

**WESTTOWN TOWNSHIP PLANNING COMMISSION MEETING**  
**Stokes Assembly Hall**  
**1039 Wilmington Pike, Westtown Township**  
**June 9, 2004 - 7:30PM**

**Present:** Chairman Verdiani noted the following members present; Commissioners House, Adler, Verdiani, Flynn, Purcell, and Huberty. Also present were Township Manager Robert Layman, Township Engineer Angelo M. Capuzzi, and eleven 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 meeting of May 19, 2004, were approved as submitted (JH/KF). Approved – Verdiani, Adler, Flynn, House. Abstain, Huberty, Purcell.

**Announcements.**

Elaine Adler announced that the plan for “Cornerstone”, the apartment project in East Goshen at the NW corner of Route 352 and Manley is available in the office if PC members would like to examine it

**Reports.**

Mark Purcell reported on the American Planning Association meeting he had attended. He also reported on the West Chester Regional Planning Commission (WCRPC) meeting in May. The primary focus of this group is still the traffic study.

Don Verdiani reported on the June 7<sup>th</sup> Board meeting. The Board is still working on Oakbourne Park plans, roof repair is the first priority. TAG Builders made a presentation on the grinder pump system proposed for the Orvis Tract.

**Non Agenda Public Comment.** None at this time.

**Tract 2003-14, Tordone/Sineath.** Present was Fred Tordone PC received Chester Valley Engineers review letter dated 6/7/2004.

Mr. Tordone responded to the CVE letter as follows:

Subdivision

- #1 Erosion Control plan has been submitted.
- #2 Revision will be made. Maintenance agreement has been submitted for approval by the Township Engineer. The attachments to the agreement must be updated to conform to the plan revision.
- #3 - Mr. Tordone described the existing trees to be removed during construction, the replacements proposed and presented a photo exhibit of the property as it is now. He indicated that some existing brush would be removed. Required shrubs are not shown on the plan. He proposes submitting detailed landscaping plans with the building permits for the individuals lots. Existing trees on the site exceed those which would be required, but Mr. Tordone proposes to replace trees which must be removed and will supply the required landscaping for the lots and the retention basins. PC is agreeable to having the detailed landscaping plans reviewed by staff.

General Comments. Mr. Tordone indicated that he has applied for the necessary driveway permits (#1) and will comply with the remainder of the comments.

Public Comment.

Jeff Sykes, 1090 Wood Lane, had questions relating to the location of well on lot adjacent to his property, the preservation of an existing drainage swale, and possible removal of trees to install a septic system.

Eva Foster, 734 Westbourne Rd, asked about removal of the pines along Westbourne Road, use of existing pasture, permit procedures and timing, requirements for secondary septic sites, and drainage onto Westbourne Road.

David Jones, 1058 Windy Knoll Rd., asked if the Planning Commission could recommend public water for this tract and requested an explanation of the individual storm water retention basins proposed.

**Motion (EA/MP),** the Planning Commission recommends that the Board of Supervisors approved the Preliminary/Final Plan for Tract 2003-14, the Tordone/Sineath four lot subdivision on Westbourne Road with the following conditions:

1. There will be individual landscape plans presented for each lot prior to the issuance of building permits which will be reviewed and approved by the Township staff.
2. The driveway agreement will be modified in accordance with the Township Engineer's recommendation and approved by the Township Solicitor.
3. Receipt of final approval from Chester County Health Department of the sewage modules.
4. Receipt of approval from Chester County Conservation of the erosion and sedimentation control permits.
5. Receipt of approval by PennDOT of the driveway permit and drainage plan for Westbourne Road.

The Planning Commission further recommends that the Board accept a fee of \$1,100 for each of the three new lots in lieu of dedication of Open Space.

**Unanimously approved.**

**Tract 2003-10, TAG Builders.** PC received a review letter from Acting Township Engineer Chris DellaPenna (DP) dated 5/28/2004, a McCormick-Taylor memo relating to roads and traffic dated 6/4/2004.

Present were Tom Galbally and Attorney Wendy McLean. Ms. McLean stated that the 5/28/2004 DP letter indicated that the issues previously discussed had been addressed. She noted that the provisions relating to the parallel road should be as stipulated in the Conditional Use Decision and that the developer is responsible for only for his "fair share" obligations.

The PC and the developer discussed the 5/28/2004 DP letter and concluded as follows:

Conditional Use Order Comments – to be addressed on the Final Plan.

Zoning Ordinance Comments –

2.1, 2.2 and 2.3 were referred to the Zoning Hearing Board. The draft decision was available to the Planning Commission and the applicant. It appears to resolve these issues.

2.4, 2.5, 2.6, 2.7, 2.8, 2.10, 2.13, and 2.14 are to be addressed on the Final Plan

#2.9 The PC has agreed to the passive use concept.

