

**WESTTOWN TOWNSHIP PLANNING COMMISSION MEETING**  
**Stokes Assembly Hall**  
**1039 Wilmington Pike, Westtown Township**  
**May 9, 2007 - 7:30PM**

**Present:** Commissioners Walters, Adler, Flynn (arrived at 7:40PM), Purcell, and Lees. Also present were Township Manager Robert Layman, Township Engineer Rob Pingar, five guests, and those mentioned below.

**Call to Order.** Vice 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 as presented.

**Approval of Minutes.** The Minutes of the Planning Commission Meeting of April 18, 2007, were approved as submitted (JL/MP).

**Announcements.** Elaine Adler announced the Brandywine Conservancy/Environmental Management Center Stormwater Management Program on May 31<sup>st</sup>, a 202 Executive Committee meeting in King of Prussia on June 1<sup>st</sup>, and seminars on Duties of a Planning Commission and Zoning Issues on June 1<sup>st</sup> and 5<sup>th</sup> respectively. Kevin Flynn will attend the 202 meeting in King of Prussia.

**Reports.** Elaine Adler reported on the May 7th Board Meeting. The Board's Agenda included an item proposing the rezoning of the old township building tract to C-1. This property will be advertised for sale again soon. The brief discussion indicated that the Board was not specifically suggesting the current C-1 uses, but was concerned that there are attractive potential uses for the land. The Supervisors referred the issue to the Planning Commission for suggestions.

Bob Layman reported on the 202 Corridor meeting which was primarily concerned with zoning and the official township map. He also announced that the Board has scheduled the Conditional Use Hearing for Tract 2007-2, Fair Share Properties, for Monday, May 21<sup>st</sup>.

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

**Tract 2007-1, Wawa.** PC received Chester County Planning Commission review letter dated May 4, 2007, McCormick Taylor (Pingar) review letter dated May 3, 2007, and McCormick Taylor (Federico) traffic review letter dated May 9, 2007. Present for the developer were Michael Gill, Attorney, Sue Bratton from Wawa, Ronald Klos from Bohler Engineering, and Matt Hammond, Traffic Engineer.

Mr. Gill indicated that most of the McCormick Taylor May 3<sup>rd</sup> letter items were "will comply". Signage will be discussed with the Zoning Officer, as suggested. The applicant is awaiting the Township Fire Marshal's comments. Mr. Klos addressed the items that required discussion. Comment 12 deals with sidewalks. Mr. Pingar noted that there is a set of steps leading from the adjacent office complex which is not accommodated by the Wawa proposed landscaping. Ms. Bratton said that Wawa had strong reservations about placing any crosswalk in a public street as it can give a pedestrian a false sense of security, but agreed that some direction might be provided within the site. It was reported that the new apartment complex under construction was installing a sidewalk along its frontage on Manley Road. PC suggested that access from Treetops apartments should also be provided. Mr. Pingar noted that the new apartment sidewalk could be extended to the Treetop Driveway within the public right of way.

Mr. Klos has discussed the stormwater issues in Comment 13 with Mr. Pingar who has agreed with the proposed design.

Mr. Klos has also discussed Comments 18, 19, and 20 with Mr. Pingar and the Township Road Master. Mr. Pingar wants more input from the Road Master on these issues.

Mr. Pingar suggested (re Comments 24 and 25) that some of the east landscaping be used to better screen the trash enclosure. The applicant agreed. Ms. Bratton described the trash enclosure as an unroofed area with walls matching the store construction, and a locked gate. Trash is placed in the enclosure from inside the store. The gate is only opened when the compacter is emptied. PC suggested considering other gate materials, such as cedar. Ms. Bratton agreed to investigate materials other than chain link fencing.

PC asked if lighting could be reduced after certain hours. Ms. Bratton said that because of safety and liability concerns, Wawa did not reduce lighting, but that the lighting was designed to be sensitive to the neighboring residential areas. PC will request a review by Lighting Consultant, Stan Stubbe.

