

WESTTOWN TOWNSHIP BOARD OF SUPERVISORS REGULAR MEETING
OAKBOURNE MANSION 1014 SOUTH CONCORD ROAD
March 5, 2001

In attendance were Supervisors L. Charles Scipione, and Victor J. Orlando; Township Manger Michael A. Cotter; and Township Planning Commission member Kevin Flynn. There were eleven guests in attendance.

I. Call to Order

There being a quorum present, Chairman L. Charles Scipione led the Board of Supervisors, staff and guests in the Pledge of Allegiance and called the meeting to order.

II. Approval of Minutes (20 February 2001).

On the motion of Mr. Orlando, second Mr. Scipione, the Board of Supervisors unanimously approved the minutes of 20 February 2001.

III. Conditional Use Hearing – Westtown Associates.

The Board of Supervisors held a Conditional Use Hearing to hear the application of Westtown Associates to permit the construction of a 45,000 square foot office building on their property, located at 1623 West Chester Pike, in a area defined by Township Ordinance as a precautionary slope. (Transcript available at Township Office)

On conclusion of the Conditional Use Hearing the Board of Supervisors on the motion of Mr. Orlando, second Mr. Scipione, unanimously approved the Conditional Use for Westtown Associates to build in a precautionary slope area. Mr. Adams will prepare the Conditional Use Order to be executed by the Board of Supervisors at their 19 March 2001 regular meeting.

IV. Departmental Reports

A. Township Building Inspector – Kenneth A. Carroll.

As Mr. Carroll was unable to attend the meeting, Mr. Cotter covered the February Building report with the Board of Supervisors. Mr. Cotter stated that a permit was issued in February to Jefferson-at-Westtown for recondition of the apartment building that had been destroyed by a fire in December. He also said the Mr. Carroll was preparing the ordinances necessary for adoption of the 2000 BOCA Code by the Board of Supervisors.

B. Township Road Department – Mark S. Gross.

As Mr. Gross was unable to attend the meeting due to weather conditions Mr. Cotter reviewed the February Road report with the Board of Supervisors. Mr. Cotter stated that the mirrors have been reinstalled at the Oakbourne bridge and that the fence work has been completed at the Westtown-Chester Creek plant.

C. Township Planning Commission – Kevin Flynn.

Mr. Flynn reviewed the 21 February Planning Commission with the Board of Supervisors. He stated that the Commission has interviewed several applicants for the vacancy on the Commission and are recommending the appointment of Norman Hansen, 601 Jacqueline Drive, to fill the position. He also stated that the Commissions recommends approval of the SBA plan conditioned on the tower “tree branches” extending beyond the antenna and restrictions against microwave dish usage. Mr. Flynn said the Commission reviewed the ACT 167 plan for the Chester Creek Watershed area and how it will affect the Township’s future stormwater management.

V. Old Business.

A. Continuation of the Growth Management Plan Public Hearing.

Mr. Cotter advised those present that due to the weather predictions, the Growth Management hearing has been tabled. He stated the hearing will be continued at the 19 March 2001 regular Board of Supervisors meeting if Mr. Schmehl's schedule will permit him to attend the meeting.

B. Action on the McCawley Jefferson Center 2001 Interest Income release in the Amount of \$11,244.06

Mr. Cotter stated that this release was for the interest income on the escrow account for McCawley Jefferson Center. Mr. Orlando asked if there would be sufficient funds in the account with this release. Mr. Cotter stated yes there would be.

On the motion of Mr. Orlando, second Mr. Scipione, the Board of Supervisors unanimously approved the 2001 Interest income release in the amount of \$11,244.06 for McCawley Jefferson Center.

Mr. Robert Genzano, 1023 Plumly Road, asked if it was his understanding that the Growth Management Hearing would be held on 19 March if Mr. Schmehl could attend. Mr. Cotter responded yes that was correct and for Mr. Genzano to contact the office later in the week for confirmation of the date.

