

WESTTOWN TOWNSHIP PLANNING COMMISSION MEETING

Wednesday, January 17, 2001 - 7:30PM
Oakbourne Park, Dunning Room
1014 South Concord Road, Westtown, PA

Present: Chairman Don. L. Verdiani, John A. Bafile, Domenico N. Bibbo, Kevin Flynn, Arthur B. Holland, Secretary Elaine L. Adler, Township Manager Michael A. Cotter, Township Engineer Angelo M. Capuzzi, thirteen guests, and those mentioned below.

The meeting was called to order by Chairman Verdiani who led those present in the Pledge of Allegiance to the Flag.

Adoption of Agenda: Nick Bibbo requested adding a discussion of Sketch Plans. The Agenda was adopted as revised.

Approval of Minutes: The Minutes of the Planning Commission meeting January 3, 2001, were approved as submitted (DB/JB)

Reports:

Staff. Michael Cotter reported that the West Chester Area School District is again looking for a site for a new high school, this time for a 60-acre tract. The School District is meeting with local officials in an effort to find a suitable location which can be secured at an acceptable price.

Board of Supervisors. John Bafile represented the Commission at the January 16, 2001, Board of Supervisors Meeting. He told the Board the Planning Commission suggested allowing the West Chester Regional Planning Commission to retain any funds remaining of the Township's contribution to the Regional Sewer Study. Mr. Bafile reported that the Board approved review period extensions for Westtown Village Shopping Center and SBA Oakbourne Tower plans, and extension of the Conditional Use Approval for the Westrum Plan. The Board also agreed to re-open the Westtown Associates Conditional Use Hearing to consider the matter of steep slopes. The Board also re-approved the Westtown School Bacon Cottage Plan which was necessary because of a delay in receiving DEP approval. A. Pierson Sill was appointed to fill the vacancy on the Zoning Hearing Board. Felice S. McElwaine will serve as the alternate. He also reported that Westtown is proceeding with the abandonment of Oak Lane. Mr. Cotter explained that while the Township had maintained the road for many years, there was no record of its dedication.

West Chester Regional Planning Commission. Nick Bibbo reported that the final draft of the regional sewer study would be discussed at the WCRPC meeting on January 31st. As he cannot attend, he asked Michael Cotter to represent the Township at that meeting.

Board Meeting Assignment Schedule. Kevin Flynn will represent the Commission at the Board meeting on February 5th.

Announcements: Brandywine Conservancy, "Who Wants to be a Land Trust?", Saturday, January 27th. Michael Cotter will attend.

Tract 1999-7, Westtown Village Expansion: PC discussed the revised plan dated 12/18/00 and Chester Valley Engineers review letter dated December 28, 2000. Tim Townes, representing J. Loew Associates, advised the Commission that all necessary Conditional Use approvals and Variances had been received. He reviewed the CVE letter noting that the Highway Occupancy Permit had been forwarded to PennDOT by Westtown Township, and stating that all other comments had been addressed. Mr. Townes reminded the PC that the developer would be provided landscaping along the north side of Knole Way and would be responsible for maintenance of that landscaping.

Mr. Bibbo questioned possible soil contamination resulting from the gas station use. Mr. Townes stated the sale was contingent on a clear certification which was expected shortly.

Motion (DB/KF), the Planning Commission recommends that the Board approve the plan for expansion of Westtown Village with the condition that the developer's responsibility to maintain the Knole Way landscaping appear in a note on the title plan. There was no Public Comment at this time. Unanimously approved.

Tract 2000-19, Westrum Adult Community: Present were Robert Rosenthal, Attorney John Jaros, and Engineer Ted Gacomis. Also present were a several members of Westtown Citizens for Responsible Growth (WCRG) including Robert Genzano, Carol DeWolf, and Cathy Adams-House. Mr. Jaros said that the applicant had reviewed the memos from John Snook at the Brandywine Conservancy, Angelo Capuzzi at Chester Valley Engineers, and traffic Consultant Frank Zabawski. Mr. Jaros stated that there were no insurmountable planning issues in these memos. Mr. Jaros would like to know which of these issues were most important to the Commission.

The WCRG had met with the Board of Supervisors, the developer, and Township staff and consultants on January 10th. The residents group is now in the process of preparing a plan showing the major concerns of their group. This will be presented at the February 7th Planning Commission meeting. Mr. Jaros believes the continuing dialogue is productive although he stated that some issues cannot be resolved until the actual land development process. Robert Genzano, Plumly resident, said he believed the meeting was useful in attempting to reach an understanding that would satisfy Westrum's goals, and the Township's and residents concerns.

