

WESTTOWN TOWNSHIP PLANNING COMMISSION MEETING
Stokes Assembly Hall
1039 Wilmington Pike, Westtown Township
October 17, 2007 - 7:30PM

Present

Commissioners Walter, Adler, Flynn, Purcell, Lees, and Pomerantz. Also present were Township Manager Bob Layman, Township Engineer Rob Pingar, one guest, and those mentioned below.

Call to Order

Chairman Flynn 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 submitted.

Approval of Minutes

The Minutes of the Planning Commission Meeting of September 19, 2007, were approved as submitted (MP/JL). Approved – Adler, Purcell, Lees. Abstain – Flynn, Pomerantz. There was no official meeting on October 3rd.

Announcements.

Reports.

Elaine Adler reported on the October 1st Board of Supervisors meeting. The Board continued the Conditional Use Hearing for Tract 2007-3, Juna/Exxon to October 15th. The Hearing for the Zoning Ordinance Amendments was opened and continued indefinitely. The Hearing for the Conditional Use application for Presby Homes was opened. Attorney John Jaros and Sean Kelly presented the introductory information. The Hearing was continued to October 15th. The Conditional Use Plan for Crebilly Farms Cluster Homes was accepted and the Hearing scheduled for November 19th. The Westtown-East Goshen Regional Police 2008 Budget is available for review in the Township Office. The Board also extended the URS Contract for inspection of the Shiloh Road reconstruction work as the discovery of substantial rock in the roadbed has delayed the project.

At the Board meeting on October 15th The Conditional Use Hearing for Tract 2007-3, Juna/Exxon was re-opened and continued to the Board meeting on November 5th. The Board approved the plan for Tract 2007-1, Wawa, with the conditions listed in the Planning Commission September 15th letter of recommendation. Carmen Batavio, East Goshen Supervisor, appeared at the meeting to thank Westtown for its cooperation and consideration in the course of the review of this project. Following the regular meeting, the Presby Homes Hearing was re-opened and the Board heard testimony from the project Architect. The Hearing will continue on November 5th with testimony from Keith Lieberman, the project engineer.

Jim Lees reported on the West Chester Regional Planning Commission. The "Affordable Housing" report has been distributed to PC members. The report emphasized the severity of the problem in Chester County where housing for service workers is often not available and the availability of grants to assist with the development of affordable housing.

Non-agenda Public Comment.

Mark Purcell commented on the conditions at the Jaguar/Land Rover dealership and asked the Township to check into the terms of approval of this project which might control the excessive front yard parking. Elaine Adler will check into the situation.

Dick Pomerantz asked about increased traffic through the Cardinal Drive/Robin Drive neighborhoods from the developments in Thornbury indicating that the Township should expect complaints from residents of those neighborhoods.

Tracy 2000-8, Jefferson Apartment “The Gardens at Westtown”

PC received McCormick Taylor review #2 dated October 17, 2007. Present for the applicant were Frank Murphy and Engineer Bill Wendling from Pennoni. Mr. Wendling said that most of the comments in this letter were technical and that the applicant would comply with all comments except #2 (landscaping) and #9 (street trees) which he would like to discuss. Mr. Pingar agreed.

Township Manager Robert Layman gave a copy of his October 17, 2007 memo to the Planning Commission concerning escrow for landscaping, site improvements and road improvements to the applicant and briefly commented on the condition of the existing loop road.

Mr. Wendling indicated there had been a few minor changes in the landscaping plan which would change the cost figures previously submitted. He suggested that the applicant should submit the actual landscaping bids in order to determine the amount of the difference between the original landscaping costs and the cost of the revised landscaping plan which will be offered to the Township.

Mr. Wendling said that Joseph McCawley, former owner, had indicated that there was an escrow for the street trees. If that is not the case, the applicant will add street trees (seven to fourteen trees) at 100 foot intervals to the plan. Mr. Pingar said that the trees should be shown on the plan regardless of whether or not there is an escrow. Mr. Wendling agreed.

Motion (KF/EA), the Planning Commission recommends that the Board of Supervisors re-approve the plan for Tract 2000-8, the Gardens at Westtown, contingent on compliance with the McCormick Taylor letter of October 17, 2007 and subject to the following conditions:

1. The applicant be given time to secure bids on the landscaping so that the cost of the current landscaping plan can be compared to the previously approved plan in order to determine the amount of the fee to be offered to the Township. (McCormick Taylor comment #2)
2. Street trees will be planted along the loop road either with funds currently held in escrow or paid for by the applicant. (McCormick Taylor comment #9)

Unanimously approved.

Tract 2006-6, Presby Homes – Conditional Use Application.

Present were Attorney John Jaros, Traffic Consultant Marie Pantalone, and Engineer Keith Lieberman.

In response to PC questions, Mr. Lieberman explained that the discrepancy in the number of units listed on various plans and documents was due to the 10 nursing beds mistakenly listed in Phase 2 on one plan. This will be corrected. The proper number of units is 610.

