

WESTTOWN TOWNSHIP BOARD OF SUPERVISORS REGULAR MEETING
SMITH MANSION OAKBOURNE PARK, 1014 SOUTH CONCORD ROAD
November 20, 2006 7:30Pm

In attendance were Supervisors Chairman Thomas A. Foster, Vice Chairman Charles P. Barber and Police Commissioner Carol R. De Wolf; Township Manager Robert Layman; Township Planning Commissioner member Elaine L. Adler; and Westtown-East Goshen Police Chief John M. Dumond. There were twenty-one guests in attendance.

I. Call to Order.

As there was a quorum present Chairman Foster called the meeting to order at 7:30Pm and led those present in the pledge of allegiance.

II. Approval of Minutes (November 6, 2006 Regular Meeting).

Mr. Barber made a motion, seconded by Ms. DeWolf, to approve the minutes of the November 6, 2006 regular meeting. Mr. Foster asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the minutes of the November 6, 2006 regular meeting as corrected (Page 3 Section V:A paragraph 3 change to "She suggested if more landscaping was needed perhaps a grant could be submitted to undertake this project and maybe could involve student participation").

III. Departmental Reports.

A. Westtown East Goshen Police – Chief John M. Dumond.

Chief Dumond reported that on two separate occasions cars were broken into at Oakbourne Park during soccer games and credit cards and cash were stolen. This is happening in other areas of Chester County as well as Delaware County. Chief Dumond advised those present to make sure they always locked their vehicles and not to leave anything of value in their cars. He also mentioned that the Citizens Police Academy will hold their graduation next week. Mr. Barber asked about a serious accident at Routes 3 and 352. Chief Dumond advised Mr. Barber that there was also a serious accident in East Goshen but there were no fatalities in either accident.

Ms. De Wolf stated that there have been incidents of drag racing on S. New Street in the vicinity of General Howe and W. Pleasant Grove Road. She stated that so far they have not been able to identify the vehicles involved. Mr. Foster asked when the Department will start using the Enrad device for speed control and will the enforcement be done by regular patrols. Chief Dumond stated that only one company makes the Enrad and it takes twelve weeks for delivery. The Traffic Safety Unit will mainly use the device but patrol officers, who are occasionally assigned to the Traffic Unit, will also be trained.

B. Planning Commission – Elaine L. Adler.

Mrs. Adler reported on the November 8th Planning Commission Meeting. The Commission reviewed the revised Sharon Bank Land Development Plan and is recommending that the Board of Supervisors accept the applicants request to modify the Conditional Use and to approve the plan conditioned on the applicant's engineer's review letter. The Commission also reviewed two applications to the Zoning Hearing Board. The first one was for a variance for a fence at the Loew property 1090 S. New Street. The second was a request by T-Mobile to install a cellular tower at 1631 West Chester Pike. Mrs. Adler stated that the Commission did not take a position on either application.

Mrs. Adler reported on the proposed amendments to the A/C District. She stated that John Snook has suggested that a Continuing Care Retirement Community ("CCRC") should be a separate article in the A/C district. The Commission still has some concerns with the maximum square footage for ancillary uses to the CCRC such as a medical service building. The parking for these uses still needs to be discussed. Mrs. Adler said that the Commission feels that they have finished deliberations on the remaining sections of the A/C Ordinance revisions. Ms. De Wolf asked if there would be more discussions on the maximum square footage. Mrs. Adler responded that the density provisions of the ordinance relate to the CCRC units but that the Commission is concerned with the square footage for other facilities that would be built for the convenience of the residents. They do not want square footage that would allow a CVS or large grocery store. Ms. De Wolf said she would like more information and examples from similar developments.

Mr. Foster asked if the Zoning Hearing Board made a decision on the fence variance. Mrs. Adler stated that the Zoning Hearing Board did not announce their decision but they feel controls need to be in place in the Township Zoning Ordinance for this particular use. They suggested that the Planning Commission consider an amendment to the zoning ordinance that would address this fence issue.

