

**WESTTOWN TOWNSHIP PLANNING COMMISSION MEETING**  
**Dunning Meeting Room, Oakbourne Park**  
**1014 South Concord Road, Westtown Township**  
**January 17, 2007 - 7:30PM**

**Present:** Commissioners House, Lees, Adler, Purcell, and Pomerantz. Mr. Flynn arrived during the discussion of Tract 2007-1. Also present were Township Supervisors Carol R. DeWolf and Thomas Foster, Township Manager Robert Layman, Township Solicitor Robert F. Adams, Township Engineer Robert Pingar, eleven guests, and those mentioned below.

**Call to Order.** Vice Chair 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 addition of the Role of the Planning Commission and reports on the Crebilly Site Visit on January 20<sup>th</sup> and the Zoning Amendment discussion on January 16<sup>th</sup>.

**Approval of Minutes.** The minutes of the meeting of January 3, 2007, were approved as amended by additions to Mr. Kalemjian's remarks relating to restriction against further subdivision (MP/RP).

**Announcements.** Referring to the scheduled of Board meeting coverage which has been distributed, Mrs. Adler asked any PC member who could not attend the assigned meeting advise her as soon as possible.

**Reports.** Elaine Adler reported on the January 16<sup>th</sup> staff meeting relating to the Zoning Amendment which was attended by Bob Layman, Elaine Adler, and consultants Adams and Snook. PC Chairman Kevin Flynn was also present. As a result of the presentation by Presby Homes and the resulting discussion at the PC meeting January 3<sup>rd</sup>, the staff/consultant committee suggested that John Snook prepare a chart comparing the requirements of the draft zoning amendment to the plans presented by the Presby group at the January 3<sup>rd</sup> meeting as a discussion tool for the Planning Commission. Since the concept of an overlay or new zoning district had also been mentioned at the January 3<sup>rd</sup> meeting, Mr. Snook was asked to provide some material on that topic. Such staff meetings are typically scheduled to provide resource material for township commissions and committees. This meeting was discussed on January 3<sup>rd</sup> following the PC meeting. Mr. Flynn asked to be notified. Several other PC members indicated they would like to have been notified as well. Mr. House questioned the process and expressed concern that this meeting resulted in public representations being made that were not the result of a Planning Commission decision. Acknowledging the value of such work sessions, he argued that all Commission members should have been given the opportunity to decide whether or not they would participate. Mr. Pomerantz stated that he felt the PC should have the opportunity to schedule its own work session. Mr. House and Mr. Pomerantz feel that all viewpoints may not be expressed at such meetings and in the resulting documents. Mr. Purcell said that the PC now had the opportunity to explore the options.

Mark Purcell reported on the Site Visit to the Crebilly Tract attended by Commissioners Flynn, Purcell, House, Adler, and Pomerantz. The Commission expressed its thanks to Craig Kalemjian who coordinated the tour and to Messrs. Jaros, Kelly, and Lieberman who attended and provided information.

Dick Pomerantz reported on the January 16, 2007 regular meeting of the Board. A number of appointments were announced. He noted some question about the sewer consultants procedures relating to appointments with residents and a problem with Comcast and Verizon. The new appointment to the Planning Commission was not announced.

Mr. House asked for clarification from the Planning Commission By Laws on the issue of a tie vote since the Commission presently has an even number of members. According to the By Laws, a tie vote fails.

Jim Lees said that he, Kevin Flynn and Bob Layman attended the Chester County Planning Commission breakfast on January 8<sup>th</sup> which he characterized as a useful session. He reported that additional information will be forthcoming from CCPC.

**Non Agenda Public Comment.** None at this time.

**Tract 2007-1, Wawa, West Chester Pike.** Present were Attorney Joseph Brion, Sue Bratton and Greg Harvey from Wawa, and Ronald Klos from Bohler Engineering. PC received a Concept Plan dated 12/29/2006 and an existing conditions plan. Wawa proposed to re-develop the current car dealership site at West Chester Pike and Manley Road into a 3,400 square foot convenience store with 12 pumps for retail gasoline sales. According to Mr. Brion, the site does not require any variances or ordinance relief. Mr. Brion stated that the proposed development reduced the amount of impervious cover on the site. He also indicated that an enhanced landscaping plan would be provided. One entrance is shown on West Chester Pike, directly across the Market Place Shopping Center access. This would be a 4-way intersection with a traffic light. On this plan a Manley Road entrance is shown opposite the West Chester Pike access, however, Mr. Brion indicated that the Township staff had questioned this location because of the interior circulation pattern and the apartment development across Manley Road in East Goshen Township. A traffic study is in progress and redesign of Manley Road access is being considered.

