

WESTTOWN TOWNSHIP BOARD OF SUPERVISORS REGULAR MEETING
TOWNSHIP ASSEMBLY HALL, 1039 WILMINGTON PIKE
March 17, 2003 7:30Pm

(Due to a malfunction with the recording equipment parts of the meeting did not tape)

In attendance were Supervisors Chairman Victor J. Orlando, L. Charles Scipione and Robert A. Genzano; Township Manger Robert Layman; Township Solicitor Robert F. Adams; Township Engineer Angelo M. Capuzzi; Planning Commission Secretary Elaine L. Adler; Westtown-East Goshen Police Chief John M. Dumond; and Planning Commission member Mark Purcell. There were 29 guests in attendance.

1. Call to Order.

Chairman Victor J. Orlando led the Board of Supervisors, staff and guests in the Pledge of Allegiance and called the meeting to order.

11. Approval of Minutes (March 3, 2003 Regular Meeting).

On the motion of, seconded by, the Board of Supervisors unanimously approved the regular meeting minutes of March 3, 2003.

111. Departmental Reports.

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

Chief Dumond presented the report for police activity in Westtown for the month of February. He also reported on the series of apartment burglaries in the general area and the progress being made in the investigation by several local police departments. Chief Dumond commended Officer Anthony Ruggieri for his work in preventing a break-in and robbery at a local bank.

B. Township Solicitor.

1. Conditional Use Hearing – Tract 2003-4, Luzi 606 Spring Line Dr.

At this time the Board of Supervisors held a Conditional Use Hearing to consider testimony and take possible action on Tract 2003-4 Luzi 606 Spring Line Drive. (Transcripts available at Township Office) The Board of Supervisors granted the requested Conditional Use (LCS/RAG). The Township Solicitor will prepare the official Decision.

2. Conditional Use Hearing – Tract 2003-5, Anderson 1525 Johnnys Way.

At this time the Board of Supervisors held a Conditional Use Hearing to consider testimony and take possible action on Tract 2003-4 Anderson 1525 Johnnys Way. (Transcripts available at Township Office) The Board of Supervisors granted the requested Conditional Use (RAG/LCS). The Township Solicitor will prepare the official Decision.

3. Hearing and Action on Proposed Ordinance 2003-3, Westtown Township Sewer Rates.

Chairman Orlando stated that the increase in the sewer rates was announced at the time the 2003 Budget was adopted, to become effective in the second quarter of 2003. The rate is being increased approximately 6% in all four sewer districts. The Board adopted Ordinance 2003-3 (LCS/RAG).

4. Acceptance of Maintenance Agreement Westtown Associates.

The motion made by Mr. Scipione and seconded by Mr. Genzano to accept the Maintenance Agreement with Westtown Associates was unanimously approved.

C. Township Engineer.

1. Amended Agreement for Improvements at Route 352 and Green Lane.

Mr. Capuzzi reviewed the amendment to the Road and Improvement Construction Agreement between Baker Residential of Pennsylvania and Westtown Township. The amendment acknowledges the fact that Westtown Township has acquired the necessary right of way for intersection improvements at Green Lane and Route 352. Mr. Adams indicated that he has looked over the amendment and found it in order.

Mr. Genzano made a motion, seconded by Mr. Scipione, to approve the amended Agreement for Improvements at Route 352 and Green Lane. Mr. Orlando asked for public comment. There was no public comment at this time.

D. Planning Commission – Mark Purcell.

Mr. Purcell reported on the March 5th Planning Commission meeting. Carol DeWolf was designated as Westtown's representative to the West Chester Regional Planning Commission. Don Verdiani will be the alternate. The Commission heard the Westminster Presbyterian Church's presentation relating to additional parking which is on the Board's agenda for tonight. The Commission also considered the West Chester Area School District's Conditional Use application (steep slopes).

1V. Public Comment (Non-Agenda Items)

Thomas Peterson, 901 S. New Street. Mr. Peterson again expressed his concerns relating to the possible opening of Tigue Road through the West Chester University Environmental Preserve. He cited a DVRBC study project and a Chester County Planning Commission feasibility study as evidence that Tigue Road was being considered for improvement. The Board directed Mr. Layman to further investigate the situation.

Henry Sineath, 715 Westbourne Road. Mr. Sineath asked what the schedule was for installation of public sewers. The Board advised that a survey of on-site sewer systems was currently in progress and that more information would be available when that is complete.

V. Old Business.

A. Approval of Payment Application #3, TMI Commercial, in the Amount of \$1,350.00.

Chairman Orlando noted that a bill in the amount of \$1,350 had been submitted sometime ago and needed to be paid. It has been reviewed and found to be appropriate.

A motion was made by Mr. Genzano and seconded by Mr. Scipione to approve the payment.

B. Tract 2003-2 Bowers, S. Concord Road, Revised Sketch Plan Townhouse.

Mr. Bowers and Mr. Kilgarif (builder) presented a sketch plan for a townhouse project on the five acre site. This replaces the Small Lot Subdivision plan previously presented. According to Mr. Bowers, the townhouse plan would not require a variance since it is permitted on a five acre tract as a result of the recent Zoning Ordinance Amendments. The Board found the townhouse concept acceptable and will consider a Conditional Use Application for this use when presented.

C. Action on URS 2003 Wastewater Services Agreement.

The Board unanimously approved the motion made by Mr. Genzano and seconded by Mr. Scipione to accept the revised agreement dated March 13, 2003.