This Wawa will not have a public phone outside the store.

Mr. Hammond stated that most items in the May 9<sup>th</sup> McCormick Taylor Traffic Memo were "will comply", but asked for clarification of Comment 3. Although PennDOT will accept January traffic counts, the Westtown Ordinance has other requirements. Mr. Federico said that he does not have the authority to waive the Westtown requirements, but that he would find seasonally adjusted counts appropriate if the Board is willing to grant such a waiver. Mr. Hammond suggested that his firm could re-count one of the intersections. If the results were consistent with the seasonally adjusted numbers, a re-count of the remaining intersections would not then be required. PC agreed this was an acceptable approach.

The applicant will request a waiver of the Subdivision Ordinance requirements cited in Comment 9 arguing this is a logical access point on the arterial highway. Mr. Federico and the PC agreed.

Regarding Comment 12, Mr. Hammond agrees with Mr. Federico that the deceleration lane is not consistent with PennDOT standards, but explained this is because of the location of the driveway of the adjacent property. Mr. Federico said he did not object to the deceleration lane as shown provided PennDOT agreed and subject to review of the final design.

There will be further discussion of the traffic signal at the Market Place intersection. Ms. Bratton asked for information on the proposed Swiss Farms development across West Chester Pike when available.

Ms. Bratton indicated a revised plan will be prepared based on the review letters and the discussions with the Planning Commission, the Township consultants, and PennDOT. Wawa will begin construction as soon as all approvals are received. Although submitted as a Preliminary Land Development Plan, Wawa would like to make it a Preliminary/Final.

**Zoning Ordinance – Revision to Lighting Section.** Ms. Adler explained that there are two separate issues. The first is revision of the regulations relating to lighting in residential areas. This results from complaints received by the Township. The proposed revisions deal with changes to the ordinance and suggestions relating to enforcement. The second issue is lighting of sports fields. The Board of Supervisors is concerned about the issue of field lighting and the possibility that field lighting could be ordered by the Courts. In that case, the Township would have no regulations to be applied. The issue is, if field lighting is permitted, how is it best controlled.

The Zoning Hearing Board Decision granting the Special Exception for the school specifically says that any installation of outdoor lighting for evening events shall require application to the Zoning Hearing Board for a modification of the Special Exception. There is no mention of field lighting in the Intergovernmental Agreement between Westtown and the school district, in the Conditional Use Order, or in the Board of Supervisors Resolution granting approval to the plan. The 20 foot height limit in the present ordinance does not apply to "outdoor public recreation facilities".

Mr. Flynn commented that the issue of lighting was actively discussed during the review of the Bayard Rustin Plan and that the school district did not pursue it at that time because it would have complicated and extended the review period. Several PC members do not favor permitting field lighting. Mr. Layman confirmed that there is no prohibition of field lighting in the various agreements other than the Special

Exception Decision. He commented that it appeared the school district was not anxious to pursue the matter of field lighting at this time and noted that this gave the Township time to adopt regulations. The Board is concerned and is interested in pursuing ordinance amendments. Mr. Purcell said that there was a public perception that there would be no lights at Bayard Rustin High School, and this was a separate issue from amending the ordinance to provide standards for field lighting. He is concerned that any Planning Commission recommendation of an ordinance amendment regulating field lighting should include a clear statement that the Commission was not advocating field lighting at the high school, but being proactive in providing reasonable standards should any such field lighting be permitted in the Township.

Ms. Adler will distribute copies of all agreements and decisions to the PC members. The Township Solicitor will be asked to comment on the definition of "outdoor public recreation facilities" and in general on the issue of field lighting.

**Bayard Rustin Sewer Connection.** Mr. Layman updated the Commission on the status of the pump and haul agreement and the force main from the Rustin Pump Station to the sewer plant. The WCASD and Westtown are not in agreement with the school's contractor as to how the existing problems should be corrected.

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

**Adjournment.** 9:55PM (MP/JL)

Elaine L. Adler  
Planning Commission Secretary