Chairman Flynn began the discussion saying that the Traffic Study describes the total project including both Presby and the other parcels in the proposed SUO District but the impact study deals only with the Presby parcel. He said that the Township had required a Master Plan so the total impact of the proposed development could be considered but this was not possible with the information submitted. He believes that the Township has the responsibility to consider the impact of the total area being considered for re-zoning and that it not logical to consider development of the one parcel, Presby, in isolation. The Traffic Impact study should consider the entire SUO and allocate shares to the various components.

Mr. Jaros responded that his client controlled only 95 acres and could only give projections for possible other segments of the SUO. The other property owners involved would be required to submit their own Conditional Use applications. He further stated that at the beginning of discussions with the Township it was made clear that the Township wanted the connector road. Presby agreed to provide the connector road as its contribution's to the traffic improvements. According to the present studies, the connector road will provide significant improvement in the traffic conditions in this area of the Township. Mr. Jaros said that if the Township is looking for other major improvements from the Makemie project, he would have to convey that to his client. Mr. Flynn responded that it was not possible to identify the total improvements that would be required from the current study so the Presby share could not be determined.

Mr. Lieberman said that the traffic study included the 202 frontage properties in the 2014 calculations. Ms. Pantalone said that the revised traffic study, in accordance with suggestions in Al Federico's memo, will show slightly lower numbers in 2014 which includes all the Robinson tract development. The Orvis tract impact will appear in the 2018 calculations.

Mr. Purcell stated that it appeared the data was available to make the projections of the impact of the total SUO development, but that the Presby study limited itself to the impact of the Makemie plan. He also commented on the value of knowing, before approval of Presby, what would be required for future traffic improvements.

Mr. Pingar commented that he didn't think it acceptable that the SUO development should have no involvement in the 202/926 intersection issue which is generally agreed to be the most significant traffic problem in this area. He also noted that the conditions at the intersection of the connector road and Route 926 would change if the Orvis tract segment of the connector road was not built as was assumed in the study.

Mr. Jaros responded that expanding the Traffic Impact study in the fashion suggested by the Planning Commission would appear to make this a joint Conditional Use application which would identify the total traffic impact, propose traffic improvements, and leave the parties involved to work out who pays for what. He emphasized the challenges of this situation. He believed that the Presby project would be viewed on its own merit and that the Master Plan was intended to clarify uses. He understood that the impacts would be addressed as each project was considered. He now understands that the Planning Commission had other expectations.

There was a general discussion of traffic issues in the immediate area including the 202/926 intersection, the Stetson jughandle, 926 and the connector road, along West Pleasant Grove, and at the 926/S. New Street traffic light and the effect if the various projects (those on the Crebilly tract and Arbor View) are developed in different time frames. Ms. Pantalone explained the difficulty of making any predictions about the 202/926 intersection because PennDOT has not decided on what improvements are to be made or when. PC asked what might be done to improve matters without the long term PennDOT improvements.

Mr. Snook suggested that if the Presby study could show the incremental difference in the impact of the various projects it could be determined how they will affect the connector roads, and show, for instance, that Crebilly might have to provide additional right of way along the entire stretch of 926 from 202 to the connector road, etc. He also observed that the Township could separate Presby from the other projects by re-drawing the boundaries of the SUO and re-advertising the amendment and map change. Mr. Pomerantz questioned if this action would help bring all the parties together to resolve the issues, and what other steps might be effective. Mr. Jaros indicated it might be useful, but commented that the situation was complex and there were issues of timing involved. Mr. Snook suggested a possible middle ground would be to divide the SUO zoning amendment into a phase 1 and phase 2. Approval of each phase would parallel the Conditional Use approval for the tract(s) in that phase.

Mr. Jaros noted that Thomas Spackman had appeared at the Conditional Use Hearing and urged that the connector road be re-aligned to connect with the existing road in the Brandywine development in Thornbury. Mr. Jaros stated that the connector was deliberately not aligned with the Thornbury Road which was not designed as a collector road. He asked for Westtown's position on this point. The PC and Township Engineer confirmed the acceptability of the current alignment while acknowledging that the ideal alignment would have placed the connector road further west.

At the end of the discussion, Mr. Purcell noted that the major concerns related to impact on 202 and 926 and what responsibility developments in the SUO have to make or to contribute to these improvements. He suggested that the Supervisors should be advised of the Planning Commission's questions and concerns.

Special Exception – Major Home Occupation – McCaslin

Copies of the application for a Major Home Occupation – Family Day Care and the required Special Exception Application were distributed to the Planning Commission. PC noted that the application lacked information essential to a proper evaluation, but chose to make no comment.

Public Comment. None at this time.

Adjournment. 10:10PM (MP/DW)

Elaine L. Adler
Planning Commission Secretary