

WESTTOWN TOWNSHIP PLANNING COMMISSION MEETING
Stokes Assembly Hall
1039 Wilmington Pike, Westtown Township
August 18, 2004 - 7:30PM

Present: Commissioners Adler, House, Kurth, Huberty, Purcell, and Verdiani. Also present were Township Manager Bob Layman, Township Engineer Angelo M. Capuzzi, two 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 Agenda was adopted as presented.

Approval of Minutes. The Minutes of the meeting of August 4, 2004, were approved as submitted (MP/CK). (Unanimous, Verdiani abstaining)

Announcements. Literature concerning several seminars was distributed to the PC members. Those interested should contact Elaine Adler.

Reports. Chris Kurth reported on the Board meeting of August 16th. Chief Dumond reported on police assistance to other Townships. The Board heard a report on the progress of the Oakbourne Park project and the status of negotiations with Gaudenzia for easements for the trail system.

Several PC members had received a flyer concerning the possible YMCA at the Bayard Rustin site which urged attendance at the WCASD meeting on 8/23/2004 where this is to be considered. There is a citizens group opposing a Y at this location.

Non Agenda Public Comment. None at this time.

Storm Water Management Ordinance. Engineer Capuzzi briefly explained the proposed ordinance which will apply to all future construction involving a cumulative total of 2,000 square feet. The new regulations will require considerable additional administration by the Township as there will be recorded maintenance agreements as well as record keeping and inspection.

PC members discussed the cost to individual homeowners of the engineering, maintenance and inspection required and the responsibilities of the Township. The Ordinance as written applies to the entire Township although there are different, more stringent criteria for areas within the Chester Creek Watershed. The PC concluded that the applying the Ordinance throughout the Township did not place an unreasonable burden on the properties outside of the Chester Creek Watershed. Walter Pavelchek asked about the maintenance responsibilities.

Motion (MP/JH), the Planning Commission notes that Act 167 requires adoption of this ordinance for the Chester Creek Watershed, that there are other regulations which apply to the remainder of the Township, and that Westtown can more efficiently administer stormwater management requirements if the Ordinance is applicable to the entire Township. The Commission therefore recommends that Westtown Township adopt the proposed Storm Water Management Ordinance as presented.

Public Comment. Walter Pavelchek asked if the PC recommendation was for an Ordinance covering the entire Township. PC advised that it was.

Unanimously approved.

West Goshen Township Comprehensive Plan. PC will send a memo to the Board suggesting support of West Goshen's plan for additional pedestrian and biking trails.

Tract 2001-5, Jefferson Office and Bank. Present was Joseph McCawley to respond to the Chester Valley Engineers memo dated 8/16/2004. Mr. McCawley explained that construction of the Malvern Bank has deviated from the approved plan. The berm at the intersection of Skiles Blvd. and Route 202 had been lowered about four feet. The existing sign and part of the existing landscaping were removed. The two foot berm along the 202 frontage shown on the approved plan was not installed. Three parking spaces at the NW corner of the lot had been eliminated because of rock. Engineer Capuzzi noted that the slope of the parking lot in this area has been changed and there is some question as to the accuracy of topo on the as-built plan. Parking spaces which do not comply with ordinance requirements do not count in the tabulation. According to Mr. McCawley the slope change was also caused by the rock in that location. Mr. McCawley presented pictures of the landscaping which has been installed.

Mr. McCawley stated that the loss of the parking spaces was not significant as there are sufficient spaces for the bank and he does not intend to proceed with the office building at this time. If the future office building must be smaller because sufficient spaces for a 40,000 square foot general office building cannot be achieved, then the building will be reduced in size. If it is a medical office building instead of a general office building, it will also have to be reduced in size in order to meet the parking requirements for a medical facility.

Chairman Verdiani reviewed the history of the Jefferson track and the parking requirements. While the Planning Commission accepts that the situation as presented could constitute a plan revision, the Commission's major concern is that this situation is documented so that the office building plan will be revised before approval and recording of that component of the plan.

Engineer Capuzzi said that the berm at the intersection was constructed and landscaped by Jefferson Apartments. The approved landscaping plan for this project showed that berm and landscaping remaining, a retaining wall, and a berm approximately two feet high extending down along the 202 frontage of the parking lot. The plant material was to be installed on this berm. At this point the original berm has been lowered four feet, and no additional berming was constructed. Landscaping has been installed, but it has not been verified that it is in compliance with the plan. The Township has not released escrow monies for the landscaping.

Mr. McCawley does not want to replace the berm or to construct the berm extension because the bank believes it detracts from its visibility. Mr. House noted that once a plan was approved, it was expected that it would be completed as shown on the plan. Mr. Purcell asked who directed the installation of the landscaping without the approved grading. Mr. McCawley did not respond. Mrs. Adler asked if the bank had seen the approved plan prior to construction. Mr. McCawley indicated they had.

The PC examined the approved landscaping plan and other material submitted by Mr. McCawley during the review of the original plan. The PC believes the landscaping should accomplish the original intent of screening the parking lot and suggested Mr. McCawley submit a new plan as it does not appear that the landscaping as installed, without the expected berm, achieves this.

The PC is agreeable to seeing work on the parking lot continue with the clear understanding that the reduction in parking spaces will be documented so that it is considered when any further plans are submitted for the remainder of this site (the office building). The Commission does not object to the Township's lifting the current work stop order provided that Mr. McCawley agrees to return to the Commission, within an acceptable time frame, with a revised landscaping plan which is designed to comply with the original intent of screening the parking area. If the Commission's review of the revised plan determines that the landscaping does not achieve this purpose, the Commission will recommend that the original berming be required.

Motion (MP/EA), the Planning Commission recommends that Board approve an amended parking plan for the bank site (specifically reducing the number of spaces by three) with the condition that this will require revisions in the previously approved plan for remainder of the site (the office building).

Public Comment. None at this time.

Unanimously approved.

Motion (DV/EA), the Planning Commission suggests that the Zoning Officer rescind the current cease and desist order based on the previous motion regarding revision of the parking for the bank site and the agreement of the applicant to prepare and submit a revised landscaping plan in a timely manner or to construct the berm and install the landscaping as shown on the approved plan.

Public Comment. None at this time.

Unanimously approved.

The Planning Commission also requests a letter from Joseph McCawley acknowledging the necessity for the above changes.

Thornbury Township/Wachovia Bank. PC viewed a sketch plan for the proposed bank at the SW corner of 202 and 926 provided by Thornbury. PC will thank Thornbury for the opportunity to view the plan.

Public Comment.

Walter Pavelchek, S. New Street, suggested Westtown post a topographical map of the Township in the meeting room. PC agrees it would be useful and will pursue the idea.

Adjournment. 10:20PM (EA/MP).

Elaine L. Adler
Planning Commission Secretary