

WESTTOWN TOWNSHIP PLANNING COMMISSION MEETING
Stokes Assembly Hall
1039 Wilmington Pike, Westtown Township
May 21, 2008 - 7:30PM

Present

Commissioners – Whittig, Walter, Adler, Purcell, Lees, and Pomerantz. Also present were Township Engineer Rob Pingar (arrived at 8:45pm), Lighting Consultant Stan Stubbe, 25 guests and those mentioned below.

Call to Order

Chairman Purcell led those present in the Pledge of Allegiance to the Flag and called the meeting to order.

Adoption of Agenda

The Agenda was adopted with the removal of the discussion of Tract 2008-1, the Rustin Pump Station Subdivision plan. This will be placed on the PC Agenda for June 4, 2008. (MP/JL)

Approval of Minutes

The Minutes of the Planning Commission Meeting of April 9, 2008, were approved as submitted (MP/DW). Approved BS, DW, EA, MP, JL. Abstain, RP.

Reports.

Jim Lees reported on the April 21st meeting of the Board of Supervisors. He noted that it was a very short meeting. The Board opened and closed the Conditional Use Hearings for Presby and Crebilly without taking any testimony. The Board also agreed to support of the West Chester Regional Planning Commission's Affordable Housing Study.

Dave Walter reported on the May 6th meeting. He updated the Board on the Commission's review of the Lighting Amendment. The Board asked about enforcement procedures for the light levels and numbers of events and why the School District was interested in lighting. The Board also accepted the Subdivision Plan for the Rustin Pump Station and forwarded it to the Planning Commission for review.

Elaine Adler said that there was no PC member at the May 19th Board Meeting as there was nothing to report. The Board appointed Jeff House, currently an alternate, to fill Kenton Stokes' unexpired term on the Zoning Hearing Board. The Board is also looking for a new alternate for the ZBH

Tribute to Kenton S. Stokes.

Chairman Purcell spoke of Dr. Stokes' long service to Westtown Township on the Planning Commission, as a Supervisor and in the many other positions he had filled. He said his death was a great loss to Westtown Township and the Planning Commission sends its condolences to his family and friends.

Announcements

Elaine Adler reminded PC members that the updates to the codified ordinances have been distributed and should be incorporated in the binders. Those who are using the spiral bound Zoning Ordinance will get a new version in a few weeks.

Chairman Purcell commented on the material received relating to Planning Commission alternates and asked to have this placed on the PC Agenda for June 18th.

Non-agenda Public Comment.

None at this time.

Zoning Amendment – Lighting.

Present were Kevin Campbell, West Chester Area School District (WCASD), Chris Lunardi, Athletic Director for Bayard Rustin High School, Gary Bevilacqua representing the WCUS, and a number of area residents. The

Commission received the latest draft of the proposed amendment as revised by Stan Stubbe dated May 16, 2008. Mr. Stubbe itemized the changes made as a result of the discussions at the April 9th meeting.

Chairman Purcell noted that the PC seemed in agreement on the revisions to 1514.D.(5).(a) and (b) of the draft, and asked for comments on 1514.D.(5) (c) adding that he found the proposed alternative language acceptable. Mr. Stubbe explained that the higher poles actually had the potential for less impact at night although they would be more visible during the day. The greater height is recommended for certain sports. Mr. Purcell noted that there was the possibility for adjustable height mounting and that the 85' height would require a Special Exception. Kevin Campbell suggested re-wording the alternate language to read "the higher mounting height is essential to meet *or improve upon* the other requirements..". He elaborated on potential advantages of the greater height and assured the Commission that the exact physical characteristics of the site would be considered in lighting design and that the neighbors would be a part of the process. According to Mr. Campbell, if the school installed variable height lighting, it could be raised in the fall, lowered in the winter, raised again in the spring and lowered in the summer.

Mr. Pomerantz asked Mr. Campbell what school facilities were available for use by the school neighbors insurance. Mr. Campbell responded that at Rustin the walking paths and most of the fields were available to the general public. The tract is not due to problems with inappropriate use. Use by organized groups is separately regulated and requires permits and proof of insurance.