Mr. Capuzzi discussed the main points of his review explaining that it had been his intent to identify where the current sketch plan did or did not conform to the Conditional Use Order. The first topic was Open Space. Mr. Gacomis again stated that the current plan had 50%+ open space even if the clubhouse and its parking and the basin areas were not included in the total. Mr. Capuzzi also noted that the plan maintains an 80-foot buffer whereas the Ordinance permits intrusion into this buffer, with the consent of the Board of Supervisors, to permit flexibility in design. Commenting on the storm water management, Mr. Capuzzi gave his opinion that the incremental difference between designing for the one-year storm and the two-year storm could be characterized as a "Best Management Practice" and therefore might be considered for "Significant Public Improvement (SPI)" credit. The Township believes that "pre-settlement", good meadow and good woodland standards should be used as the basis for storm water calculations. Preservation of the Great Oak is crucial to the scenic preservation. Design of any basin in that area must be carefully engineered to preclude damage to the tree.

Mr. Capuzzi observed that the Conditional Use order addresses Shiloh Road improvements and mentions 12-foot lanes with 4" shoulders. The plan proposes 14-foot lanes with curbs which he says is a PennDOT approved alternate and would minimize disturbance. Mr. Cotter advised that Mr. Zabawski does not believe separate right turn lanes are required on southbound Shiloh Road at the entrances opposite Farm Lane and Russell Lane. Mr. Zabawski also suggests an opening in the median at these entrances to permit a car to turn around and 75-feet of storage at these entrances.

Mr. Capuzzi noted that the plan includes a sidewalk adjacent to the curb line right at the edge of the right-of-way rather than a trail meandering through the buffer as previously discussed. Because of the slopes any trail in the buffer would be very close to the rear property lines of the lots backing on Shiloh Road. The Park Advisory Committee is expected to comment on the trail system. He further noted that the plan showed 391 units but did not identify SPIs to entitle the developer to units in excess of 351 cited in the Conditional Use Approval. .

Public Comment Robert Genzano. Commented on status of the court cases and court dates. Peter Norton, Carolyn Drive. Asked how residents could be kept advised of the status of this project. Mr. Cotter suggested the Township newsletter and the existing resident's website. Mr. Verdiani recommended the minutes of the Planning Commission and the Board of Supervisors. Loaner copies of the Growth Management Plan are also available in the Township Office.

Tract 1999-14, Brandolini Townhouse: Present were Fronfield Crawford and Sean McCawley. The applicant presented a revised sketch plan which was prepared following discussions with the Planning Commission and the Board of Supervisors. The buildings now generally comply with the 100-foot buffer/setback. The number of units has been reduced from 53 to 49. The applicant is requesting waivers to allow 60-foot building separation with windowed end walls and two intrusions into the buffer. The height issue previously discussed no longer exists as the proposed buildings are within the Township's height limits. .

This revised plan has been discussed with Mr. Malman representing the existing Chesterfield Homeowners. It is possible to move the eastern group of units slightly north (intruding slightly more into the buffer) which provides greater separation between the new units and the existing townhouses. Mr. Malman also requested additional landscaping which the developer would be willing to supply. According to Mr. Crawford, there are alternatives for the walking trail. The present trail could be moved further south or eliminated and connections made to a new trail for a longer loop.

Mr. Cotter asked if units, particularly at the western end of the site could be oriented to take advantage of the existing contours to enhance the appearance of the project. Mr. Crawford replied that would be considered when the actual engineering was done.

Mr. Bibbo asked for clarification of the difference between a waiver and a variance. Responses by Mr. Cotter and Mr. Verdiani described a waiver as something which could be recommended by the PC and granted by the Board, generally relating to the Subdivision Ordinance, and a variance as granted by the ZHB and generally related to Zoning issues. In this case, however, Mr. Cotter explained that certain exceptions to zoning requirements could be permitted by the Board because the matter was the subject of a Conditional Use Hearing. Mr. Bibbo said he was disturbed by sketch plans presented which requested numerous waivers and variances. He further objected to applicants claiming credit for "giving up" units which had never been approved. There was a general discussion of the duties and responsibilities of the Planning Commission in reviewing plans and making recommendations to the Board relating to waivers or variances.

Public Comment from Chesterfield Residents

Karen Poore, Evesham Court. Residents do want to keep the existing walkway. They feel parents will not want children using the extended path which goes out to West Chester Pike. Since the existing homes will now be facing the rear rather than the ends of the new buildings berming and landscaping of the buffer area is extremely important. Ms. Poore also asked about access to Route 3. Mr. Cotter explained that it is expected that the Brandolini project and the Westtown Associates project will be contributing to intersection improvements at West Chester Pike/Woodcrest/Stafford. Ms. Poore expressed concern that there will still be cut-through traffic and suggested a gate between the two developments. Mr. Cotter said that a gate had not been anticipated as part of this project. Mr. McCawley stated that the new project would make a contribution to maintenance of the existing roads and storm water management. Ms. Poore also noted that Chesterfield has a parking problem and questioned if the new project would have more adequate parking. Mr. Crawford said 2.5 spaces per unit are required and indicated that a few more spaces might be possible.