Mr. Pomerantz asked about store hours, the proximity of residential properties, and the proposed lighting. Mr. Brion said that the store would operate 24/7, but referred the PC members to the Wawa at Greenhill Road and Pottstown Pike for a store of similar size and lighting and emphasized that the Wawa lighting is far less than that of the prior dealership. Mr. House asked about the impact of headlights from cars exiting on Manley Road. Mr. Brion said that this would be considered further when the traffic study is complete and explained the differences between the existing lights and those Wawa would install. He emphasized that Wawa is accustomed to sites in the vicinity of residential properties. Mr. Pomerantz also asked the impact of the Wawa on the adjacent residential properties and specifically about crime statistics at Wawa facilities. Ms. Bratton responded that Wawa policies were designed to discourage criminal activities. Mr. Purcell suggested some other traffic issues to be incorporated in the traffic study. PC asked for figures on the number of cars to be expected each day, and the type and timing of deliveries. Ms. Bratton indicated there would be a dedicated loading zone but deliveries were scheduled as needed rather than on a fixed schedule. Wawa will provide data on the number of customers per day at similar facilities. PC also asked for the ratio of "destination" vs. "impulse" customers and how this affects the validity of the traffic study. The Commission will also look for an extensive landscaping plan perhaps including berming.

Mr. Brion stated that Wawa was requesting a 40 sq. ft pylon sign on West Chester Pike in order to include the gasoline pricing information as required by Pennsylvania State Law. This will require a variance from the Zoning Hearing Board. Wawa also proposes a 25 sq. ft sign on Manley Road. The wall signs on the building meet the zoning requirements.

Mr. Pingar asked the status of the retaining wall along the eastern side of the site. Mr. Brion indicated the wall was part of the adjacent office-condo project. Mr. Pingar also suggested the proposed left turn into the site from eastbound West Chester Pike was not necessary as this traffic could turn left onto Manley Road and enter that way. Ms. Bratton indicated this would be re-examined following the traffic study.

In summary, Mr. Purcell stated that the PC was interested in the traffic study, increased traffic light coordination along West Chester Pike, lighting issues, pedestrian access, Manley Road impact, and signs. The Commission also asked Mr. Brion to advise East Goshen Township of this plan.

**Role of the Planning Commission.** Mr. Pomerantz read a prepared statement (see attached) expanding on his position that the Commission should be exploring matters in great detail and asking questions relating to all aspects of the matters before it. Mr. Purcell thanked him for his remarks and

elaborated on the Commission's role as an advisory body. Mr. House commented that the PC had a greater opportunity to explore all aspects of a proposal than did the Supervisors. While it sometimes appears that the Commission dwells on minutia, he observed that if the detail is not considered by the PC it does not get into the record. Mr. Pomerantz was concerned that PC members were prepared to push through action on the Zoning Amendment. Mr. Purcell responded emphasizing that the Commission has spent long hours studying the proposed amendment and conducted many detailed deliberations over the course of the last three years. He believes the matter has been considered in detail, and that it is time to bring the process to an end. Mr. Flynn stated that the zoning amendment is one process, the Conditional Use review is another. Certain matters, he believes, are more appropriately addressed during the Conditional Use review phase. He also argued that making the ordinance and the process overly restrictive did not benefit the Township since it eliminated flexibility.

Mr. Pomerantz raised the issue of a citizen complaint which was expressed at the PC meeting. He felt the Commission had tried to refer the complaint elsewhere and was not ready to use the opportunity to achieve improvement for the resident. Mr. House agreed that, within reason, the Commission should use its position for the benefit of the residents.

There was a general discussion of the issue of a hotel as a new use in the zoning ordinance. Several PC members question the Board's direction to eliminate this use.

Carol DeWolf, 1033 S. New Street. Ms. DeWolf stated that the Board had not directed the PC to take any action, only suggested the Commission develop a consensus. The Board is keeping abreast of the process and providing some feedback. She emphasized that the Board hoped the Commission would continue to work steadily through the process. There was a general discussion of the significance of the Board's August 2006 memo as it related to the hotel issue.

