

WESTTOWN TOWNSHIP PLANNING COMMISSION MEETING
Stokes Assembly Hall
1039 Wilmington Pike, Westtown Township
August 3, 2005 - 7:30PM

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

Call to Order and Pledge of Allegiance. Chairman Verdiani 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. Approval of the Minutes of the meeting of July 20th was tabled until the next meeting to determine the proper wording of the discussion of the Gatehouse subdivision.

Announcements.

Elaine Adler asked the Commission members to turn in their lists of Board meeting they are available to attend.

Reports.

Paul Huberty reported on the West Chester Regional Planning Commission (WCRPC) July meeting. It was reported that Chester County is designating the 202/926 intersection as this year's priority project. The County is asking that this be taken out of the Section 100 project and moved forward. He also reported that the plans for the Jerrehian Tract have been submitted. This is a cluster development with extensive open space

Chris Kurth reported on the August 1st Board of Supervisors meeting. The Friends of Oakbourne have asked to the Board for time to prepare a plan to retain and restore the Gatehouse. The Board gave FOO an October deadline. Pleasant Grove residents were again present asking for Township assistance in preventing the installation of garden sheds. The material they submitted will be sent to the Township Solicitor for review.

Non Agenda Public Comment.

None at this time.

Tract 2005-1, Westtown School Faculty Housing.

Present for the applicant were Phil Genther, and Engineer Robert Lambert. PC received Site Engineering letter dated July 26, 2005 and McCormick Taylor letter dated August 3, 2005.

Mr. Lambert commented on the McCormick Taylor August 3rd letter saying that they would comply with all the comments except as follows:

SLD 149-803.B(6)(b). Mr. Lambert said the waiver was not required as the capacity exceeded the requirement.

Landscape and Tree Protection. Westtown School proposes to establish a row of trees separating the project area from the adjacent land which is actively farmed. They have also added landscaping around the new buildings including some flowering trees.

Fire Protection. Mr. Genther indicated that the two options discussed with the Westtown Fire Marshal were to extend the existing fire main down to these buildings or to sprinkle the buildings.

At this time the School is considering extending the fire main as there may be other buildings proposed in this general area. The extension of the fire main does not appear on the current plan.

Chester County Conservation District. Mr. Lambert reiterated that the area of disturbance was less than one acre and did not, therefore, require CCCD review. He also noted that CCCD was overloaded because of the change from a five-acre disturbance area to a one-acre area which would mean a significant delay on this project. The School has offered to fence the area of disturbance to assure that activity does not extend outside of the specified area.

Sewer service. Mr. Lambert stated that these buildings were expected to be connected to public sewer when available, but that the School has applied for a temporary pump and haul permit until the sewer situation is clarified. It is expected that when the houses are actually built, they will be connected either to the existing Westtown School system or to the new public sewer main along Westtown Road and the pump and haul will not be necessary.

Stormwater Management. Mr. Genther stated that the maintenance agreement has been sent to The Township Solicitor for review.

Mr. Pingar indicated he still had concerns about the practicality of limiting the area of disturbance to less than one acre and fencing it off from areas not to be disturbed. He also considers the unresolved sewer plan as a potential problem. If the building are actually connected to a sewer system, there will be additional disturbance not included in the present area and not covered by the present erosion control permit.

The Commission determined that a pump and haul system could be continued virtually indefinitely with the proper agreements although that is not the School's intent. It is not clear at this time whether these buildings will be connected directly to a public sewer main in Westtown Road to be constructed as part of the Bayard Rustin High School project or to the existing Westtown School Sewer system which will eventually also be connected to the public sewer system. Eventual resolution of this issue will be up to the Board of Supervisors. PC determined that a statement appears on the plan indicating that a temporary pump and haul sewage system was proposed pending the availability of public sewer. A maintenance agreement for this system will be required.

Chairman Verdiani asked about the waiver requested relating to the number of replacement trees. According to Mr. Genther, most of the trees being removed are not specimens but "scrub", and to replant an equal number would overcrowd the area. PC will recommend the Board approve planting trees in other areas on the campus.

Mr. House remains concerned about the area of disturbance, believing that it will be difficult to limit it as discussed. He noted that if the disturbance should the disturbance go beyond the delimited area, the School would have to go to CCCD for a permit which would then delay construction more than applying for the permit in advance. Mr. Lambert said the precautions would include an actual four foot construction fence. He believes that the measurement is accurate and that the 80% of an acre disturbed area is not close enough to the limit to be a cause for concern. Mr. Genther expressed confidence in the proposed contractor who is accustomed to working under these conditions.

