

WESTTOWN TOWNSHIP PLANNING COMMISSION MEETING
Stokes Assembly Hall
1039 Wilmington Pike, Westtown Township
July 20, 2005 - 7:30PM

Present: Commissioners House, Kurth, Adler, Flynn, and Huberty. Also present were Township Manager Robert Layman, Township Engineer Rob Pingar, Walter Pavelchek and those mentioned below.

Call to Order and Pledge of Allegiance. Vice Chairman Flynn led those present in the Pledge of Allegiance to the Flag and called the meeting to order.

Adoption of Agenda. The revised Agenda was adopted as presented.

Approval of Minutes. The Minutes of the meeting of June 8, 2005, were approved as submitted. Motion (KF/PH), unanimously approved.

Announcements.

Elaine Adler announced the DVRPC Workshop on Transportation Enhancements scheduled for several dates in August, TMACC Legislative Update on August 9th., Senator Santorum's Meeting on August 10th, and a Zoning and Land Use in PA Seminar on August 11th.

Reports.

Elaine Adler reported on the June 20th Board of Supervisors meeting. There was an extensive discussion of the new police building, particularly fencing and landscaping issues. The Sharon Bank Conditional Use Hearing was continued. The Board also considered a request for approval of a grinder pump system to connect to an existing public sewer main for a lot on Manley Road which is not suitable for on-site septic. Approval would probably be conditioned on this system being abandoned when other public sewer is available. The Board also agreed to final approval of the Westtown School Athletic Facility, Tract 2004-5, conditioned on approval by the Chester County Conservation District and completion of the escrow agreement. L. Charles Scipione announced his resignation as a Supervisor after some 30 years of service. Mr. Scipione has moved from Westtown Township. The Board appointed Tom Foster to complete Mr. Scipione's term which runs to the end of 2005.

Kevin Flynn reported on the Board meeting on July 5th. The biggest item of discussion was the change orders for the new police station. There were also complaints about the number of trees which were cut down along West Pleasant Grove Road.

Elaine Adler reported on the Board meeting on July 18th. The Sharon Bank Conditional Use hearing was again continued, this time to August 15th. There was an appearance by two Pleasant Grove homeowners who requested that the Township enforce deed restrictions placed by the builder in the deeds for these properties, particularly those relating to sheds,. The Township Solicitor advised that the Township cannot enforce private deed restrictions. There is no active Homeowners Association in Pleasant Grove. Mr. Pavelchek announced there will be another tree dedication at Oakbourne this fall.

Paul Huberty reported on the West Chester Regional Planning Commission (WCRPC) June meeting. West Goshen has dropped participation for at least the remainder of this year which is a problem since the WCRPC's major focus of the moment is the proposed traffic project which is primarily in West Goshen. The group has asked PennDOT's Tim O'Brien to discuss the 202 widening at a future meeting.

Steven Levasseur, 129 E. Street Rd, asked for information on the meeting with PennDOT. Mr. Huberty will provide the information.

Non Agenda Public Comment.

Walter Pavelchek, S. New Street, requested that the PC make a few copies of the Minutes available for the audience. Mrs. Adler advised that the draft minutes were available on the website before the next PC meeting.

Tract 2000-8, The Fountains at Jefferson. PC received Chester Valley Engineers letter dated July 5, 2005, Cee Jay Frederick Associates memo dated July 15, 2006, and an email from Gregg Adelman, attorney for McCawley, dated July 20, 2005.

The PC members present agreed that the Township should not take dedication of the jughandle (CVE-Township, #1) and concurred with Mr. Capuzzi's suggestion that the proper easements should be added to the plan to allow the Township to maintain the proposed fountain if that is the intent of the Board of Supervisors. The PC does not recommend that the Township accept responsibility for the fountain. In any case, maintenance of the storm water basin in the jughandle should be the responsibility of the project's homeowners association.

Mr. House questioned if the design and landscaping of the fountain should be a factor in consideration of the landscaping bonus.