PC then discussed 1514.D.(5) (c) [6], the number of lighted events to be permitted. Mr. Campbell indicated that the current high school schedule has 17 night events in the fall and another 17 in the spring. He indicated that allowing 40 events gives the schools some flexibility. Following discussion of starting with a lesser number of permitted events as proposed by some PC members, the majority of the Commission indicated 40 would be the recommendation. Following discussion of the number of events per week, the PC indicated acceptance of Alternative 3 in the draft with a maximum of three events per weeks and the removal of the words "non-contiguous".

PC discussed 1514.D.(5).(c) [8] concerning footcandles 3 feet above the playing surface. The draft says 30, Mr. Campbell said the school district contends that 50 footcandles are recommended for the type of facility existing at Rustin. Mr. Stubbe and Mr. Campbell are using the same IESNA Standards but referring to a different type of facility. It was decided that the Ordinance should reference the IESNA standards for Class 2 Play rather than a specific number.

Mr. Pomerantz said that it was clear that lighting the fields would produce more traffic and argued that the Planning Commission had some responsibility to address this issue. He asked Mr. Campbell to explain what the WCASD was doing to enforce parking regulations. Mr. Campbell indicated that the District hired police to manage parking for larger events. There are 732 parking spaces on the Rustin campus. Mr. Purcell noted that the new section of Dunning Drive had not been dedicated as the Township had identified problems that needed to be corrected first. The Township cannot enforce parking regulations on this section although the WCASD can. Residents attending the Commission meetings have been very vocal about the parking issues both on the undedicated section of Dunning Drive and on the older section which is a township road.

PC confirmed that the intent of the amendment was to permit lights to be used on only one field of any given campus at a time even though more than field may be equipped with lights.

Included in the draft were specifics of the permit application for temporary lighting. It was noted that the requirement for a permit should be in the Ordinance, but the exact requirements were basically an administrative matter and should not be included.

PC discussed the temporary lights and confirmed that an application, signed by the proper legal representative of the property owner, and containing adequate information for the Township administration to issue the permit must be submitted. The applicant will be responsible for monitoring use of field lighting and reporting same to the Township. The same limitations as to number of events will apply to the temporary lighting as to the permanent lighting (40 events per year). The schedule of lighted events and the number per week will be determined as part of the application process.

Public Comment

Russ Hatton, Kilduff Circle. Re: 1514.D.(5)(c)[2], Mr. Hatton asked why these revisions were necessary as they opened the door for higher, more visible lighting structures. Re: 1514.D.(5)(c)[4], Mr. Hatton asked for clarification of the 1,800' radius. PC said this is measured from the edge of the field. Mr. Hatton also asked if all Rustin lighting would "an exception". PC explained that Rustin needed a modification of its original Special Exception to have any field lighting. All athletic field lighting in the Township, if this amendment is adopted, would require a Special Exception, and if the greater fixture height was requested, that too would be a part of the Special Exception. If a Special Exception applicant requested lighting not in conformance with the Ordinance provisions, that would require approval of a variance in addition to the Special Exception. Re: 1514.D.(5)(c) [6] Mr. Hatton said that the school district has scheduled more than 40 night events, and suggested starting at 30 events instead of 40. Re: 1514.D.(5)(c)[8], Mr. Hatton noted that the draft ordinance indicated a maximum of 30 footcandles for certain sports, but did not address other sports being considered.

Joyce Jaszinski, 1003 Dunning Drive. Mrs. Jaszinski asked if attendance reached capacity it would seem there could be 15,000 people per week at the lighted, night events. She also asked for clarification of the intent of the various ordinance provisions which was provided by Chairman Purcell. Mrs. Jaszinski related some of the parking problems experienced by the Dunning Drive residents, and asked the Commission to proceed slowly and carefully.