Lexie Spencer, Evesham Court. Ms. Spencer agrees that this sketch plan is an improvement but also said cut-through traffic is a major problem.

David Malman. Mr. Malman asked if the present Chesterfield development could put a gate on Stafford Drive. Mr. Crawford indicated he did not believe this was a good idea. Mr. Malman further stated that the Chesterfield residents did not want the existing path between the two projects removed and that they would prefer to see the entrance from Stafford pushed north to the existing curb cut to maximize the separation between the two projects. He also repeated the request for additional parking.

Carol DeWolf, S. New St. Ms. DeWolf suggested use of traffic calming devices rather than a gate on Stafford Drive.

Mr. Capuzzi asked for clarification of the degree of intrusion into the required buffer/setback. Mr. Crawford said that there was an intrusion into buffer/setback at the eastern end of the site along West Chester

Pike and along Route 352. Mr. McCawley said that the intrusion resulted primarily from an attempt to comply with the Board's comments about the aesthetics of the plan by curving the access drive.

Chairman Verdiani reminded the Commission that this plan was going back to the Board's Conditional Use Hearing and that the Commission could recommend approval, approval with conditions or denial of the Conditional Use. If the Board chooses it can impose additional conditions or can, as part of the Conditional Use Order, allow deviations from ordinance requirements such as intrusions into the setback.

Motion (DB/AH) recommends the Board approve the Conditional Use requested for the Brandolini townhouse project based on the revised sketch plan dated January 12, 2001. However, the PC also recommends that the developer continue discussions with the Chesterfield Homeowners Association.

Public Comment. David Malman suggested that the Board could also specify as a condition of approval that the Board could permit the intrusion into the setback the developer provides additional landscaping and berming in the buffer area between Chesterfield and the new project. Chairman Verdiani said the HOA could request this at the Conditional Use Hearing and that the PC motion included the recommendation to discuss these issues with the HOA.

For – DV, DB, AH, KF. Opposed – JB. Motion carried.

Tract 2000-5, Westtown Associates: Present were Attorney John Goode and developer John Shields. The Planning Commission received the revised plan dated 1/5/01 and Chester Valley Engineers review letter dated 1/12/01.

Mr. Goode identified three issues in the CVE letter. The first is minor engineering details which the developer agrees to revise. The second issue the parking agreement with Donohue Funeral Home which the developer will finalize. The third is the Conditional Use for steep slopes which the Board of Supervisors has agreed to consider at its February 5th meeting. Mr. Goode therefore asked for the Planning Commission's recommendation of approval for this plan contingent upon the Township Engineer's complete satisfaction, the Supervisors' and Township Solicitor's approval of the Donohue agreement, and the Board's granting of the Conditional Use for the steep slopes.

Mr. Cotter advised the applicant that the Board had not accepted this plan as Preliminary/Final. Mr. Goode will discuss this with the Board of Supervisors.

Motion (JB/AH), the Planning Commission recommends that the Board approval the Preliminary Plan for the Westtown Associates plan, last revised 1/5/01, contingent upon compliance with the Chester Valley Engineers review letter of Chester Valley Engineers letter of January 12, 2001.

Mr. Capuzzi said he had no problem in recommending Preliminary Approval, however, he had reservations as to Final Approval. The Conditional Use approval specified landscaping in excess of that required by ordinance. Mr. Capuzzi would like confirmation that all concerned had approval the landscaping shown on this plan. He also said the sewer data was incomplete at this time.

Unanimously approved.

Zoning Amendments: Tabled – Agenda for PC meeting February 7, 2001.

Sketch Plans: Mr. Bibbo indicated that he had made most of his comments during the discussion of the Brandolini plan. He believes that sketch plans should be more complete and should not incorporate significant waivers and variances. Chairman Verdiani said he felt sketch plans should provide the opportunity for the PC to make suggestions for revisions and changes.

Planning Commission Membership: PC will continue to interview applicants for the Commission vacancy until February 7th.

Planning Commission Correspondence: The Planning Commission will acknowledge receipt of all correspondence specifically addressed to the Commission.

Public Comment.

Richard Oller, Bracken Court Questions relating to Green Lane Village and the trail plan. Mr. Oller will discuss with Mr. Cotter and the Board of Supervisors.

Carol DeWolf. Questions concerning the procedures for adopting the Growth Management Plan and the Zoning revisions. Mr. Cotter explained that the GMP would be approved first, followed by the Zoning Amendments, probably very closely followed, as the Board will look at the package as a whole.

Walter Pavelchek. Asked for a copy of the proposed zoning amendments which is available at the Township Building. Asked for clarification of what the Brandolini plan offered in compensation for the requested waivers.

Adjourned: 10:10PM (KF/DB)

Elaine L. Adler, Secretary