

WESTTOWN TOWNSHIP BOARD OF SUPERVISORS REGULAR MEETING
OAKBOURNE MANSION 1014 SOUTH CONCORD ROAD
March 19, 2001

In attendance were Supervisors L. Charles Scipione, Kenton S. Stokes and Victor J. Orlando; Township Manger Michael A. Cotter; Township Solicitor Robert F. Adams; Township Engineer Angelo M. Capuzzi; Westtown-East Goshen Police Chief John M. Dumond; and Township Planning Commission member Art Holland. There were forty-one 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 (5 March 2001).

On the motion of Mr. Orlando, second Mr. Scipione, the Board of Supervisors unanimously approved the minutes of 5 March 2001.

III. Departmental Reports

A. Township Solicitor – Robert F. Adams.

1. Review of, and Action on, the Sunrise Offer of Dedication, Resolution 2001-7.

Mr. Adams stated the Township is still in negotiations with Sunrise and should be able to take action on this issue at the 2 April Board 2001 Board of Supervisors meeting.

2. Review of and Action on, the Brandolini Development Chesterfield Conditional Use Order.

Mr. Adams reviewed the Chesterfield Conditional Use Order with the Board of Supervisors. He stated that the Order requires the developer to pay 35% of the traffic signal installation, to coordinate traffic improvements at Strafford Drive and West Chester Pike with the Westtown Associates' project and all architectural renderings for the development are subject to the review of the Board of Supervisors and the Chesterfield Homeowners Association.

Mr. Orlando made a motion, second Dr. Stokes, to grant conditional use approval to the Brandolini/Chesterfield Development. Mr. Scipione asked for public comment. There was no public comment at this time. The Board of Supervisors unanimously approved the Brandolini/Chesterfield Development Conditional Use Order.

3. Execution of the Westtown Associates Conditional Use Order.

Mr. Adams asked that this item be deferred, as the Order was not ready for execution this evening.

4. Review of, and Action on, the SBA Cellular Tower Lease Agreement.

Mr. Adams reviewed the lease agreement with the Board of Supervisors. Mr. Scipione asked that this item be tabled as it appeared from the review revisions to the lease were necessary.

5. Action on the Gagliardi Conditional Use Order.

Mr. Adams asked the Board of Supervisors to execute the approved Conditional Use Order for the Gagliardi Simple Subdivision 1120 Chateau Drive.

Mr. Adams thanked Mr. Cotter for his recent presentation at the Pennsylvania Bar Institute seminar. He stated that Mr. Cotter gave an excellent presentation on how new technology relates to a municipal law practice.

B. Westtown-East Goshen Police Department-Chief John M. Dumond.

Chief Dumond presented the February police report to the Board of Supervisors. He stated that there had been two armed robberies one in East Goshen and one in Westtown and that all suspects have been arrested.

C. Township Engineer – Angelo Capuzzi.

1. Construction Updates.

Mr. Capuzzi stated that Green Lane Village is the only project under development at the present time with Phase III and Phase IV commencing in a few weeks.

2. McCawley Jefferson Center Escrow Release #17 (Pleasant Grove Pump Station) in the amount of \$126,258.00.)

Mr. Capuzzi advised the Board of Supervisors that this escrow release is for the upgrade of the Pleasant Grove Pump Station and Mr. McCawley is to reimburse the Township from this release for the work that was done on the pump station. Mr. Capuzzi stated that he has advised Mr. McCawley that he would need to increase his escrow account as the cost of the pump station upgrade has exceeded the amount estimated for the project.

On the motion of Mr. Orlando, second Dr. Stokes, the Board of Supervisors unanimously approved escrow release #17 for the McCawley Jefferson Center (Pleasant Grove Pump Station) in the amount of \$126,258.00.

D. Planning Commission – Art Holland.

Mr. Holland covered the 7 March 2001 Planning Commission meeting with the Board of Supervisors. He stated that Mr. Gifford, 1131 S. Chester Road, asked that the size of signs that would be allowed in the proposed Village Retail district in the Growth Management Plan be increased from 4 square feet to 6 square feet. Mr. Holland said that the Planning Commission was agreeable with Mr. Gifford's request.

Mr. Holland said the Commission reviewed Mr. McCawley's Fountains at Westtown plan for two four story adult apartments in the Jefferson Center. He stated that Mr. Capuzzi will present his review of the plan at this weeks Planning Commission meeting.

Mr. Holland advised the Board of Supervisors that a delegate needs to be appointed to attend the West Chester Regional Planning Commissions meetings. He stated that Mr. Pavelchek has agreed to be the alternate delegate.

Mr. Holland stated that Mr. Schmehl continued his reviewed of the proposed zoning amendments with the Commission and that Mr. Capuzzi reviewed the new Pennsylvania storm water regulations with the Commission.

