

**WESTTOWN TOWNSHIP PLANNING COMMISSION MEETING**  
**Stokes Assembly Hall**  
**1039 Wilmington Pike, Westtown Township**  
**December 3, 2008 - 7:30PM**

**Present**

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

**Call to Order**

Vice Chair 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 November 19, 2008, were approved as submitted (BW/DW). Unanimously approved.

**Reports.**

Elaine Adler reported on the Board of Supervisors meeting of December 1st. There were two items on the Board Agenda which affect the Planning Commission. The first was acceptance of the Preliminary Land Development Plan for Tract 2008, Fair Share Properties. This is the plan for a bank and office building on the 202 frontage of the Arborview Tract. The Conditional Use application for this project was approved last year. The Board accepted the plan and referred it to the Planning Commission for review. The second item is a sketch plan for the property at 1015 Shiloh Road. Fred Tordone proposes subdividing this 2+ acre tract into two lots. This item is on the PC agenda for tonight. This property cannot be subdivided without creating what appears to be an interior lot. There is some confusion between the Subdivision and Land Development Ordinance and the Zoning Ordinance on the subject of interior or flag lots which may require waiver for this plan. Mr. Tordone presented two possible lot configurations. The Board indicated a preference for the alternate design.

The Board will adopt the 2009 Township Budget at the December 15<sup>th</sup> meeting. It appears that there will be no tax increase but there will be a modest increase in the sewer and trash rates. Westtown is in the second year of the trash contract and the hauler's rates will increase.

**Announcements**

Ms. Adler also reminded PC members of the invitation to the Environmental Management's Center program on December 11<sup>th</sup>.

Rob Pingar reported on his inquiries as to the status of several pending projects. He has not been able to reach anyone from Swiss Farms. Sue Bratton of Wawa stated that Wawa had a policy of not proceeding with construction until all permits are approved. Apparently there is a PennDOT issue concerning pedestrian access at the West Chester Pike site which has not been resolved. It is unlikely that this project will begin in 2009.

**Non-agenda Public Comment.** None at this time.

**Tract 2008-10, Tordone, 1015 Shiloh Road.**

Present was Fred Tordone. PC received copies of two sketch plans for this tract. Mr. Tordone reported that the Board preferred the alternate lot configuration where the lot lines extending to the rear lot are not parallel. He said that the intention was to demolish the existing house and build two new houses. Public water is available; both lots will have on-site septic. There are fire hydrants located on Shiloh Road at Kilduff Circle and Hunt Drive. The new structures will both be oriented to face south. He proposes a common drive located for best sight distance on Shiloh Road. Storm Water calculations will be presented.

The PC members did not object to the proposed lot configuration and required waiver. Mr. Tordone will prepare a subdivision plan.

Public Comment. Russ Hatton, Kilduff Circle. Mr. Hatton asked about possible drainage onto his property at Shiloh and Kilduff. Mr. Pingar said he appeared that any runoff would go south, not onto Shiloh Road.

**Tract 2008-4, Loew Associates-Land Development and Conditional Use Application**

Present were Tim Townes representing Loew Associates and Engineer Andy Eberwein of E. B. Walsh. The Planning Commission received the McCormick Taylor review letter dated 11/26/2008 and the Chester County Planning Commission's review letter dated 12/4/2008. Also present was Attorney Art Sagnor, representing St. Maximilian Kolbe which is adjacent to the Loew tract.

Mr. Townes said that the applicant was investigating the issue raised in the McCormick Taylor letter relating to measuring setbacks from the legal right-of-way and the ultimate right-of-way. No plans revisions have been made as of this time. According to Mr. Townes, the building shown on the plan complies with either criteria, but the parking does not. If the parking setback is measured from the ultimate right-of-way, 47 parking spaces are eliminated. While there are presently some excess spaces, the building would probably have to be made smaller if they are required to measure from the ultimate right-of-way.

The driveway access on East Pleasant Grove Road is 260 from the Route 202 intersection which does not meet the requirements of the Zoning Ordinance, however, the applicant believes that this is the preferred location. Mr. Pingar agreed this may be the best location, but noted it will require relief from Zoning Ordinance requirements.

Mr. Eberwein noted that the Township Engineer has reservations relating to the proposed storm water management. He believes his proposed method is feasible, but argues that this does not need to be settled at the Conditional Use stage. He assured the Commission that he would come to an agreement with the Township Engineer. Mr. Eberwein also believes that the major issue is the setback question. He feels that once this was resolved, the other items in the McCormick Taylor can be addressed.

Mr. Townes asked the Township to schedule a Conditional Use Hearing so that the applicant could discuss the right-of-way issue with the Board of Supervisors. Mr. Eberwein indicated that he would work on some of the other issues in the McCormick Taylor letter.

Mr. Pingar asked about the 50 foot access easement shown on the north side of the property. Mr. Sagnor indicated this had been created when St. Maximilian Kolbe transferred the strip of land on the north side of the Loew tract to Westtown Township. Westtown Township had requested the easement with the idea of shared parking between St. Max and the Township. He indicated that St. Maximilian was not in favor. The engineers confirmed that the existing grades would make use of this easement extremely difficult. According to Mr. Sagnor, the easement exists only on the plan, there are no other agreements or documents recorded.

The Commission will suggest Westtown schedule the Conditional Use Hearing to resolve the right-of-way question.

**Tract 2008-6, Fair Share.**

The Planning Commission received the Preliminary Plans for this Land Development of a bank and office building. Rob Pingar will prepare a review for the Planning Commission meeting on January 21, 2009.

Public Comment. None at this time.

Adjournment. 9:10PM (KF/EA)

Elaine L. Adler  
Planning Commission Secretary