VI. New Business.

A. Tract 2003-2 McCool, Sketch Plan for 2 Lot Subdivision.

Mr. McCool presented a sketch plan for subdivision of his 4.3 acre R-1 property into two lots, one containing the existing dwelling, the second the barn which he intends to convert into a dwelling. The subdivision would require a number of variances as it is not possible to meet all the setback and street frontage requirements. The Planning Commission has reviewed the sketch and considers the proposed subdivision acceptable. The Board advised Mr. McCool to proceed with his application to the Zoning Hearing Board and stated that the Township would not oppose the request.

B. Tract 2003-6, Westminster Presbyterian Church, Sketch Plan/Parking.

In attendance for Westminster Church were Ed McFalls and Tom Snyder.

Mr. McFalls reviewed the sketch plan for additional parking for the Church with the Board of Supervisors. He stated as the congregation has risen from 1100 members to 1800 members additional parking is greatly needed. He said at times there can be as many as 150 vehicles parked in the field, on W. Pleasant Grove Road or on the access road to Route 202. The Church has added additional Sunday services and Sunday school classes to try and alleviate this problem. Mr. McFalls advised the Board that the plan presented to the Planning Commission on March 5th has since been revised from 140 parking spaces to allow for 178 spaces. He said a new stormwater basin would be added and the vehicle circulation will be one way. He also stated the plan exceeds the allowable impervious coverage and the Church will be making application to the Zoning Hearing Board concerning this issue. Mr. Orlando asked if stormwater calculations have been done. Mr. McFalls said they are not completed. Mr. Scipione suggested that the Church might need to acquire more acreage. Mr. McFalls said the Church has been discussing this with the Robinson family. Mr. McFalls asked if what has been presented this evening is sufficient to present to the Zoning Hearing Board. Mr. Orlando advised Mr. McFalls as long as they are addressing the safety issues and the engineering is complete on the plan there should not be a problem. Mr. Scipione stated that they need to be clear as to any issues the Township Engineer feels should be addressed on the plan.

C. Acceptance of Preliminary Plan for Tract 2003-7, Crebilly Adult Community.

Mr. Orlando stated that the Robinson Family has submitted a plan for an adult community on Crebilly Farm. Mr. Adams stated that the Robinsons are also requesting a waiver be granted with the plan submission. Mr. Orlando reviewed Mr. Kalemjian's letter of March 3, 2003 which states that the applicant is asking for an indefinite extension of time to take official action on the Preliminary Plan.

Mr. Scipione made a motion to accept the Preliminary Plan for Crebilly Adult Community conditioned on Mr. Kalemjian's letter of March 3, 2003. Mr. Genzano asked for an explanation of the "clock" for plan review. Mr. Adams responded that the Township has 90 days for the review process once the plan is accepted. He also stated that the applicant does not wish the "clock" to start at this time. Mr. Genzano said he felt that the plan should be accepted and the review period started. Mr. Adams said the applicant has indicated that they do not want the review process to start and have yet to schedule the Conditional Use Hearing for the project. Mr. Capuzzi stated that as an Adult Community is by Conditional Use he would be unable to review the plan without knowing the conditions placed on the applicant by the Board of Supervisors during the Conditional Use process. He also stated that the preliminary plan would have to be denied as the applicant has not received Conditional Use. Mr. Adams explained that the "clock" for a Conditional Use is 60 days from the date of application. The Township has until April 21, 2003 to begin the Conditional Use process. After some discussion the Board made a decision to accept the plan conditioned on Mr. Kalemjian's letter of March 3, 2003 and authorizing Mr. Adams to set the Conditional Use Hearing for April 17, 2003.

Mr. Scipione made a motion, seconded by Mr. Genzano, to accept Preliminary Plan Tract 2003-7 Crebilly Adult Community conditioned on Mr. Kalemjian's letter of March 3, 2003 and scheduling of the Conditional Use Hearing for April 17, 2003. Mr. Orlando asked for public comment. There was no public comment at this time. The Board of Supervisors unanimously accepted the Preliminary Plan Crebilly Adult Community as conditioned.

D. Westtown Chester Creek Change Orders - E-9 D. J. Adams, 28 Klipper Construction, HV-1 TMI Commercial, P-1 TMI Commercial.

Mr. Genzano advised the Board that he has reviewed the change orders with Mr. Gross and recommends approval this evening.

On the motion of Mr. Scipione, seconded by Mr. Genzano, the Board of Supervisors unanimously approved the following change orders: E-9 D. J. Adams; 28 Klipper Construction; HV-1 TMI Commercial; and P-1 TMI Commercial. Mr. Orlando asked for public comment. There was no public comment at this time. The Board of Supervisors unanimously approved the change orders.

E. Resolution 2003-6, Chester County Park Facilities Grant March 31, 2003.

Mr. Orlando asked for a motion on Resolution 2003-6. Mr. Genzano expressed his dissatisfaction with the preparation of the grant application by URDC. He stated that he would like the application reviewed by the Parks Advisory Group if they have not already done so. Mr. Orlando said the Resolution must be adopted as it is part of the grant submission. He also stated that the grant must be submitted by March 31, 2003.

Mr. Genzano made a motion, seconded by Mr. Scipione, to approve Resolution 2003-6, Chester County Park Facilities Grant conditioned on further review by the Parks Advisory Group. Mr. Orlando asked for public comment. There was no public comment at this time. The Board of Supervisors unanimously approved Resolution 2003-6.

VII. Public Comment (All Topics)

There was no public comment.

VIII. Payment of Bills.

On the motion of Mr. Genzano, seconded by Mr. Scipione, the bills were unanimously approved for payment.

XV. Adjournment.

On the motion of Mr. Scipione, seconded by Mr. Genzano, the Board of Supervisors unanimously adjourned the meeting.

Respectfully Submitted
Robert Layman
Township Manager