C. Financial Report – Robert Layman.

Mr. Layman reviewed the financial report. He stated that reimbursement of engineering fees is helping to offset increases in expenditures. He also stated that the trash tipping fees at the landfill have decreased this year and interest on our bank accounts has increased. Mr. Layman said the cost of sanitary sewer line repair under Route 202 was paid from the Capital Project fund. He has prepared a fee structure to recoup this expense which he will present, for adoption by the Board, at the December 18th meeting. Mrs. De Wolf said she had asked for a list of the roads that would be considered for resurfacing next year but has not received the list. Mr. Layman stated that Mr. Gross is working on the list and the cost of the resurfacing. He stated that \$300,000 is allotted for road repairs in the 2007 budget. The estimated cost of repairs to Shiloh Road is \$600,000. The majority of the cost will be paid from the State Turnback fund and monies received from the School District with the balance of \$160,000 included in the 2007 road budget. Mr. Layman stated that the 2007 Budget must be advertised twenty days before adoption but that changes can be made to the budget up to the time of adoption on December 18, 2006.

IV. Public Comment-Non Agenda Items.

Andrew Vahey, 1532 S. Coventry Lane, stated that he has received three parking tickets in the past two weeks. He is new to the community and does not understand the regulation for no parking between the hours 2:00Am and 8:00Am. Mr. Vahey was informed that the no parking regulations were requested by the homeowners in order that emergency vehicles will always have access in the community. Mr. Foster suggested that Mr. Vahey discuss this with the Homeowners Association and the Township Fire Marshal.

V. Old Business:

There was no old business at this time.

VI. New Business:

A. Presby Home Presentation – Crebilly Tract

In attendance were John Jaros, Solicitor Presby Homes, Sean Kelly, Retirement Living Services Consultant, Keith Lieberman, Engineer/Traffic Consultant (Schoor DePalma), Eric Krull, THW Design, Judee Bavaria, CEO Presby Homes, Craig Kalemjian, Robinson Family Solicitor and Ted McFalls, Board of Trustees Westminster Presbyterian Church.

Mr. Jaros stated that they will give a power point presentation to the Board for the proposed CCRC to be located in the central portion of the Crebilly tract in the A/C zoning

District. The CCRC will not exceed 600 independent living units which will include assisted living and ancillary facilities for the residents. Ms. Bavaria thanked the Board for allowing them to make this presentation. She stated that Presby Homes is 50 years old and has retirement facilities in four counties with this their first in Chester County. They are proud of their retirement services as they serve all economic levels. Mr. Krull gave the power point presentation. He stated when planning the CCRC they look at all aspects of the tract including flood plain and wetlands. The proposed CCRC on 88 acres of the Crebilly tract will consist of a mixture of 420 independent living units in a 4-5 story apartment building, 80 assisted living units in a two story building, and 80 independent living cottages. There will be open courtyard areas, walking trails and a village green. The project will be done in phases with half of the units being constructed in the first phase. A 35,000 square foot community center will also be built in the first phase. Mr. Jaros stated that the proposed connector road from W. Pleasant Grove Road to Route 926 has been discussed with PennDOT and the Township Traffic Engineer. The applicant would like to have the project connected to the Township sewer system and has met with URS to discuss the most practical way to achieve this. The applicant has reviewed the text amendment for the A/C district and will pass on their comments to the proper entity. Mr. Barber asked if the residential properties on Old Wilmington Pike have been sold to Westminster Presbyterian Church. Mr. Kalemjian, representing the Robinson Family, stated that at the present time the Church has 12.5 acres and are under an agreement of sale to purchase the residences on Old Wilmington Pike. These parcels are considered out parcels and are zoned R1. If they purchase these properties, which are south of the access road to the CCRC, the Church would like to make an exchange with Crebilly to obtain property from them north of the Church. Mr. Foster stated that the Township has been asking to see a master plan for the whole Crebilly Tract including the west side of S. New Street. Mr. Kalemjian stated that he does not know what is planned for the west side of S. New Street. There are approximately 100 acres between Presby Homes and S. New Street which they are proposing to subdivide into 13 lots of 10 to 15 acres with a possible limitation on further subdivision. Mr. Foster asked Mr. Krull how the Presby Homes project compares in size to other CCRC's he has designed. Mr. Krull said they are the same density and acreage as shown in the presentation. Mr. Foster asked if any of the developments includes skilled care as that is a requirement of the proposed CCRC amendment. Mr. Krull responded that one does. Ms. De Wolf asked where the residents of Presby Homes would go for skilled care. Mr. Krull responded they would go to other skilled facilities in the area. Ms. De Wolf asked what the marketing age group would be. Mr. Krull stated age 62 and above. He also stated that the price range for the units would probably be between 250,000 to 650,000. Ms. De Wolf asked if it would be a gated community and what ancillary services are being proposed. Ms. Bavaria said the community would be gated. The Community center would have several dining alternatives, a wellness center, indoor pool, library, an area for crafts and a small gift shop. She also stated that the Center would be for residents only and that there would be no commercial areas. Mr. Foster asked about the taxability of the CCRC. Ms. Bavaria stated they would be paying taxes. Ms. De Wolf asked about emergency services. Ms. Bavaria said that has not yet been studied. Mr. Barber asked if the roads would be dedicated to the Township. Ms. Bavaria said they would take care of the roads in the CCRC but that the connector road would be dedicated. Ms. De Wolf asked what the target date for the development would be. Ms. Bavaria said that depends on the planning process but they hope to start in March of 2007 and have phase one completed by December 2009. Ms. De Wolf said she has heard that Westminster is planning to have a Church School. Mr. McFalls advised her that the Church has a pre-school and is not planning another school. They are planning a new worship center that will be adjacent to the existing Church.