Linda Graham, Dunning Drive. Mrs. Graham spoke of the parking problems on Dunning Drive, and asked about the parking available on the school campus. She believes that lights on the fields will increase attendance and therefore aggravate the parking situation on Dunning Drive. Dunning Drive is closer to the playing fields than the stadium parking lot. She further stated that the Board of Supervisors has said the Township cannot enforce parking regulations until the road is dedicated.

Walter Pavelchek, S. New St. Mr. Pavelchek asked if this would allow 40 temporary lighted events and 40 events with permanent lighting. PC indicated this was not the intend and requested the draft be revised to eliminate any confusion on this point.

Mr. Pomerantz again asked that, in the interest of being a good neighbor, the WSACD consider opening more of the facilities, particularly at Rustin, for public use. Mr. Campbell explained the District's policy on field use and noted that use of the tract was not permitted due to vandalism issues. Mr. Purcell said this goes beyond the scope of the ordinance amendment currently under discussion and suggested that the Commission might include a reference to this issue in its recommendation to the Board. This issue can be part of the PC representative's report to the Board as well.

Mr. Purcell asked Mr. Stubbe to provide a new draft for the PC's consideration at the June 4th meeting. The draft will be posted on the Township's website in advance of the meeting.

Zoning Amendment, A/C District – Special Use Overlay.

Present were Attorney Michael Sheering and Engineer Keith Lieberman representing Presby Homes.

Chairman Purcell announced that the PC has received a memo from John Snook of the Brandywine Conservancy dated 5/21/2008 commenting on the draft amendment dated 3/19/2008 prepared by the Presby/Crebilly group. Copies had been provided to the interested parties. Mr. Snook's memo indicates that he finds the suggested modifications acceptable except as follows:

1. 170-503.C(3). Mr. Snook does not recommend deleting the references to trails as proposed in the Presby draft.
2. 170-1303.C(2). Mr. Snook agrees with the proposed change to permit temporary sales facilities, but recommends different wording.
3. 170-1304.F. Mr. Snook cautions against deleting the provision for recreational dedication.
4. 170-1304.H. Mr. Snook suggests consulting the Township Engineer on this stormwater management issue.

Mr. Sheering asked if the Planning Commission would consider making a recommendation to the Board tonight on the proposed modifications to the amendment because of scheduling and advertising requirements.

Mr. Purcell noted that the Snook memo had only been received today and that the Commission and the Township Engineer have not had time to study in detail. In the following discussion, the Commission members indicated agreement with Mr. Snook on points 1 and 3. The PC also agreed with Mr. Snook recommended wording for point 2. 170-1304.H (point 4) will be reworded as suggested by the Township Engineer.

Motion (MP/JL) – The Planning Commission recommends that the Board accept the changes in the draft Zoning Ordinance Amendment for the A/C District as proposed in the March 18, 2008 revised draft submitted by the Presby/Crebilly group with the exceptions noted below. The revised draft was reviewed by the Planning Commission and by John Snook of the Brandywine Conservancy in his memo dated May 21, 2008. The Commission does not recommend accepting the following proposed changes:

170-503.C.(3) relating to trails.

170-1304.F – relating to recreational dedication.

The Commission recommends accepting the revision to 170-1303.C(2) with the following wording:

“Temporary sales facilities, where permitted under otherwise applicable regulation, may be exempted from the Tract Perimeter Setback provision, where approved by the Board as a condition of conditional use approval.”

The Commission recommends accepting the revision to 170-1304.H with the following wording:

A coordinated system for stormwater management shall be provided for the entire development, consistent with all applicable regulations. Stormwater management facilities shall be designed to optimize the capture of stormwater at the sources of generation, maximize recharge to the subsurface groundwater system, minimize discharge to surface water flow, minimize disturbance and maximize incorporation of Best Management Practices (BMPs) such as those promulgated by the Pennsylvania Department of Environmental Protection.

Motion Approved.

Public Comment.

Walt Pavelchek, S. New St.

Adjournment. 10:55PM (MP/EA)

Elaine L. Adler
Planning Commission Secretary