**Zoning Ordinance Amendment.** Mr. Purcell suggested moving the discussion on to the "new issues", specifically the question of an overlay or new district where the CCRC would be permitted. The proposal in the current Brandywine Conservancy memo would be to create this district or overlay on the land extending east from the proposed western Presby boundary line to Route 202, and perhaps including both the Westminster tract and the out-parcels.

At the PC request, Solicitor Adams described the "overlay" concept. He noted that the availability of the plans recently provided by Presby and the Robinson family had made it easier to consider zoning for this tract. An overlay does not change the base zoning; it does provide flexibility for the owner and the Township. In this case, it would leave the balance of the Crebilly tract as A/C which has an accepted set of uses. It is also possible to remove some of the current A/C uses or to put in some radius or distance requirements if those uses are considered incompatible with the overlay uses. Mr. Adams noted that the Township must consider the impact on all the properties involved, but he believed the overlay would be appropriate. He suggested use of the overlay technique made it easier to control the uses which would access the parallel road.

Mr. Snook concurred that the Presby plan had made the process easier. He also emphasized that the Township could also change the location of the overlay at any future time. He suggested that Westtown should not actually place the western boundary of the overlay until the Presby plan is further along. He and Mr. Adams spoke of the advantages of proceeding with both the Conditional Use and Zoning Amendment at same time. Mr. Adams indicated that either an overlay or a new district would work and suggested that the PC concentrate on the uses to be permitted. Mr. Snook agreed, calling this a "packaging issue".

Mr. Purcell suggested proceeding with consideration of the January 16<sup>th</sup> Brandywine Conservancy memo, in particular the chart on page 2. Mr. Snook explained that the first column represented the current amendment regulations, the second was based on an analysis of the concept plan, and the third on the standards suggested by the Presby/Crebilly group. Craig Kalemjian, representing the Robinson family, asked for a copy of the memo. Mr. House stated that since skilled nursing was not a component of the concept plan, he did not find the analysis valid. Mr. Pomerantz advised that he had been told informally

that the Presby group was likely to revise their concept to include skilled nursing. PC members agreed that skilled nursing, on site, was required by Westtown's interpretation of CCRC, and that a portion of the skilled nursing beds should be required from the beginning. There was no expressed objection to allowing use of the nursing beds by non-residents of the community.

It appears that the density proposed by the concept plan would conform to the Township's original density proposal if the base area for the calculation is the entire proposed CCRC tract, including the land involved in the parallel road and based on the "gross area" rather than the "net area". The concept plan "building coverage" conforms to the current draft amendment. The Commission did not express an objection to the number of units shown on the concept plan. Of greater concern to the PC members were the issues of building height and building length. It was observed that the larger buildings were set back a considerable distance from existing roads which mitigated their impact. Mr. Snook again suggested requiring some variation in height and façade on the buildings. PC expressed concern with the mass of five story buildings which were five or six hundred feet long. Mr. House commented that the one-story connections between buildings were usually the least pleasing component from an architectural point of view.

As a result of the discussion, Mr. Snook will prepare a new draft retaining the current density calculation, applied to the entirety of the tract, retaining the building coverage and density cap. Building length and height will be extended provided there is significant minimum articulation of both height and façade.

There was a discussion of the setbacks, particularly from interior streets. Mr. Pingar suggested larger setbacks facilitated installation of utilities and storm water management. Mr. Snook observed that in the area of independent cottages, smaller setbacks encouraged the village concept. He finds the proposed Presby setbacks acceptable. There was agreement on larger setbacks from the larger buildings. Mr. Purcell indicated a concern with the suggested smaller setbacks. Mr. Snook said setbacks in the cottage area would be measured from the edge of right-of-way which would allow ample room for parking in the individual driveways. Presby proposes these as private roads which the SALDO requires be built to township standards. Mr. Adams advised that the Board does have some leeway in granting waivers to the area and bulk regulations in the course of the Conditional Use procedure. Mr. Snook suggested wording specifying that the setback be measured from the curb or the sidewalk if applicable.

Mr. Snook was asked to prepare a revised draft.

PC will advertise a Special Meeting for Wednesday, January 24, 2007, to continue the discussion of the draft amendment.

**Public Comment.** None at this time.

**Adjournment.** 11:05PM (MP/JL)

Elaine L. Adler  
Planning Commission Secretary