

WESTTOWN TOWNSHIP PLANNING COMMISSION MEETING
Stokes Assembly Hall
1039 Wilmington Pike, Westtown Township
April 21, 2004 - 7:30PM

Present: Chairman Verdiani noted the following members present; Commissioners House, Kurth, Adler, Verdiani, Purcell, and Huberty. Also present were Township Manager Robert Layman, Acting Township Engineer Chris DellaPenna, and four 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 April 7, 2003, were unanimously approved as submitted (MP/CK).

Announcements. Elaine Adler listed the several available training sessions. PC members interested who do not have detailed information should request a copy.

Ms. Adler also announced that the Re-Zoning discussion would be postponed until after a Consultants-Staff meeting next week. Mr. Peppelman, Old Wilmington Pike, asked how this related to his request for rezoning of the properties along his section of Old Wilmington Pike.

Reports. As the Board meeting was rescheduled for April 26th, there is no report.

Non Agenda Public Comment. The Planning Commission will institute a practice of taking non-agenda public comment early in the meeting with the understanding that if the matter will require extensive discussion or submittal of support materials, the topic will be given a place later on the agenda or at a future meeting.

John Ferrante, 920 Sage Road. Mr. Ferrante is requesting a three-way stop sign at the intersection of Sage and East Sage Road. Mr. Verdiani referred him to the Board of Supervisors.

Tract 2003-1, O'Brien. Present were John O'Brien, Engineer Jason Shaner, Architect James Cherry. PC received a revised plan dated 4/21/2004 and Chester Valley Engineers review letter dated 4/19/2004. Mr. Shaner indicated that the 4/21 plan addressed all the outstanding issues in the 4/19 CVE letter. Mr. Verdiani asked about the SALDO comment #2 relating to the common driveway. Mr. O'Brien said the maintenance agreement has been prepared and he will forward it to the Township for review by the Township Solicitor. Mr. Verdiani noted that the Board of Supervisors has already agreed to the waiver mentioned in SALDO Comment #7 relating to open space.

Motion (MP/JH), the Planning Commission recommends that the Board approve the Preliminary/Final Plan for Tract 2003-1, O'Brien/Shiloh Road with the condition that the Township Engineer verify compliance with the April 19, 2004 review letter. The Commission further recommends that the Board grant the waivers requested on the plan.

Public Comment. None at this time.

Unanimously approved.

Tract 2003-10, TAG Builders. PC received a revised plan dated 4/21/2004 and a sketch of a revised parallel road alignment. Present were Tom Galbally, Attorney Wendy McLaine, and Engineer Jack Robinson. Ms. McLaine asked for the PC comments on the variances for activities in the steep slopes which are the topic of a Zoning Hearing Board session scheduled for May 11, 2004. Storm water management and possibly sanitary sewer (if a gravity system is required) must be placed in areas of prohibitive slope. This involves a temporary disturbance. The plan also proposes some permanent disturbance where regrading is required to create more livable lot areas. The other issue involves lots where it is proposed to disturb more than 50% of the sloped areas. It is the applicant's position that, since this is a flexible development, the issue of the percentage of disturbance should be based on the entire tract rather than the individual lot.

Mr. Galbally explained that the proposed storm water management to be buried under the retaining wall is intended to limit runoff and promote recharge. The pipes installed in these areas will collect the storm water and allow it to percolate. At the same time, the creation of the retaining walls which will be grassed over will provide more level areas on the individual lots.

Engineer DellaPenna advised that the proposed construction method and sequence is appropriate. He also commented that a better result is usually achieved by having such regrading done as a part of the initial construction rather than at a later date by individual homeowners.

Ms. McLaine indicated that while the developer preferred to install a grinder pump system for reasons of economy and decreased disturbance, it was possible to install a gravity system and the currently requested variances would allow for this construction. Chairman Verdiani indicated that the Township was currently requesting the gravity system, but that was an issue to be discussed with the Board of Supervisors.

William Steele, 1005 E. Niels Lane. Mr. Steele asked for clarification of the disturbance in the treed area at the northwest corner of the tract.

Motion (JH/EA) The Planning Commission suggests that the Zoning Hearing Board grant the requested variances of Sections 170-402.D.2 and 170-402.D.3 and 170-402.D.3.(f) of the Westtown Township Zoning Ordinance to permit disturbance of precautionary and prohibitive slopes and installation of storm water management and possibly sanitary sewer structures on these slopes. The Planning Commission considers that the applicant has presented a thoughtful plan and believes that the applicant will use the proper precautions during this construction. The proposed disturbance in the sloped areas should result in a superior result and the creation of more livable lots.

Mr. Purcell asked that the PC make it clear that the Commission was supporting the request for the variances permitting installation of the storm and sanitary sewer, the permanent disturbance to create the proposed retention wall, and either an interpretation of the Ordinance which would permit the percent of disturbance to be calculated on the basis of the tract rather than the lot area or a variance to permit the proposed degree of disturbance on the individual lots. Mr. House would prefer the variance which avoids the potential for future less acceptable interpretations. The motion as worded expresses support for this variance. The Zoning Hearing Board, should it determine that the variance is not necessary, would state this in its decision.

Public Comment. None at this time.

Unanimously approved.

Chairman Verdiani noted that the alignment and engineering of the parallel road must be offered before final approval of this plan. PennDOT's present proposal for the 202 re-alignment makes the prior layout unfeasible. The applicant has submitted a revised plan. Ms. McLaine and Mr. Robinson described the plan as the Northern Option which is a connection to the Stetson Drive just west of the existing jughandle within the township right-of-way. It has been determined that it is not possible to connect to the jughandle itself. There are two possible southern connections: the first would utilize Road A in the TAB project,

the second would use a right-of-way similar to that shown on the prior plan going south to West Pleasant Grove Road east of the pond. The Township's traffic engineer will review this sketch.

William Steele, 1005 E. Niels Lane. Mr. Steele commented that a traffic light at 202 and Pleasant Grove Road would just move the current 202 backup further up the road.

Engineer DellaPenna will review this revised subdivision plan for the PC meeting on May 19, 2004. Mr. Galbally agreed to provide an extension of the review period as the present extension only runs to May 20th.

West Chester University – Conservation Lands. Mark Purcell announced that he would recuse himself from voting on this issue because of his professional relationship with the University. Westtown received a letter from a WCU professor suggesting that additional areas, including the University's property in Westtown Township, should be added to the Gordon Conservation area. While the Commission sees no harm in adding these lands to the Conservation area, it was concluded that this matter should more properly be addressed by the West Chester Regional Planning Commission which is studying the need for road connections in this area.

Walter Pavelchek, S. New Street. Mr. Pavelchek commented that these parcels need attention as lack of maintenance has created a fire hazard.

Westtown-East Goshen Regional Police Building – Change Order. Mr. Layman noted that this was passed to the Commission because it related to the stormwater control rather than the building itself. Since the Township Engineer approved the change, the PC does not object to the change.

Erskine 67-2-11.1 Variance Application. Ms. Adler explained that the Erskines wished to construct an addition to the south side of the existing house. The house is non-conforming, the original sections are entirely within the required front yard. The ZHB granted a variance to construct an addition to the north side of this house in 1992. The current request is for an addition which does not intrude as far into the front yard setback as did the addition permitted in 1992 and which will in part replace a small section which is to be demolished. The Planning Commission sees no objection to granting the requested variance.

Public Comment. None at this time.

Adjournment. 9:50PM (MP/PH).

Elaine L. Adler
Planning Commission Secretary