

WESTTOWN TOWNSHIP PLANNING COMMISSION MEETING
Stokes Assembly Hall
1039 Wilmington Pike, Westtown Township
November 3, 2004 - 7:30PM

Present: Commissioners House, Kurth, Adler, Verdiani, Flynn, Purcell, and Huberty. Also present were Township Manager Bob Layman, Township Engineer Angelo M. Capuzzi, four 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 October 6, 2004, were approved with an addition to the section on Westtown School and verification of architect's name (KF/JH –for JH, CK,DV,KF,MP, PH. Abstain, EA) . The Planning Commission meeting scheduled for October 22, 2004, was canceled.

Announcements.

Mark Purcell noted that the West Chester Regional Planning Commission meeting information and minutes are not coming to the PC as requested.

Elaine Adler distributed information on a Zoning Seminar in Downingtown on November 16th.

Reports.

Mark Purcell reported on the October 18th meeting of the Board of Supervisors. He said that the Board wants more information on the proposed zoning amendments and a meeting was planned. The other major discussion involved Westtown's ability to complete plans for purchase of land for the township trail prior to the expiration of a grant.

Don Verdiani reported on the November 1st Board meeting. He noted that he, Elaine Adler and John Snook had met with the Board during the Work Session to discuss the proposed zoning amendments. Carol DeWolf has requested some additional material from John Snook. Another meeting will be scheduled. At this time the entire batch of amendments will be considered together although it could be decided to act on the corrections sections separately. The Board also accepted the Final Plan for Tract 2003-10 TAG Builders/Orvis and approved the Resolutions for Sewer Modules for that tract and for Tract 2003-14 Tordone/Sineath. The Supervisors also discussed selection of contractors for repair of Dalmally Drive and South New Street. Mr. Verdiani indicated there was some possibility of getting some money from the mitigation grants approved for repair of damage from this fall's storms.

Non Agenda Public Comment. None at this time.

Tract 2001-5, Jefferson Bank and Office. Present were Joseph McCawley and Dave Geis from TruGreen Landscaping. Mr. Geis reported on a meeting of landscape architects from TruGreen and Chester Valley Engineers which produced a modified landscape plan. This plan was subsequently presented at a staff meeting (Angelo Capuzzi and Elaine Adler) at which time it was further modified by the addition of one large tree, three ornamental trees, and seven blue hollies near the intersection of 202 and Skiles Blvd. It was further agreed at that meeting that Mr. McCawley would present a plan for the landscaping of the area immediately surrounding the new directory sign to be constructed at the intersection with the sign application. Letters of agreement to the above have been submitted by Mr. McCawley. The actual landscape plan for the entire site will be modified by Pennoni Engineers and submitted to the Township.

Tract 2003-11, Donnelly Office Building. Present were Philip Donnelly and Engineer Charles Durkin. PC has received reviews from Chester Valley Engineers dated 10/20/2004, McCormick Taylor dated

10/20/2004 (traffic), URS dated 11/1/2004 (sewer), CCPC dated 10/27/2004, and the Westtown Fire Marshal dated 10/7/2004.

Mr. Durkin responded to the CVE letter as follows:

Zoning Comments. Mr. Durkin indicated that the applicant would comply with these four comments and would request a waiver from the Board for the 16' parking stalls.

Subdivision Comments. The applicant will comply with comments 1 through 8, 10 through 14. As to #9, Mr. Durkin indicated that the property was not suitable for recharge and said the proper report would be submitted. Mr. Capuzzi noted that this plan was originally submitted before adoption of the new Stormwater management Ordinance and therefore was not required to comply with those regulations.

Relating to # 15, Mr. Durkin said the applicant did not believe there were any 6" caliper trees on the property. Mr. Capuzzi requested the applicant recheck this.

Relating to #16, Mr. Capuzzi explained the two different specifications for tree sizes. The applicant will comply.

Sanitary Sewer Extension Comments. The applicant will comply with the five comments in the CVE letter. There was some discussion of the URS comment that the Donnelly project should build the line from West Chester Pike to the rear of the property. Mr. Durkin suggested this might be possible if the Donnelly project were reimbursed for this extra line when sewer tap in fees were collected. Mr. Capuzzi said that sewer line construction at a later time would disrupt the business and noted that the Township has paid for similar construction in order to avoid higher costs at a later time. PC concluded it would be logical to put the line in before the parking was paved and will discuss this further.

Stormwater Management System Comments. The applicant will comply with the eight comments in the CVE letter. Chairman Verdiani asked if some recharge could be accomplished in areas other than those which had proved unsuitable. Mr. Durkin indicated the applicant would investigate.

Conditional Use Order. Mr. Durkin stated his opinion that emergency access to the building and safety issues had been effectively addressed. He noted that the driveway had originally circled the building, but that had been changed at Westtown's request in order to better buffer the adjacent residences in Willistown Township. The building will be equipped with fire suppressant devices and smoke detectors as requested by the Fire Marshal.

Chairman Verdiani asked if the Donnelly group had contacted PennDOT about putting in an emergency median crossing blocks to facilitate access to the site for emergency vehicles approaching from the west. Mr. Durkin agreed to investigate with PennDOT.

General Comments. The applicant will comply with all five comments.

Mr. Capuzzi noted that the sewer easement should be added to the Title Plan.

The PC then discussed the CCPC letter and advised the applicant of their concern with the comments listed under *Landscapes* and *Watersheds*. The applicant has agreed to comply with all the referenced zoning issue. The Commission also asked that the applicant further explore the issue of Best Management Practices.