Mr. Foster said that the Planning Commission is close to completing the proposed amendments to the A/C zoning district and asked that the power point presentation be sent to the Planning Commission and Board of Supervisors electronically if possible. Ms. De Wolf thanked the applicant for their presentation.

B. Adopt Resolution 2006-14 Zoning Hearing Board Compensation.

Mr. Barber made a motion, seconded by Ms. De Wolf, to adopt Resolution 2006-14 setting the compensation for Zoning Hearing Board members at \$25.00 per meeting. Mr. Foster asked for public comment. There was no public comment. The Board of Supervisors unanimously approved Resolution 2006-14.

C. Approve SPCA Contract 2007.

Mr. Layman stated that there is a decrease in the amount of the contract from last year.

Mr. Barber made a motion, seconded by Ms. De Wolf, to approve the SPCA Contract #1 for 2007 in the amount of \$1,513.00. Mr. Foster asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the contract

D. Approve Advertising of 2007 Township Budget.

Ms. De Wolf made a motion, seconded by Mr. Barber, to approve advertising of the 2007 Township Budget. Mr. Foster asked for public comment. There was no public comment. The Board of Supervisors unanimously approved advertising of the 2007 Budget.

E. Accept Tract 2006-7 Preliminary/Final Land Development Plan Stetson Middle School.

Mrs. Adler advised the Board that the Planning Commission had reviewed a sketch plan for the module classrooms at a previous Planning Commission meeting. She stated acceptance of the Preliminary/Final plan will start the formal review process.

Ms. De Wolf made a motion, seconded by Mr. Barber, to accept Tract 2006-7 Preliminary/Final Land Development Plan Stetson Middle School and pass to the Planning Commission for review. Mr. Foster asked for public comment. There was no public comment. The Board of Supervisors unanimously accepted the plan.

VII. Public Comment (All Topics).

There was no public comment.

VIII. Payment of Bills.

On the motion of Ms. De Wolf, seconded by Mr. Barber, the Board of Supervisors unanimously approved payment of the bills as presented.

IX. Adjournment.

On the motion of Ms. De Wolf, seconded by Mr. Barber, the meeting was unanimously adjourned at 9:14 Pm.

Respectfully Submitted,

Robert Layman
Township Manager