#2.11 The PC will recommend to the Board that the referenced areas should qualify as Open Space.

#2.12 The PC will recommend to the Board that the open space on Lot 36 should qualify.

Subdivision Ordinance Comments

3.1, 3.2, 3.3, 3.4, 3.6, 3.7, 3.9, 3.11, 3.13, 3.14 are to be addressed on the Final Plan.

- #3.5 The PC recommends granting the requested waiver relating to emergency spillways.
- #3.8 The PC recommends granting the requested waiver relating to road grades.
- #3.10 The PC agrees to sidewalks on one side of the street.
- #3.12 The PC agrees that the ponds are a scenic open space asset and may be counted as part of the required open space
- #3.15 The PC concluded that the grinder pump alternative is the best choice for this tract based on the evidence presented and the proposed comprehensive maintenance by a homeowners association. The Commission identified three potential issues with a grinder pump system.
  1. Prolonged electric outages. Mr. Galbally agreed to installing pumps which could be easily and quickly connected to an emergency generator in case of power failure.
  2. Public dislike of grinder systems. Since this is a new development, the buyers would be aware of the grinder pumps and could elect not to purchase.
  3. An alternative in the event of total failure of the system. Ms. McLean acknowledged that a gravity system could be constructed should it ever be necessary and agreed to provide easements for this purpose (without providing engineering for this purpose). It was noted that the Zoning Hearing Board (ZHB) had declined to grant a variance for construction of sanitary sewer in areas of steep slope as there was an alternative (grinder pumps) available. Should there be a total failure of the grinder pump system, the applicant for a variance for this purpose would be able to argue "hardship" as a reason for granting the variance.

General Comments

4.1 and 4.2 are to be addressed on the Final Plan.

Acting Township Engineer DellaPenna agrees the plan could be considered for Preliminary Approval.

Traffic Consultant Federico, referring to his memo dated 6/3/2004, stated that the proposed parallel road alignment was acceptable and the plan was adequate for Preliminary Plan approval. The concept shown can be pursued without PennDOT involvement as it is within the Township's right-of-way.

**Motion (MP/EA)** The Planning Commission recommends that the Board of Supervisors approve the Preliminary Plan for Tract 2003-10, TAG Builders/Orvis with the following conditions and comments as detailed in the DellaPenna letter of May 28, 2004:

- DP-2.11 The PC recommends that the referenced areas should qualify as Open Space (lots 1,2,3 and 36).
- DP-2.12 The PC recommends that the open space on Lot 36 should qualify.
- DP-3.5 The PC recommends granting the requested waiver relating to emergency spillways.
- DP-3.8 The PC recommends granting the requested waiver for a road grade of 9.95% on a 150 foot section.
- DP-3.12 The PC agrees that the ponds are a scenic open space asset and may be counted as part of the required open space
- DP-3.15 The PC recommends the following conditions relating to the grinder pump system:
  1. There will be a Homeowner's Association which will maintain the grinder pump system.
  2. Emergency generator hookups will be provided for each dwelling to allow the grinder pump storage tanks to be pumped out in case of power failure.
  3. An easement will be provided to allow for construction of a gravity system should one ever be required.

Public Comment. None at this time.

**Unanimously approved.**

**Zoning Revisions – Route 202.** PC received Taylor McCormick memo dated 5/6/2004 and Brandywine Conservancy memo dated 5/26/2004. Chairman Verdiani distributed copies of the memos to interested residents and asked those interested to participate in a workshop discussion of the issue. He indicated that

the question was basically what zoning changes might be appropriate for the current R-1 properties along Old Wilmington Pike on the west side of Route 202 between Route 926 and West Pleasant Grove Road. Mr. Verdiani explained that the Comprehensive Plan indicated a possible office use of these tracts. The Taylor McCormick and Brandywine Conservancy memos would support this concept. He further stated that commercial zoning for this area was contrary to the Township's long established position, and to the recommendations of the consultants. PC members also expressed concern about rezoning in response to this situation and its implications elsewhere in the Township. The PC and consultants agree that the best choices for this tract involves integration into development on Crebilly Farm or an independent but compatible development with eventual access through the developed Crebilly tract.

Alan Peppleman, 1040 Old Wilmington Pike, indicated his agreement with the concept of "planned office", and asked if the Township might consider any type of commercial use.

Larry Will, 1142 Old Wilmington Pike, asked if something like a real estate office, could be permitted in the existing buildings. This might enhance the value of the properties enough to allow the present owners to sell.

The Planning Commission will continue this discussion at a future meeting.

Public Comment. None at this time.

**Adjournment.** 10:50PM (EA/JH).

Elaine L. Adler  
Planning Commission Secretary

Note: The tape of this meeting ended before adjournment. The names of several residents making Public Comment at the end of the meeting are not included in the Minutes.