

**WESTTOWN TOWNSHIP PLANNING COMMISSION MEETING**  
**Stokes Assembly Hall**  
**1039 Wilmington Pike, Westtown Township**  
**March 17, 2004 - 7:30PM**

**Present:** Chairman Verdiani noted the following members present; Commissioners, Chris Kurth, Elaine Adler, Kevin Flynn, Mark Purcell, and Paul Huberty. Also present were Township Manager Robert Layman, Acting Township Engineer Chris DellaPenna, Township Engineer Angelo M. Capuzzi, and five guests.

**Call to Order and Pledge of Allegiance.**

Mr. Verdiani 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 March 3, 2003, were approved as submitted (CK/PH-approved, CK, EA, KF, PH. Verdiani and Purcell abstained, not present at meeting).

**Announcements.** Chairman Verdiani announced seminar by Pennsylvania Land Use Institute in Reading.

**Reports.**

**Board of Supervisors March 15, 2004.** Kevin Flynn reported. The Board adopted a Resolution to install a new stop sign at Walnut Hill and Cider Knoll. The Board also accepted the resignation of A. Pierson Sill from the Zoning Hearing Board and appointed Carol DeWolf to be Westtown's representative to the Council of Government. Mr. Flynn noted that there were a number of residents present to express concerns relating to the proposed 202 realignment plans. The same group is present at this meeting to discuss their concerns with the PC.

**Tract 2003-10, TAG/Orvis.** PC received Acting Township Engineer's review letter dated March 11, 2004. Present was Tom Galbally, Attorney Albert Massey, and Angelo Capuzzi of Chester Valley Engineers. Mr. Verdiani commented that the Township has received revised information concerning PennDOT's plan for the 202/West Pleasant Grove intersection. It appears that this will be a signalized intersection. As a result he suggested that tonight's discussion not include the parallel road issues as the Township is still determining the significance of this new information and its effect on this project. Mr. Massey agreed.

Mr. Capuzzi noted that all the comments in the March 11<sup>th</sup> letter would be addressed in a revised plan. He also commented that while the Township needs to be assured of proper traffic circulation in the event that PennDOT's plan for West Pleasant Grove change, this project needs to go forward.

2.2 – Storm water in 25% slopes. Mr. Capuzzi explained that the decision was to manage the storm water by collecting in a pipe located in the 25% slope area because moving the pipe further south to a lesser slope would disturb more of the open space. The applicant will go to the Zoning Hearing Board for a variance.

2.4 – Disturbance of more than 50% of the precautionary slope area of a lot. Mr. Capuzzi argued that since this is a Flexible Development without specific lot area requirements, this provision should apply to the tract as a whole rather than to an individual lot. The proposed plan does not disturb more than 25% of the slope area. There is no disturbance in the tree area of the tract.

2.12 and 3.28 – Trail System. None provided based on Park Advisory Group recommendation.

2.14 – “Deed restricted open space”. Mr. Capuzzi noted the issue of private ownership had been raised during the Conditional Use Hearings and the concept accepted.

2.15 – Open Space conditions. Mr. Capuzzi noted that PC and Township Engineer must specifically approve the discontinuous open space as previously discussed.

2.17 – Designation of West Pleasant Grove Road as a “Collector Road”. Mr. Capuzzi agrees and the plan will be modified accordingly.

2.2 – Specimen trees. Mr. Capuzzi proposes identifying only those specimen trees located in areas to be disturbed as these are the ones involved in the calculation of replacement trees. Mr. DellaPenna agreed.

3.12 – Width of berm and side slopes. In order to avoid additional disturbance, the applicant will request a waiver of the SALDO requirements based on study from a geotechnical engineer that the proposed berms are technically acceptable.

3.16 and 4.12 – Draining of ponds. The applicants engineer will discuss further with the Acting Township Engineer.

3.20 – Applicant requests that the Township not require a traffic impact study based on prior discussions and material provided by the Township’s traffic engineer. The applicant will contact Aqua American for a statement of water availability.

3.22 – Road Grades. Mr. DellaPenna indicated he did not oppose the request for grades approaching 10% for the 150-foot section of road.

3.24 – Lots on West Pleasant Grove Road. Mr. Capuzzi stated that excessive land disturbance would be required to create driveways for these two lots in their original location. Applicant will agree to a common driveway.

3.30 – Storm Water ponds as Open Space. Mr. Capuzzi requested PC concur with Acting Township Engineer’s opinion that these serve as a scenic open space asset.

3.33 – Grinder Pumps. Mr. Capuzzi noted that the applicant has proposed grinder pumps from the beginning and that gravity sewers would be extremely expensive in this area. Further discussion with the Board will be required. He further noted, relating to 3.33.D, that the Township owns the jughandle. Mr. Verdiani noted that this would be the first use of grinder pumps in the Township and therefore there would be serious policy issues to be resolved. Mr. Galbally indicated maintenance would be part of the HOA agreement and that he had located a reliable organization for this purpose.

