

WESTTOWN TOWNSHIP PLANNING COMMISSION MEETING
Dunning Meeting Room, Oakbourne Park
1014 South Concord Road, Westtown Township
September 20, 2006 - 7:30PM

Present: Commissioners Criddle, House, Adler, Flynn, Purcell, and Lees. Also present were Township Manager Bob Layman, Township Engineer Robert Pingar, eleven guests, and those mentioned below.

Call to Order and Pledge of Allegiance. 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 presented.

Approval of Minutes. The minutes of the meeting of August 23, 2006, were unanimously approved (MP/JL) with the addition of Mr. Purcell's request for comments from the Township Solicitor on the issue of revenue from CCRC projects in the Zoning Amendment discussion.

Announcements. Ms. Adler reminded the PC members of the Brandywine Conservancy program on Thursday, September 21st. Mr. House will attend. She also announced an Audio Conference on "Green Development" sponsored by the DVRPC on October 4th.

Reports. Mark Purcell reported on the September 18, 2006 Board of Supervisors meeting. He noted the Board discussed the issue of copper levels at the Westtown Chester Creek plant and authorized a study of the problem but did not award a contract. The Board adopted the "Warrantless Arrest" Ordinance. The Commerce Bank Conditional Use Hearing record was closed following a report that PennDOT agreed with the Township's Traffic Consultant that proposed new access was not unsafe, but also that it was not necessary and that the existing basin and headwall did not require attention.

Jeff House reported on the September 5, 2006 Board of Supervisors meeting. There was discussion of the Occupancy Permit for Bayard Rustin High School. The school will open on schedule. Residents were present to complain about noise from the school, both from the exterior loud speaker system and the marching band activities. The Township will investigate the adequacy of the present noise ordinance.

Mr. House also reported on the WCRPC which he and Mr. Pavelchek attended. The primary topic of discussion was the proposed pilot project to enable buses on Route 3 to have some input into the timing of traffic signals to keep the buses on schedule. The members present indicated routing, condition of buses and other factors had more influence on ridership than meeting schedules.

Non Agenda Public Comment. None at this time.

Road Classification. PC received a memo dated 8/29/2006 reflecting the revisions discussed at the 8/23 PC meeting. Mr. House indicated that the Board had questioned if the proposed classifications would affect zoning of properties. Ms. Adler explained that the lot width, setbacks, and rights-of-way pertaining to arterial roads are specifically mentioned in the Zoning Ordinance. These would not be affected by the proposed classifications which are intended to facilitate code enforcement involving structures and objects in the right-of-way and visibility at intersections. Designating a road as a "collector" does mean that the Township will request the extended right-of-way when a new subdivision or land development is proposed with frontage on that road. The proposed parallel roads west of 202 are designated "collector" roads with 60 foot rights-of-way.

Motion (KF/MP), the Planning Commission recommends that the Board of Supervisors approve the road classifications as listed on the August 31, 2006 memo. At Mr. House's suggestion, the Commission will also suggest that the Board publicize the road classification in the Township newsletter and on the website.

Public Comment. None at this time.

Unanimously approved.

Zoning Ordinance Amendment – Flood Plain District.

PC received CCPC review letter dated September 15, 2006 which suggested including some additional definitions in the amendment. Township Engineer Pingar said he reviewed the CCPC comments and recommended adding a definition for “Recreational Vehicle” as that was a term used in the Ordinance. Mr. Pingar supplied a definition which the Commission accepted.

PC asked if copies of the new flood plain maps were available. Ms. Adler said the Township had received only three copies of the packet of six maps which cover Westtown. The Commission asked if the flood plain map could be added to the website. Ms. Adler will investigate.

Motion (MP/JH), the Planning Commission recommends that the Board of Supervisors adopt the September 1 draft of the proposed amendments to the 170-401 of the Zoning Ordinance with the addition of the definition of “Recreational Vehicle” as supplied by the Township Engineer.

Public Comment. None at this time.

Unanimously approved.

Tract 2006-3, Swiss Farms.

Present were Ed Constantini and Engineer Ted Gacomis from E. B. Walsh Associates who presented a revised sketch plan dated August 30, 2006. Mr. Gacomis explained that Swiss Farms had discussed this plan extensively with the Township staff and had appeared before the Planning Commission with a prior sketch. The current sketch reflects Westtown’s comments at those prior meetings and PennDOT’s comments as well.

Swiss Farms has an agreement with the management of the Westtown Mews Condominiums for an easement for an access drive to the Swiss Farms building. This access would replace the current Manley Road access used by the gas station and is located significantly further from the West Chester Pike/Manley Road intersection as requested by the Township. One of the two West Chester Pike intersections has been eliminated, also as requested by the Township and PennDOT. Mr. Gacomis explained that the drive connecting this parcel to the Market Place Shopping Center was constructed by the shopping center developer as an emergency access. Traffic would enter the site on West Chester Pike and exit on Manley Road.

The developer proposes to re-use the existing building with modifications, and to reduce the existing non-conformities. In particular, the impervious coverage will be reduced as some of the driveway area will be replaced with grass and landscaping. The Manley Road access easement will be north of the existing line of trees which will buffer the adjacent residential properties. Swiss Farms proposes a white post and rail fence separating the grass area from the small parking area at the front of the building.

Mr. Flynn asked about access to the site for tractor trailers. Mr. Gacomis agreed westbound trucks would have a problem with a U turn, however, Mr. Constantini indicated that such trucks would deliver only when the store was closed and would use the “exit” on Manley Road as there would be no opposing traffic. Smaller trucks making daytime deliveries would not present a problem. He further stated that noise would not be an issue as refrigerated trucks would turn off during the delivery.