V. Old Business.

A. Westtown-Associates Final Land Development Plan, 1615 West Chester Pike.

Mr. Cotter stated that there are several items that need to be addressed on the final plan. He mentioned that DEP has concerns about the vegetation and insects in the wetlands area and have advised Westtown-Associates they will need approval from the US. Department of Fisheries. He also stated that the sewer issue has not been resolved. Mr. Scipione asked if acceptance of the plan would hinder these concerns. Mr. Cotter stated

that the Planning Commission could still review the plan. On the motion of Mr. Orlando, second Dr. Stokes, the Board of Supervisors accepted the Westtown-Associates Final Land Development plan and passed the plan to the Planning Commission for their review.

B. Action on the SBA Cellular Tower Final Land Development Plan, 1014 S. Concord Rd.

Mr. Cotter introduced Mr. Russell Manning from SBA who was present to answer any questions that the Board of Supervisors might have. He also stated that all conditions have been noted on the plan. Mr. Scipione asked if the final plan could be approved without execution of the lease agreement. Mr. Adams advised the Board of Supervisors that they could accept the plan but that SBA would not receive occupancy approval until the lease was signed.

Mr. Orlando made a motion, second Dr. Stokes, to approve the SBA Cellular Tower Final Land Development Plan. Mr. Scipione asked for public comment at this time.

Mr. Capuzzi asked Mr. Manning if a land development agreement and an escrow agreement had been prepared for the project. Mr. Manning responded not to his knowledge. Mr. Capuzzi asked that the plan be approved conditioned on the acceptance of these two agreements. Dr. Stokes amended the motion to accept the SBA Cellular Tower Final Land Development Plan as conditioned. The Board of Supervisors unanimously approved the SBA Cellular Tower Final Land Development Plan.

C. Action on the Gagliardi Simple Subdivision Plan, 1122 Chateau Drive.

Mr. Cotter presented the Gagliardi Simple Subdivision final plan to the Board of Supervisors for their execution. He stated that the plan notes that the boathouse will be raised. Mr. Capuzzi stated that note 17 on the plan addresses the time frame for removal of the boathouse.

On the motion of Dr. Stokes, second Mr. Orlando, the Board of Supervisors unanimously approved execution of the Gagliardi Simple Subdivision plan.

D. Public Hearing on the Township's Growth Management Plan.

Mr. Scipione stated that Mr. Schmehl was unable to attend this evening's meeting but public comment on the plan would be taken at this time. Mr. Cotter said that the hearing would be continued at the 2 April 2001 Board of Supervisors meeting.

Ms. Carol DeWolf, 1033 S. New Street, commented that overall she felt the plan was good but expressed her concerns with the rezoning of the Orvis and Crebilly tracts. Ms. DeWolf suggested that light industrial only be allowed on the eastern section of Crebilly as a way to protect the remainder of the tract. She stated that she felt this would not occur if the whole tract was rezoned. Ms. DeWolf also stated that she is not opposed to development on the Crebilly tract but opposed to how it is written.

Mr. William Steele, 1055 E. Niels Lane, said that he has lived here for thirty years and the area where he lives has always been one-acre zoning. He is against the property next to him being rezoned for a quarter acre and requested that the area around his property remain one acre.

Mr. Robert Genzano, 1023 Plumly Road, said the point that Mr. Steele was trying to make was that Mr. Steele's expectation was that the area adjacent to him would always be zoned for one acre and that anyone buying now would be aware that they were buying next to a quarter acre.

Mr. Robert Albrecht, 1053 E. Niels Lane, stated he objected to apartments on the Orvis property and felt that there were enough apartments elsewhere in the Township. He expressed his concern that a precedent was being set for the Crebilly tract.

Mr. Norman Hansen, 601 Jacqueline Drive, asked if there was a definite plan showing

how the expansion of route 202 will affect the West Side. Mr. Cotter responded that PennDOT has four options for the expansion and should be making a decision by the end of the year. Mr. Hansen asked if the expansion will affect the development under the Growth Management Plan. Mr. Cotter advised Mr. Hansen that the Township has been working with PennDOT on the expansion of 202 in Westtown and that has been taken in consideration in the Growth Management Plan. Dr. Stokes stated his feeling that until PennDOT looks at the cost of the expansion project and knows how much money can be funded for the project a definite plan will not be decided on.

Marilyn Powell, 1058 E. Niels Lane, asked how the Township can proceed with the Growth Management plan if PennDOT has not finalized its expansion plans. Mr. Orlando advised Ms. Powell that the Township Ordinance calls for a sixty-foot right-of-way from the centerline of route 202 with additional building setbacks. He said that anything built now would have the correct setbacks and would not be removed. Mr. Cotter stated that the route 202 expansion plans are available at the Township office for review. Dr. Stokes said the Township knows that there will be a solid medium on 202 in Westtown except at the 926 intersection and also the intersection at Skiles Boulevard. He stated that this is why the parallel road on the West side through the Orvis property is important, as it will give the residents on W. Pleasant Grove Road access north on 202.