VI. New Business.

A. Acceptance of the McCawley/Jefferson Center Fountains at Westtown Preliminary Land Development Plan.

Mr. Joseph McCawley, in the absence of his engineer, presented the Fountains at Westtown Preliminary Land Development Plan to the Board of Supervisors. He stated that the plan is for a three-story adult apartment condominium complex at the Jefferson Center. Mr. Scipione stated that he has a concern with acceptance of the plan as he feels there is a question of zoning to allow for adult apartments. Mr. Adams stated that was correct but felt that the plan could be moved through the review process if the Township moves quickly with an appropriate zoning modification. Mr. Adams said that the Curative Amendment granted to Mr. McCawley for development of the tract provided flexibility for development by identifying basic parameters and basic guarantees for square footage etc, but he does not believe it allowed for adult apartments in this area of the tract. He stated that this area was zoned for office. Mr. Adams advised the Board of Supervisors that an amendment could be made to the POC overlay but would not recommend any changes to the R1 zoning. Mr. Cotter said Mr. Schmehl was working on changes to the POC to allow for age restrictive apartments. Mr. Orlando asked if the plan was accepted tonight how long would the process take with the zoning change. Mr. Adams advised Mr. Orlando that Mr. McCawley would have to understand that the plan would be accepted without the 90-day time frame for plan approval and that the Board does not have any legal authority to approve the plan. Mr. Scipione asked how the plan could be accepted if the plan is not considered legal. Mr. Adams responded that the plan would be accepted for review purposes only. Mr. McCawley stated that it is understood but time is of the essence.

Mr. Orlando made a motion to accept the McCawley/Jefferson Center Fountains at Westtown Land Development Plan. Mr. Adams asked Mr. Cotter to write a letter to Mr. McCawley stating the conditions of plan approval.

Mr. Scipione asked for public comment.

Mr. Geoffrey Kramer, 1046 Dunvegan Road, stated he was not sure of the acceptance of the plan. He also said that the Township should have fought the original Curative Amendment and feels the Township should maintain R1 zoning.

The Board of Supervisors unanimously approved acceptance of the McCawley Fountains at Westtown Plan as conditioned and passed the plan to the Planning Commission for their review.

B. Award of the 2001 Street Tree Maintenance Bid to Acme Tree Service in the Amount of \$17,500.00

Mr. Cotter stated that the bid includes tree trimming in the Pleasant Grove Development, removal of dead Sycamore trees on E. Pleasant Grove Road, dead trees at Tower Course near SR 926 and two dead trees on Old Wilmington Pike.

Mr. Kramer asked if the stakes on W. Pleasant Grove Road were for trees that were to be removed. Mr. Cotter said that no trees would be removed on W. Pleasant Grove Road and that the stakes were probably for a survey of the Orvis property by Shelter Development. Mr. Kramer asked if there was a Township Ordinance concerning tree removal. Mr. Cotter stated there was no ordinance at the present time but this was being addressed in the ordinance revision for the Growth Management Plan.

On the motion of Mr. Orlando, second Mr. Scipione, the Board of Supervisors unanimously awarded the 2001 Street Tree Maintenance Bid to the low bidder Acme Tree Service in the amount of \$17,500.00

C. Award of the Roadside Maintenance Bid to All Seasons Landscaping in the Amount of \$4,350.00.

Mr. Cotter said that the Township had only received one bid which was from All Seasons Landscaping who has done the roadside maintenance for the Township for the past two years. Mr. Cotter also said that two new areas of the Township have been added to the bid this year.

Mr. Walter Pavelchek, 1050 S. New Street, asked if there was a document that shows the areas to be maintained. Mr. Cotter responded that the bid specifications are available at the Township office.

On the motion of Mr. Orlando, second Mr. Scipione, the Board of Supervisors unanimously awarded the Roadside Maintenance Bid to All Seasons Landscaping in the amount of \$4,350.00.

VII. Public Comment.

Mr. John Wintermute, 1051 Dunvegan, asked when he would receive an answer to the four questions in the letter he had sent to the Township on 10 February concerning public sewer and the Growth Management Plan. Mr. Cotter advised Mr. Wintermute that if his questions are not answered at the Act 537 and the Growth Management Plan hearings they will be answered by letter when the hearings are completed.

Mr. Earl Hill, 1414 Ponds Edge Road, asked if the stormwater runoff from Hickman Run would be addressed this year. Mr. Cotter responded that the 2001 budget includes funds for an engineering survey which will review all the Township stormwater structures in preparation for the new Part II NPDS permit for stormwater due in 2003, but that no money has been budgeted for stormwater work this year in Hickman Run. A discussion then ensued on the Township's compliance with the new stormwater permit regulations which will be based on creek watershed planning under ACT 167.

Mr. Pavelchek asked about the accuracy of the maps for wetlands and slopes used by the Growth Management Task Force as the maps do not show the correct slopes on his property. Mr. Scipione advised Mr. Pavelchek that the maps would be researched.

Jay Albrecht, 1053 E. Niels Lane, asked where the 19 March Board of Supervisors meeting would be held as it is a continuation of the Growth Management Plan. Mr. Scipione said it would be held at Oakbourne.

VIII. Adjournment.

As there was no other business or comment, on the motion of Mr. Orlando, second Mr. Scipione

the Board of Supervisors adjourned the meeting.

Respectfully Submitted,
Michael A. Cotter,
Township Manager