

**WESTTOWN TOWNSHIP PLANNING COMMISSION MEETING  
STOKES ASSEMBLY HALL, 1039 WILMINGTON PIKE  
JUNE 18, 2003 - 7:30PM**

**Present:** Chairman Don L. Verdiani noted the following were present: Planning Commission members Mark Purcell, Kevin Flynn, Elaine L. Adler and Mary E. Paumen; **Absent:** Carol DeWolf and D. N. Bibbo. Also in attendance were Township Manger Robert Layman; Township Solicitor Robert F. Adams, Township Engineer Angelo M. Capuzzi, five guests and those mentioned below.

**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 revised.

**Approval of Planning Commission Minutes**

The minutes of the meeting of May 21, 2003 were approved. Motion (Paumen/Purcell). For Flynn, Purcell, Adler, Paumen. Abstain, Verdiani. The minutes of the meeting of June 4, 2003 were approved with "planning field" changed to "playing field". Motion (Paumen/Purcell). For Flynn, Purcell, Adler, Paumen. Abstain, Verdiani.

**Announcements.**

Engineer Capuzzi said the Board approved the Conditional Use for Tract 2003-2, the Bowers tract on 6/16/03 and that he is reviewing the Preliminary Plan for the PC meeting on 7/9/03. He expects to submit Land Development plans for the new police building shortly. Mr. Capuzzi also distributed a sketch for a revised traffic pattern at the Commerce Bank in Westtown Village and asked if the Planning Commission considers this a substantial change. The PC considers this a substantial change and does not favor the requested revision of the traffic pattern.

Chairman Verdiani asked if the PC wanted to make a recommendation to the Board regarding Thornbury Chester County's "engine break" ordinance.

Kevin Flynn reported on the June 16<sup>th</sup> Board meeting. He reported to the Board on the residents' comments regarding the Bayard Rustin High School at the Planning Commission meeting, particularly concerning the impact on the Westtown-Thornton Road.

Solicitor Adams reported that the McCawley office building project is still pending as the parking available does not conform to the requirements for a medical office building which is the use proposed.

**Zoning Ordinance Amendments**

Solicitor Adams explained that the Board wishes to re-adopt the March 3<sup>rd</sup> amendments to resolve the procedural appeal issue. He requested the Planning Commission take an official position on this point and advise the Board by letter of this position. He further indicated that the consultants were working on a draft of additional amendments to be adopted at the first August meeting of the Board. John Snook of the Brandywine Conservancy has made additional changes to the draft which Mr. Adams distributed to the PC at the last meeting. Mr. Snook will be present at the July 9<sup>th</sup> PC meeting to discuss these amendments.

Motion (Flynn/Adler) the Westtown Township Planning Commission recommends to the Board of Supervisors that the comprehensive zoning amendment, previously adopted by Westtown Township on March 3, 2003, and now the subject of a procedural appeal, be re-adopted in its entirety in the same form and content previously enacted by the Board of Supervisors. Unanimously approved.

**Tract 2002-2, Joyce Realty Office Building. Final Plan.** In attendance were Spencer Qualls and Engineer Jim Hatfield of Vandermark and Lynch. Referring to the Chester Valley Engineers review letter dated June 6, 2003, Mr. Hatfield stated that the applicant agreed to all comments except as follows:

General Comments

1. Applicant would like to change the wording from "geotechnical engineer" to "professional engineer." Mr. Capuzzi has agreed.
2. Referring the Fire Marshal's 12/6/02 memo, Mr. Hatfield indicated that the "dry" hydrant recommended would not function as required because of the shallow depth of the pond. Concerning the recommended "early warning system", Mr. Hatfield said that the applicant would install smoke detectors which the individual tenants would have connected to their security system. He indicated that the Fire Marshall would accept this resolution. PC recommended this be a lease requirement.

**Motion** (Paumen/Purcell) the Planning Commission recommends that the Board of Supervisors approve the Final Plan for Tract 2003, Joyce Realty with the following conditions and stipulations:

1. The applicant will comply with all comments in the Chester Valley Engineers (CVE) review letter dated June 3, 2003 except as noted below.
2. In the CVE letter General Comment #1, the phrase "geotechnical engineer" will be replaced with "professional engineer".
3. The applicant will comply with all conditions of CVE General Comment #3 except for the payment of the tapping fees which are not required because of previous agreements.
4. The applicant will be required to comply only with the second comment in the Fire Marshal's memo of December 6, 2003, that is to require in each of the tenants leases that they connect to an early warning system.

Public Comment. None at this time.