Mark Purcell asked about exterior lighting of the building. _____. Architect for the project, said that they would expect some exterior lighting, but would not intentionally light the exterior on the east. Exterior

lighting would focus more on the western side where it would have less impact on residential properties. The Land Development has been sent to the various review agencies. The engineering review is scheduled for either October 20th or November 3rd.

Chairman Verdiani, referring to the McCormick Taylor memo of 10/17/2004, noted that this was still right-in-right-out access. Left turns for those entering or leaving site involve u-turns at median cuts, a potentially dangerous situation. This memo and the Fire Marshal memo suggest locating the site driveway in line with an existing median cut. Mr. Durkin said this was the original design which had been changed to accomplish the residential buffering requested by the Township prior to the approval of the Conditional Use by the Board and the variance by the Zoning Hearing Board. A change would require going back for new approvals. Mr. Verdiani again requested the applicant approach PennDOT for an emergency crossing to help mitigate these concerns.

Tract 2004-5, Westtown School Athletic Building. Westtown School has applied to the Zoning Hearing Board for waivers on the issues of disturbance of man-made steep slopes and building height in order to accomplish this project as described to the PC at the 10/6/2004 meeting. The slopes and the building are in the interior of the site and not visible from surrounding properties.

Motion (KF/MP), the Planning Commission favors the granting of the requested variances for disturbance of man-made steep slopes and building height requested by Westtown School.

Public Comment. None at this time.

Approved – Fr House, Kurth, Adler, Verdiani, Flynn, Purcell. Abstain – Huberty.

Enclave at Pleasant Grove. Present was Joseph Kravitz who is requesting the Township waive the requirement for 19 of the street trees. Mr. Kravitz planted street trees as required on the approved plan in Phase 1 of the project. He said he had made an effort to retain larger, existing trees in Phase 2 and believes that they serve the purpose of the street trees referenced on the plan. He feels it would be burdensome on the property owners to go back now and plant street trees in established landscaping. Mr. Kravitz displayed photos of the site.

Planning Commission members will make individual site inspections prior to the next meeting. Mr. Kravitz was asked to prepare a plan showing the saved trees for discussion at the November 17th PC meeting.

Tract 2003-10, TAG/Orvis. Present was Tom Galbally. PC received Final Plan for this project. Engineering review is scheduled for November 17th. Mr. Galbally explained that the Final Plan shows a gravity sewer system with a pump station on West Pleasant Grove Road instead of the grinder pump system shown on the Preliminary Plan. Sewage will be pumped to a manhole on 202 at the northeast corner of the tract.

Public Comment. William Steele, East Niels Lane, asked about water in the basins shown on the northwest corner of the site. Mr. Galbally explained that there might be some water retention, but these were temporary basins during construction. Mr. Steele indicated this might create a mosquito problem. Mr. Steele also asked about what appeared to be new steep slopes, and landscaping to prevent headlights from impacting on his property. Mr. Galbally will review the headlight issue.

Mr. Galbally received a letter from the PC indicating that the 90-day review for this plan begins on November 3, 2004. He also took the completed module package which he will deliver to DEP.

Tract 2003-14, Tordone/Sineath. Modules for this project had to be redone at the direction of DEP. PC approved the revised modules.

Zoning Ordinance Amendments. PC members have received new language for “Institutional Use” regulations which would provide criteria for reviewing cases such as Gaudenzia. By adopting this language and rezoning the Gaudenzia tract to R-3 where Institutional Uses are permitted, the Township would have some basis for review of future plans for this tract. At this time, the Gaudenzia operation does not fit into any of the Zoning Office regulations. It exists as a non-conforming use with a Special

Exception for an "Educational Use" which is not appropriate for the present operation. The purpose of the new language, and of rezoning the Gaudenzia tract, would be to make the use one authorized within the zoning district and to provide some criteria for review of future applications. PC questioned status of Gaudenzia's present application for a permit to convert the existing warehouse into a residential facility. While acknowledging that this is not a planning issue, several PC members believe that the proposed changes are sufficient to require an application to the Zoning Hearing Board.

Public Comment.

Eva Foster, 734 Westbourne Rd, observed that the proposed language did not exclude a penal or rehabilitative facility which she felt was the proper description of Gaudenzia. She also said this might be called spot zoning as the R-3 district refers to locations along major highways.

Chairman Verdiani asked members to review for future meeting.

PC has also received language for "CCRC" which is not currently in the Ordinance. Mr. Verdiani said that the solicitor and staff had suggested that while the Township had decided against the continuing care concept during earlier deliberations, these uses might be appropriate on tracts such as Crebilly. The property owner has also asked for consideration of this concept. Mr. Purcell questioned whether this would allow the entire tract to become a hospital/rehabilitation facility. The amendment is designed for a mixture of the varying degrees of "care". Mr. House commented on the progression through a continuing care community and the complexity of design required to accommodate these uses while complying with various regulations.

Chairman Verdiani asked the PC to consider for future discussion. If an acceptable version of this concept can be agreed upon in the new few weeks, it will be included in the current set of zoning amendments. If not, the "fix it" amendments will be separated out for immediate action while the remaining amendments are discussed

Public Comment

William Steele, E. Niels Lane, suggested Westtown recommend use of deer resistant plant material when considering landscaping material.

Adjournment. 9:35PM (EA/KF).

Elaine L. Adler
Planning Commission Secretary