to approve the November 17, 2014 minutes. Ms. De Wolf seconded the motion.

Kathy Di Domenico, 1530 Woodland Road, requested that if an acronym is used in the minutes that it be defined. Mr. Pingar responded that he would endeavor to define all acronyms.

There was no other public comment and the motion was approved.

III. **Workshop Meeting Summary**

Ms. De Wolf stated that the Board did not have a workshop meeting this evening.

IV. **Departmental Reports**

A. **Public Works – Mark Gross**

Mr. Gross reported that the road crew handled one minor snow event on Wednesday before Thanksgiving. The power also went out on a few traffic signals on Rt. 3, requiring the use of the generators. The connections worked fine, and it was a good test of the new generators.

The traffic signal upgrade at Routes 3 and 352 as part of the PNC project took three days, and there are still concerns regarding cross lighting in night conditions. Mr. Gross stated that he planned to make a visual assessment of the signal after the meeting to determine if adjustments need to be made.

At Oakbourne Park, the crew removed a couple dead trees that blew down in the parking lot. They also removed some plantings around the water tower in preparation for a landscaping project that the Friends of Oakbourne are doing in the spring. Also, the crew drained the potable water system and removed the portable toilets.

Future projects include installing manhole adjustment rings, leaf clean up at the park, and equipment maintenance.

There were no questions or comments.

B. **Building Department – Rob Pingar**

Mr. Pingar stated that the building report will be combined with next month's report.

C. **Historical Commission (HC) – Dave Walter**

Mr. Walter reported that Rep. Truitt's Chief of Staff is meeting with County Commissioner Farrell's Chief of Staff tonight to advance the issue of the abandoned African Methodist Episcopal (AME) cemetery. Mr. Walter attended the annual Bucktoe Cemetery service in Kennett Square. This cemetery suffered under a similar situation as the AME cemetery in Westtown, however, that cemetery was owned by the church, rather than privately owned.

Mr. Walter stated that the HC sent recommendations to Mr. Pingar regarding Fair Share Properties (Malvern School) Conditional Use Amendment application for 1074 Wilmington Pike. The HC is recommending that no additional extension be granted. They also recommend a cultural resource study be performed.

Lastly, the HC prepared a brochure to hand out at the Holiday Festival at the Oakbourne Mansion on Sunday, December 7, asking residents to share historical photos, memorabilia, and stories.

Ms. De Wolf stated that the Fair Share application will go before the Planning Commission for review. Mr. Pingar added that it will be on the Dec. 17 Planning Commission agenda. Hearing dates have not yet been set. Mr. Haws stated he thought this amendment application would preempt the prior Conditional Use application. Mr. Pingar stated he would defer to legal counsel regarding the deadlines and extension dates.

There were no further comments or questions.

D. Planning Commission (PC) – Brent Whitig

Mr. Whitig reported that at their November 19th meeting, the PC unanimously voted to approve the Minor Home Occupation (MHO) zoning amendment. The PC also discussed the Zoning Hearing Board (ZHB) special exception application on the Major Home Occupation at 1028 Shiloh Road. The PC unanimously recommended that the ZHB consider the potential impact to residents as a result of this application, prior to making any decision. The PC also decided to use a draft sign ordinance from Montgomery County as a guide for revisions to Westtown's Sign Ordinance.

On the Dec. 3 agenda, the PC is going to review the Wireless Facilities Ordinance (Mini Cell Towers). The Fair Share project (Malvern School) will be on the Dec. 17 agenda.

Ms. De Wolf asked for clarification on the MHO amendment. Mr. Pingar stated the amendment makes the definition of MHO consistent with the Municipalities Planning Code (MPC) definition in order to aid with enforceability.

There were no further questions or comments.

IV. Public Comment Non-Agenda Items

There was no public comment on non-agenda items.

V. Old Business

A. Rossiter/Moser Builders – Sewer Dedication and Maintenance Agreement

Ms. De Wolf stated that all the sewer work related to this project has been completed and inspected. The dedication agreements need to be executed. Prior to making a motion, Mr. Haws asked if all the agreements had been reviewed by the Township Solicitor and Sewer Engineer. Mr. Pingar stated that they had.

Mr. Haws made a motion to execute the Right of Way Agreement and Dedication of Sewage Facilities, and the Maintenance Agreement for Dedicated Sanitary Sewers with Oakbourne Development, L.P. Ms. De Wolf seconded the motion. There was no public comment and the motion was approved.

VI. New Business

A. Ordinance 2014-4 UCC Amendment Adoption

Ms. De Wolf stated this ordinance amends Chapter 57, Building Construction, Article III, Uniform Construction Code (UCC) to require a building permit for all accessory structures of 250 square feet or larger. The amendment was previously approved by the Board on Dec. 2, 2013; however, pre-approval by the PA Dept. of Licenses & Inspections (L&I) was not acquired. This formality has been addressed. Mr. Haws asked if this would supersede the previous ordinance. Mr. Pingar stated that it would replace Ordinance 2013-4. Mr. Haws then made a motion to adopt Ordinance 2014-4, seconded by Ms. De Wolf. There was no public comment and the motion was approved.

B. Ordinance 2014-X Minor Home Occupation (MHO) - Authorization to Advertise

Ms. De Wolf stated that as discussed during the PC report, this ordinance amends Chapter 170, Zoning, Article XVI, Supplemental Regulations, [§170-1605\(F\)](#) to add clarity to existing MHO standards and make the Township regulation of minor home occupations consistent with the criteria set forth for no-impact home-based businesses as defined by the PA MPC. Mr. Haws made a motion to authorize advertisement of the Minor Home Occupation Ordinance, seconded by Ms. De Wolf. There was no public comment and the motion was approved.

C. Announcements

Ms. De Wolf announced the Township Winter Festival from 2 – 4 PM on Sunday, December 7 at Oakbourne Mansion.

Ms. De Wolf also announced a Rail Restoration Committee meeting on at 7:00 PM on Wed. December 3 at the West Chester Borough Hall, Room 240. A committee is being formed to gather public feedback in the interest in re-establishing commuter rail service to West Chester.

VI. Public Comment on All Topics

Mr. Pingar stated that there was a house fire on Carolyn Drive. Mr. Pingar said the homeowner expressed gratitude and appreciation to the WEGO Police and the fire company.

VII. Payment of Bills

Mr. Haws made a motion to approve the General Fund bills in the amount of \$1,274,991.02 and Wastewater Fund bills in the amount of \$62,717.14, for a grand total of \$1,337,708.16. Ms. De Wolf seconded the motion. There was no public comment and the motion was passed.

VIII. Adjournment

Mr. Haws made a motion to adjourn the meeting. The meeting was adjourned at 7:51.

Respectfully Submitted,
Robert Pingar, P.E.
Township Manager