Motion (MP/EA). The Planning Commission recommends that the Board approve the Preliminary/Final Plan for Tract 2005-1 with the following conditions:

1. The applicant will comply with all requirements of the Westtown Township Fire Marshal including extension of the existing fire main or emergency fire access road or sprinkling of the buildings.
2. Prior to beginning of any site work, the applicant will stake the area to be disturbed and will control the perimeter with on-site fencing.
3. The applicant will submit an operation and maintenance agreement for the temporary pump

and haul septic system. This system will comply with all Ordinance requirements for such tanks and will be replaced by some other alternative system when available.

4. Receipt of approval for the temporary system from the Chester County Health Department.
5. The Planning Commission recommends, and applicant has agreed, that replacement trees which cannot conveniently be accommodated on this tract be planted in other locations on the school campus.

The Commission also recommends approval of the other requested waivers as itemized in the McCormick Taylor letter dated August 3, 2005, except as noted above.

Public Comment. None at this time.

For – Verdiani, Flynn, Adler, Kurth, Purcell, and Huberty. Opposed – House. **Motion passed.**

Tract 2000-8, The Fountains at Jefferson. PC received copies of the rear elevations of the buildings as requested following the July 20th meeting. PC also received confirmation from Cee Jay Frederick that the rear treatment is consistent with front elevations, and his preference for Version 2.

The PC made a few minor corrections to the draft approval letter which was distributed to all Commission members. Chairman Verdiani noted that the Commission should consider an Ordinance amendment to cover the issue of allowing “bonus landscaping” to be planted in locations other than on the tract under consideration.

The PC has not had the opportunity to review the detailed plans for the fountain to be located in the jughandle, and notes that the Board should have such a plan submitted and reviewed as a part of the final approval.

Motion (KF/MP), the Planning Commission recommends that the Board grant final approval to Tract 2000-8, the Fountains at Jefferson Center, subject to the following:

1. Relating to the Chester Valley Engineers letter of July 5, 2005.

The Planning Commission does not recommend that the Township accept ownership of the jughandle or that the Township be responsible for maintenance of the fountain and the associated landscaping. However, if the Board of Supervisors accepts the fountain, the proper easements and maintenance agreements should be put in place and all aspects of the fountain design and construction and the related landscaping should be reviewed by competent authority. The Commission also believes that no signage for the apartments should be permitted in the jughandle.

All other aspects of the Chester Valley Engineers letter should be conditions of approval.

2. Relating to the Cee Jay Frederick memo of July 15, 2005.

Landscaping

The Commission recommends 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 suggests that substitutions should be discouraged. However, the Commission recommends that a mechanism for approval of any such requests by the Township staff and Township Engineer be established.

The Commission observes that the large amount of landscaping will require careful maintenance least it become a jungle and suggests that a landscape maintenance agreement be required.

Lighting

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, (pages 15-16, Item K), is not resolved. The Commission recommends that cutoffs should be provided.

Architecture

The PC concurs with the recommendation in the Cee Jay Frederick letter (page 21, B) recommends the design shown in elevation “Version B” for both buildings.

The Commission has not reviewed detailed plans for the Fountain to be constructed in the jughandle. Since this plan cannot be separated from the fountain, the Commission recommends that detailed engineering plans should be required and reviewed by Board and other appropriate parties prior to granting final approval to this plan.

Public Comment. None at this time.

Motion unanimously approved.

Special Exception – Major Home Occupation, Gayle Worth. PC reviewed this application for a Major Home Occupation, Family Day Care. The former Barnesworth Nursery School which was operated at this location was discontinued last Spring. Mrs. Worth would like to use one room of the former school which has been turned into her residence for this home occupation.

The PC noted the discrepancy in the Westtown Zoning Ordinance which lists a maximum of five children permitted in Section 1605 pertaining to Home Occupations, but a maximum of six children in the definition of Family Home Care in Article 2 – Definitions. This should be corrected.

Motion (KF/PH), the Planning Commission has reviewed the application for this Special Exception-Major Home Occupation, and expresses no objection to its approval.

Mr. House commented that he would like the applicant present to answer questions on the application. Mrs. Adler said she had not asked this particular applicant to appear. It has not been Westtown’s usual procedure to ask an applicant to the Zoning Hearing Board to appear although many do because the ZHB appearance is related to a Subdivision or Land Development Plan which the PC is reviewing. The PC would like to have the applicant present.

Motion unanimously approved.

TAG Builders/Arbor View Subdivision – Revision of Driveway/Sidewalks.

Township Engineer Rob Pingar explained that the plan for this project required cement driveway aprons as seen in the photographs of other areas of the Township which he supplied. These aprons had been removed from the improvements agreement/escrow by the developer. Mr. Pingar advised Mr. Galbally that this would require approval of the PC and Board. Since Mr. Galbally was not present, this item was tabled.

Public Comment. None at this time.

Adjournment. 9:10PM (EA/MP).

Elaine L. Adler
Planning Commission Secretary