The PC Commission will not recommend that the Township accept ownership or the jughandle or that Township should be responsible for maintenance of the fountain and the associated landscaping. However, should the Board of Supervisors decide otherwise, the proper easements should be put in place and all aspects of the fountain design and construction and related landscaping should be reviewed by the appropriate township consultants prior to final approval of Tract 2000-8. In addition, the proper escrows and maintenance agreements should be in place.

All other aspects of the CVE letter should be conditions of approval.

Regarding the Cee Jay Frederick memo, the PC had previously agreed to recommend the Township accept smaller caliper ornamental trees (2.5 inches instead of 3.5- page 14, H).

The PC discussed the issue of plant substitution either of size or variety and suggested there might be a limit on the percentage of substitution. It was decided that while the Commission discourages substitutions, the PC recommends that a mechanism for approval of any such requests by the Township staff and Township Engineer be established.

Regarding the two lighting issues, it appears that "holes" in the lighting plan in the vicinity of building entrances are covered by lighting associated with the building. The issue of cutoffs, however, (Frederick memo, K, pages 15-16), is not resolved. The PC will recommend that cutoffs should be provided.

PC observed that the large amount of landscaping will require careful maintenance least it become a jungle and suggested that a landscape maintenance agreement be required. The Commission also commented that in future cases where extensive landscaping is required to fulfill some bonus requirement, the Township consider having some of the plant material installed off-site.

The PC will recommend that mechanics should be in place for review of any request for landscaping substitutions or change of the landscaping plan, and that a permanent maintenance agreement covering the bonus landscaping should be required.

The PC concurs with the recommendation in the Cee Jay Frederick memo (page 21,B) which recommends the design shown in elevation "Version B" for both buildings. However, the Commission noted that this elevation is a front view only and has requested a rear elevation.

It was the consensus of the Commission that a recommendation for approval with the conditions mentioned should not be sent to the Board of Supervisors until the Township received elevations showing the rear of the proposed buildings which confirm that the design is acceptable from all aspects.

A draft letter recommending approval will be prepared and circulated to the PC members. PC will vote on the recommendation at the next meeting, pending receipt of the rear elevations and confirmation of their appropriateness.

Tract 2005-2, Westtown Township Gatehouse. PC received a sketch plan for the possible subdivision of the Gatehouse and a one-acre lot from Oakbourne Park. Bob Layman explained that the Township was considering renting or selling Gatehouse. While the Township would prefer to retain the Gatehouse of possible future use, the building is a possible source of income at this time. The subdivision is required because certain grant money received by the Township cannot be used on property which is rented.

Mr. Flynn questioned whether all the utilities have been identified and easements noted. Mr. Pingar said the electric service for the cell tower was noted but no easement was defined. The septic system is contained on the proposed lot. Mr. Layman has yet to verify the water supply information.

Mr. Flynn asked about the existing driveway. Mr. Layman explained that the Gatehouse residents would be expected to use the new park entrance. The existing driveway would remain, blocked off in some fashion, as an emergency access point for Oakbourne Park. He noted that there was no other logical point for such an emergency access.

Mr. Huberty asked if a new owner could demolish the existing building and construct a new, larger house. Mr. Layman indicated that some of the Board members were concerned about this point, and would want restrictions placed on any actual sale to preclude this. Mr. Huberty also asked about possible public fund raising to repair the building for township use indicating that opposed the sale. Mr. Layman stated that the building was deteriorating and that the Township was not in the position to pay for required repairs, therefore was seeking some other source of funds.

Mr. Pingar noted that some revisions need to be made to this plan, particularly if the Township intends to rezone the property from Township to R1 and if easements for Oakbourne emergency access and the cell tower electric lines are to be shown with meter and bounds.

Public Comment.

Walter Pavelchek, S. New Street, announced the Friends of Oakbourne were considering assuming stewardship of the Gatehouse and hoped to have a proposal for the Board soon.

Mr. Flynn acknowledged the presence of two Eagle Scout candidates and thanked them for their interest.

Adjournment. 9:15PM (EA/PH).

Elaine L. Adler
Planning Commission Secretary