Mr. Myron Grubaugh, 1024 Dunvegan Road, asked if they would have to use S. New to Route 926 to go south. Mr. Cotter stated that the Township is working with PennDOT to keep access at Pleasant Grove Road. Mr. Grubaugh asked if the sewer capacity for the Crebilly tract and the Orvis tract are part of the Act 537 plan. Mr. Cotter responded that capacity for Crebilly is not in the Act 537 and that any development done on the tract would require a community system. He also stated that the Township has capacity for the Orvis tract with West Goshen.

Mr. Jeff Kramer, 1046 Dunvegan Road, expressed his feelings that the Township is trading zoning for a road. He also stated that PennDOT moves slowly and the Township should not be concerned about the expansion. Mr. Orlando responded that PennDOT plans the expansion to commence in 2006 and that the Township must plan for the future.

Mr. Phillip Jones, 1007 Jennifer Lane, requested that the Township keep density at a minimum, as increased population will only increase traffic on Route 202.

- E. Execution of Township Administration Building Project Contracts, totaling \$972,523; to Construction and Design Inc. (General Contractor) in the amount of \$727,700; the Mechanical Contract to Cook's Service Co., Inc. in the amount of \$64,823; the Plumbing Contract to Boudurant Plumbing in the amount of \$43,000; and the Electrical Contract to Cook's Service Co. in the amount of \$137,000.**

This item was deferred for additional information necessary to execute the contracts.

- F. Execution of the 2001 Township Road Maintenance Agreement with All Seasons Landscaping, in the amount of \$4,350.00**

Mr. Cotter stated that all necessary bonds and insurance have been received and the agreement was ready for execution by the Board of Supervisors.

On the motion of Mr. Orlando, second Dr. Stokes, the Board of Supervisors unanimously approved the execution of the 2001 Township Road Maintenance Agreement with All Seasons Landscaping in the amount of \$4,350.00.

- G. Execution of the 2001 Tree Trimming/Tree Removal Agreement with Acme Tree Service, in the amount of \$17,500.00.**

Mr. Cotter advised the Board of Supervisors that all necessary bonds and insurance have been received and the agreement was ready for execution.

On the motion of Mr. Orlando, second Dr. Stokes, the Board of Supervisors unanimously approved the execution of the 2001 Tree Trimming/Tree Removal Agreement with Acme

Tree Service, in the amount of \$17,500.00.

VI. New Business.

There was no new business at this time.

VII. Public Comment.

Mr. Robert Pingar, 1003 Russell Lane, asked about the status of the installation of a traffic signal at Route 926 and Shiloh Road. Mr. Cotter stated that the application has been resubmitted and is under review. Dr. Stokes stated that the Township has applied to PennDOT for the installation of traffic signals at both Shiloh and Route 926 and Shady Grove Way and Route 926.

Ms. Eva Foster, 734 Westbourne Road, asked about the status of the Oakbourne Road Bridge, which was recently closed. Mr. Cotter advised those present that the stream had undermined the northeast abutment causing the closing of the bridge. He stated the bridge would be closed approximately eight weeks.

Ms. DeWolf asked if a bicycle lane was included in the proposed Route 926 improvements. Mr. Cotter said the Township is working with PennDOT to have the shoulders widen on Route 926. Ms. DeWolf asked when the Growth Management plan review would be completed. Mr. Scipione stated that Mr. Schmehl would complete the review at the 2 April meeting and a vote would be taken in May. He also stated that public comment would still be taken during the review period.

Mr. David Chrin, 1005 Plumly Road, asked if the rezoning of the Crebilly tract would allowed West Chester Area School District to possibility build the proposed new high school on the tract. Mr. Adams responded that the school district could build wherever they choose. Mr. Orlando said the Township feels we have our share of schools and feels a school would bring more congestion to the Route 202 area than the proposed zoning of the Crebilly tract.

Mr. Mastrovito, 825 Sharon Circle, asked when the resident's questions on the Act 537 plan would be answered. Mr. Cotter stated that the letters from residents basically asked the same questions which will be addressed at the meeting on 22 March. He also said anyone who did not have all the questions in their letter answered would receive a letter after the meeting.

VII. Approval of Bill Payment

On the motion of Mr. Orlando, second Dr. Stokes, the Board of Supervisors unanimously approved payment of the bills.

VIII Adjournment.

As there was no other business or comment, on the motion of Mr. Orlando, second Dr. Stokes, the Board of Supervisors adjourned the meeting.

Respectfully Submitted,
Michael A. Cotter,
Township Manager