Mr. Gacomis explained that Swiss Farms was not proposing to purchase the land from Westtown Mews as this would require a very complex and time consuming process. As Westtown had previously indicated a willingness to consider rezoning as necessary to accommodate moving the Manley Road access to a safer location, the Commission will refer the legal aspects of this matter to Township Solicitor.

PC asked if Swiss Farms proposed retaining the shopping center access. As it was constructed as an

emergency access, the Commission will refer this issue to the Fire Marshal.

Motion (KF/JH), the Planning Commission recommends that the Board favorably consider whatever rezoning or other legal steps that may be necessary to allow for the use of the proposed access easement on the Westtown Mews property by the Swiss Farms store. The Commission supports the general concept plan for the Swiss Farms development dated July 10, 2006.

Public Comment. None at this time.

Unanimously approved.

Presby Homes/Crebilly Farm.

Present representing Presby Homes were Attorney John Jaros, Planner Wayne Grafton, Presby Homes CEO July Brevaria, Engineer Keith Lieberman, Traffic Engineer Sue Phillips, Consultant Shawn Kelly (RLS), and Architect Jim Hudgins. Also present was Craig Kalemjian, attorney for the Robinson family.

After introducing the development team, Mr. Jaros stated that Presby Homes proposed to build a CCRC in excess of 800 units on approximately 106 acres of the eastern section of the Crebilly Tract, currently zoned A/C. The CCRC would be comprised of independent living units, assisted living, and skilled nursing facilities. The process Mr. Jaros anticipates would first require a text amendment which he acknowledged was currently under discussion by the Planning Commission. Secondly, whatever text amendment was made to provide for this use at the proposed density he expects will require a Conditional Use hearing. Assuming the Conditional Use was approved, the project would then go through the Land Development process.

Ms. Brevaria spoke of the history of Presby Homes. Messrs Lieberman, Kelly, and Hudgins introduced their companies and described some of the preliminary work which has been done on this project.

Mr. Jaros indicated that the developer was aware of the Township's plans for a parallel road on this site, has begun to design such a road as discussed with the Township's staff and consultants. Another major issue for the developer is public sewer. He has requested a meeting with Westtown to discuss this issue. In order to facilitate the text amendment process, Mr. Jaros requested that their group be a standing item on the Commission's agenda. He would also like an opportunity to make this presentation to the Board of Supervisors.

The Commission asked for estimates of the number of assisted living and skilled nursing units. Mr. Jaros said this was not yet determined pending further study of the layout of the tract. He indicated that Presby was working with the Robinson family to develop a master plan, and in touch with Westminster Presbyterian Church about their projects as well. The PC also asked about research indicating the market for a project of this size and the possible phasing of the project.

The Commission also asked about issues relating to 202, the 202/926 intersection, and other traffic issues. Mr. Jaros indicated there had been a preliminary discussion with PennDOT, and that traffic studies would be forthcoming when the issues had been determined.

Mr. House reminded Mr. Jaros that the PC had not suggested the density which is being proposed; that density was a suggestion of the landowner which had not been endorsed by the Commission. The Commission had not envisioned a project of that density on a tract as large as 100 acres. Mr. Flynn stated that the Commission was still discussing whether the proposed new uses should be permitted by means of an overlay on the A/C District, or if a new zoning district should be created. As Presby referred to this as a "high end" project, the PC asked what differentiated this from other CCRCs. Mr. Hudgins explained the phasing and the intent to pre-sell each phase. Mr. House also asked about concurrent development of all levels of service which Mr. Hudgins confirmed.

In response to Mr. Flynn's questions concerning township revenue from this project, Ms. Brevaria indicated that while Presby Homes did not consider itself a "business", the project would be a good

citizen, paying its taxes. She indicated that most of their residents would be in the independent living units which would be taxable. Mr. Jaros indicated this could be discussed during the Conditional Use process.

PC asked about the time frame for this project. Mr. Jaros indicated Presby would like to move as rapidly as possible. He said that if an engineered plan was produced for the Conditional Use hearing, he would hope to go from Conditional Use approval to a Preliminary/Final Plan.

Mr. House, acknowledging the impressive credentials of the development team, expressed doubt that a project of size could succeed and stated that the nature of the project would make it very difficult to retrofit for some other use. He will look for extensive support for the applicant's belief that a project of this size can be successful as a requirement for the Township's approval.

Public Comment.

Eva Foster, 734 Westbourne Road. Asked for clarification and definitions as Ms. Brevaria had mentioned providing affordable housing and then characterized this project as "high end". Ms. Brevaria responded that Presby does provide all levels of facilities. She said affordable housing is low income housing, but that is not what is proposed for this tract. Mrs. Foster also asked what Presby would do if the Township said density could only be 400 units on the 100 acres. Mr. Jaros indicated Presby would have to consider that situation.

Mr. Purcell asked for a comparison with White Horse Village. Mr. Hudgins said they were comparable, but that the Presby project would incorporate additional "hospitality" elements which were not part of this kind of development when White Horse was conceived.

Mr. Kelly, acknowledging that there are many retirement facilities available in this area, said that the public here is very accepting of the concept and very knowledgeable about the product.

Public Comment. None at this time.

Adjournment. 9:35PM (JL/EA)

Elaine L. Adler
Planning Commission Secretary