

WESTTOWN TOWNSHIP PLANNING COMMISSION MEETING
Stokes Assembly Hall
1039 Wilmington Pike, Westtown Township
October 22, 2008 - 7:30PM

Present

Commissioners – Whittig, Walter, Adler, Lees, Flynn, and Pomerantz. Also present were Township Manager Bob Layman, Township Engineer Rob Pingar, 27 guests, and those mentioned below.

Call to Order

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

Adoption of Agenda

The Agenda was adopted as presented (KF/BW)

Approval of Minutes

The Minutes of the Planning Commission Meeting of September 3, 2008, were approved as submitted (DW/KF). Unanimously approved. (The Planning Commission meetings scheduled for September 17th and October 8th were canceled.)

Reports.

Elaine Adler reported on the Board's September 15th meeting. The Board adopted the Zoning Ordinance Amendment for the A/C District creating the Special Use Overlay. The Conditional Use Hearings for Presby Homes and Crebilly were continued to September 22, 2008. At the Conditional Use Hearing for Westminster Presbyterian Church the Board granted the requested Conditional Use for a temporary structure with conditions.

Ms. Adler also reported on the Board's meeting on September 22nd, at which the Board approved the requested Conditional Use for Presby Homes and for the Crebilly tract.

Brent Whitig reported on the October 6th meeting of the Board of Supervisors. The Board awarded contracts for road salt and snow and ice removal. The Supervisors also agreed to an extension of the time period for the Conditional Use Approval for the Fair Share Properties project.

Jim Lees reported on the October 20th Board meeting. He noted that there was a resident present urging adoption of the pending amendment to the lighting section of the Zoning Ordinance. The Board is considering some changes to the draft forwarded by the Planning Commission. The Board tabled the dedication of the sewer easement on the Mears property as there are still unresolved issues. There were a number of residents present to register their objections to an apartment building on Route 352 which is the subject of an application to the Zoning Hearing Board. The Board is opposed to granting the requested variance.

Announcements

Elaine Adler announced that PA DCEC will hold a workshop on Subdivision and Land Development ordinances on December 4, 2008, in West Chester. Anyone interested in attending should contact the office.

She also announced the Westminster Presbyterian Church had withdrawn its request for the Conditional Use approval to erect a tent in the church courtyard.

Non-agenda Public Comment.

Stephen Levasseur, of 129 E. Street Road, asked about possible widening of Street Road because he had noticed surveyors and pavement markings along 926 near 202. PC does not have any information on current projects on East Street Road although it was suggested that it might be related to the CMX surveyors working on the Presby project. PC suggested Mr. Levasseur talk to the Township Manager.

Dick Pomerantz, 1005 Robin Drive, made a comment directed at Kevin Campbell who was present representing the West Chester Area School District (WCASD). He reported that school buses are consistently speeding, about 45 mph, on Robin Drive at about 3:20PM every afternoon. The buses are heading from Johnnys Way to Shady Grove Way.

Jack Whoriskey, 1117 Butternut Road, asked the Township to place a "No Right on Red" for southbound 352 at the 926 intersection. He cited many accidents due to very limited visibility to the east. PC will relay the request to the Township Manager.

Tract 2008-1, Rustin Pump Station.

Present for the WCASD were Attorney Ross Unruh and Kevin Campbell. Mr. Unruh distributed copies of the Steckbeck letter dated 10/21/2008 in response to the McCormick Taylor letter of August 18, 2008. Rob Pingar, Township Engineer, has not yet had the opportunity to review the Steckbeck letter and attached plan.

Mr. Unruh reported that Robert Adams, Township Solicitor, had advised that the current lot configuration, despite its non-conforming aspects, was acceptable to the Township. He also said that easements to reflect the as-built conditions were being prepared. Mr. Unruh explained that SEPTA was unwilling to provide the 20 foot easements for the sewer lines requested by Westtown Township, but did have a procedure in place which would allow access where necessary to work on these lines. He further stated that WCASD anticipated that SEPTA would agree to moving the lot line so that the pump station was entirely on the new lot and to the proposed new easements.

Regarding the utility poles and lines, Mr. Unruh indicated that WCASD has requested their removal, but that was up to the utility. He asked for the Township's assistance in moving this forward. He then indicated that the remainder of the comments are basically engineering issues and asked for a recommendation of approval.

Mr. Pingar agreed that the issues appear minor, but would prefer not to sign off on the plan without further review. PC prefers that the Township Engineer complete his review before a recommendation is made and requested that WCASD return to the PC on November 4th. This will require an extension of the review period which currently expires on November 3, 2008, the date of the next Board meeting. Mr. Campbell gave a verbal agreement to the extension request and will follow up with a formal letter.

Public Comment.

Steven Levasseur, 129 E. Street Rd, requested that Township hold the school district responsible for completing the landscaping agreed upon, specifically around the tennis courts. He also mentioned parking issues on Dunning Drive.

Stephanie (name not clear on tape), East Pleasant Grove Rd., said she recently became aware of the Dunning Drive situation and asked what the WCASD was doing to resolve the situation..

Kevin Campbell responded that there are some problems relating to Shiloh Road and that a meeting is scheduled with the contractor, the Township and WCASD to resolve these issues. The roads will then be dedicated. As far as parking on Dunning Drive, Mr. Campbell said he has worked out a system with residents who have been most cooperative. Mr. Campbell will inspect the landscaping to determine if there are any remaining issues.

Variance Application, 67-3-125.40, Zippi.

This application for a use variance will be heard by the Zoning Hearing Board on Tuesday, October 28, 2008. Mr. Zippi proposes to build an eight unit apartment building on an R-1 lot located at 1020 South Chester Road. The application has been distributed to the Planning Commission and the Board of Supervisors for comment as required by the Westtown Township Zoning Ordinance. Mr. Lees asked the PC for comments on the zoning issues involved in this application.

Martha Coyle, Butternut Road, spoke on behalf of 27 residents present who disapprove of the idea of an apartment building at this location. This group also attended the Board meeting on October 20th. Ms. Coyle summarized the issues as setbacks, traffic, environmental impact, and enforcement.

Motion (KF/DW), Based on lack of information, the Planning Commission cannot see any reason for favoring this application. PC will send a letter to the ZHB enumerating its concerns as follows:

1. Access to this property is extremely difficult because of the slope and the existence of the gas pipeline on the South Chester Road frontage.
2. An eight-unit apartment building would generate considerably more traffic than a single family dwelling on this already hazardous section of South Chester Road.
3. There is no public sewer available for the proposed apartment.
4. The setbacks as shown on the plan are those intended for a single family dwelling, not an apartment building where such is permitted by the Westtown Zoning Ordinance. .
5. Apartment use (where permitted by Ordinance) requires a buffer when adjacent to single family residential district.
6. This area is characterized by single family homes.

Public Comment.

Martin Goch, 1108 S. Chester Road. Mr. Goch noted that there was a stream on the property, partially piped, which made access more difficult and limited the area available for building. He also commented that there were many accidents in this section of South Chester Road and emphasized that it was an area of single family homes.

Unanimously approved.

Public Comment.

None at this time.

Adjournment. 8:35PM (EA/DW)

Elaine L. Adler
Planning Commission Secretary