Mr. Verdiani requested verification that the applicant still intends to pursue non-retail nursery use of Lot 36. Mr. Galbally confirmed. Chester Valley Engineers will revise the plan and write a response to the DellaPenna letter of March 11<sup>th</sup> for the April 21<sup>st</sup> PC meeting.

Mrs. Adler asked if trails should be considered for the use of the tract residents. Mr. Galbally indicated he did not believe they were useful. PC agrees that keeping the Open Space as natural as possible was a consideration, but will consider further the issue of open space for recreational needs of the residents

Mr. Massey noted that there were renditions of the proposed installation of drainage facilities in the steep slopes which the PC might consider prior to making a recommendation to the Zoning Hearing Board on the variance application.

Public Comment.

Bill Steel, 1055 E. Niels Lane. Noted that there was slope created on lot 3 and others which drops about 10 feet and is about 100 feet long. Mr. Capuzzi explained the Township regulations about creating these slopes and the construction sequence required. Mr. Steel said his concern was drainage. Mr. DellaPenna explained the proposed drainage collection system. Mr. Capuzzi indicated a small berm could be added to further direct the water into the system.

John Snook, Brandywine Conservancy. Commented on the need for trails even if not part of the Township trail system as people use them, jogging, etc. If the ponds are to be considered “scenic assets”, then it could be argued that trails are necessary to make them visible. Trails should definitely be installed during construction and not retro-fitted. He also suggests an “Open Space Management Plan”, perhaps as a part of the landscaping plan.

**Old Wilmington Pike – Request for Rezoning.** Present were Alan Peppelman and Gerry Palma, owners of property on Old Wilmington Pike just north of Route 926. Mr. Peppelman indicated that he was speaking for the owners of a group of properties in this area. The proposed 202 re-alignment eliminates several houses in this area. PennDOT will provide new access to the remaining properties but in several cases the dwelling unit is removed and only out buildings remain. The residents would like the property rezoned to commercial so that they can sell the combined tract for a commercial use. Mr. Peppelman emphasized that these properties were not salable at this time due to the impending PennDOT plans. If the properties are merged, there is an approximate 10 acre tract that is a viable commercial property in which WaWa has expressed some interest.

Chairman Verdiani explained that this use would be very different from what is envisioned by the Growth Management Plan. A possible office use in this area was considered in conjunction with the development of the Crebilly property, but commercial use was not considered desirable. He indicated that the Commission would discuss Mr. Peppelman's request. If any rezoning is reconsidered, the PC would recommend a change to the Board.

**Zoning Ordinance Amendments.** Present was John Snook of the Brandywine Conservancy. Mr. Snook's current draft of the amendments had been distributed to the Commission members in advance. Mr. Snook explained that the thirty sections of this amendment included the proposed change to the A/C District to permit some type of office use as well as a number of technical corrections and clarifications identified by Township Solicitor Adams and the Township staff. There was also input from the Crebilly land planner and attorney relating to the A/C District. Mr. Snook indicated that changes since the last version of this amendment were in bold print.

Mr. Snook explained the changes from the prior draft of the A/C District amendment. It was decided that taller, larger buildings including apartments could be permitted in a Flexible Development in this District, but the setbacks would be substantial to diminish the impact on surrounding properties. A second look at these requirements led to the revision of these setbacks as shown in the current draft. The Historic Preservation section has also been simplified. PC discussed the preservation segments which are new to the Westtown Zoning Ordinance. Mr. Verdiani commented that Westtown has not been greatly interested in historic preservation ordinances, but this provision would offer some incentive. Mr. Snook suggested that the Adult Community could be eliminated as a separate alternative since age restricted developments are included in the Flexible Development which has more stringent design and open space requirements.

Mr. Snook noted that Section 30, the corporate development, was the remaining major issue. Such corporate development would be limited to 50% of the tract, presumably the 202 frontage since various restrictions make use of the South New Street areas less profitable. Such development would be a conditional use allowing the Township greater design control. Mr. Snook included a requirement to participate in the parallel road creation. A floor area ratio has also been added. PC is concerned about the overall development of the tract and siting of the necessary parallel roads and therefore wants to carefully design the provisions relating to creation of a master plan.

Mr. Verdiani requested that the PC members study this draft in detail so that the remaining issues can be resolved. He also noted that there were several other issues that have not yet been addressed relating to open space and “flexible development by right” on small tracts.

**Public Comment.** Walter Pavelchek, S. New Street. Requested PC be pro-active in making comments to PennDOT relative to the Environmental Study. He believes the Township should take a position on proposed features affecting Westtown Township and get answers to the issues left unresolved by the plans currently available. He particularly mentioned Cheyney Road, Garden Circle, and Old Wilmington Pike.

**Adjournment.** 10:25PM (*l*).

Elaine L. Adler  
Planning Commission Secretary\_