**Unanimously approved.**

**Tract 2002-8, SS Simon and Jude.** Present for the church were Father Meehan, Ron Avellino, Engineer Jim Mazeika, Architect Kevin Allebach, and Project Manager John Gallen. Chairman Verdiani explained that this item was on the agenda tonight so that the PC could make comments to the Zoning Hearing Board which is considering SS Simon and Jude's request for a Special Exception for the church use and for the proposed 59 foot height and variances relating to impervious cover and construction in steep slope areas on June 19<sup>th</sup>.

Ms. Paumen asked for clarification of the extent and function of the emergency access to the lower rear of the building which has been added to the plan since the PC last reviewed this project. The PC feels strongly that effective emergency access for vehicles and adequate provision for evacuation of inhabitants of the lower level, including most particularly mobility impaired persons, are major concerns. The church representatives said that the access provided is acceptable to the Fire Marshal and adequate for use by emergency equipment and as an evacuation route for inhabitants of the lower level. PC commented that the access must be functional in all weather conditions.

Mr. Mazeika explained that storm water from the western section of the track, including the expanded parking behind the school, will be diverted to the basin on the Jaguar tract which has been enlarged for this purpose. The Jaguar dealership is accepting the storm water in exchange for an easement to connect to SS Simon and Jude's sewer lateral. There will be a series of storm water management basins on the south section of the property which are designed in accordance with "Best Management Practices" standards. This system will improve the present drainage flow across the properties along the south side of the property by piping the water directly into an existing storm sewer. To get the drainage from the main parking area to these basins requires construction either in the man-made steep slopes along the former Route 352 or in the steep slopes directly south of parking lot, therefore the church has requested a variance to permit such construction.

There are 443 parking spaces shown on the plan. Based on the capacity of the church 440 spaces are required. Father Meehan confirmed that there would be no major functions at the school coinciding with maximum church use. Parking spaces are 9' by 18', ten percent will be 9.5' by 18'. There are some 16' spaces where bumpers can hang over without interfering with landscaping, etc. To reduce the impervious cover to the permitted 40 percent (from 43 percent), 40 to 50 parking spaces would have to be removed. Engineer Capuzzi suggested that recharging for the hundred year storm rather than the two year storm could be considered compensation for the additional three percent. The PC acknowledged that it would prefer to support the request for a variance on the impervious cover with this condition.

Motion (Paumen/Adler). The Planning Commission recommends to the Zoning Hearing Board that they approve the requested Special Exception for the church use and for the 59 foot height with the condition that there is no exterior lighting of the steeple atop the church. The Commission also recommends approving a Special Exception for the expansion of the school use into the space formerly occupied by the church with the condition that this is to provide additional facilities for the school not to permit an increased enrollment. The Commission further suggests granting the requested variances for the additional impervious cover provided storm drainage from the excess is recharged per direction of Township Engineer and for the construction in areas of prohibitive slope. The Commission directs the Zoning Hearing Board's attention to the attached Chester Valley Engineer's letter of 6/12/03 in its entirety.

Public Comment: Ron Avellino. Question as to the time of the Zoning Hearing Board on June 19<sup>th</sup>.

Unanimously approved.

**Tract 2003-11, Donnelly Office, West Chester Pike.** Sketch plan for 20,000 square foot, two story office building on north side of West Chester Pike adjacent to the Willistown Township. Present were Phil Donnelly and Craig Hough. Currently single family homes are being constructed on the Willistown side. Because of the configuration of the lot it is not feasible to provide a 100 foot setback from the eastern (Willistown) property line. The Zoning Ordinance requires a hundred foot setback from the tract boundary, and specifies that 50 feet of this setback must be a landscaped buffer when the adjacent property is zoned "A/C, R-1, or R-2". PC will refer the buffer landscaping question to the Township Solicitor, but advised the developer that a variance would be required to reduce the setback from the adjacent property. PC members found the use acceptable, but suggested further thought be given to moving the parking away from the front of the building. Engineer Capuzzi suggested changes in the driveway, recommended a sanitary sewer easement along the western property line, and advised that the public sewer would have to be extended to the property.

**Planning Commission Minutes.** The Planning Commission decided that minutes would be prepared in summary form and would not contain lengthy quotations. Any person may ask that their statement (as prepared by the speaker) be attached to the minutes.

**Public Comment Non-Agenda Items.**

There was no public comment at this time.

**Adjournment.**

The motion to adjourn made by Ms. Paumen, seconded by Ms. Adler was unanimously approved.

Respectfully Submitted,

Elaine L. Adler  
Secretary, Westtown Township Planning Commission