

## **WESTTOWN TOWNSHIP PLANNING COMMISSION MEETING**

Wednesday, December 5, 2001 – 7:30PM  
Oakbourne Park, Dunning Room  
1014 South Concord Road, Westtown, PA

Present: Chairman Don. L. Verdiani, Vice Chairman Domenico N. Bibbo, Secretary Elaine L. Adler, Carol R. DeWolf, Arthur B. Holland, Township Manager Michael A. Cotter, Township Engineer Angelo M. Capuzzi, seventeen 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 with the additions.

**Approval of Minutes:** The minutes of the Planning Commission meeting of November 7, 2001, were approved as submitted (DB/AH).

### **Reports**

**Board of Supervisors Meeting, December 3, 2001.** Michael Cotter reported. The first item was the Conditional Use Hearing for the Jefferson Center Age Restricted Apartments (McCawley). The Board left the record open for Planning Commission comment on this project. The second major item was the execution of two grant contracts. The Township has received a \$106,000 grant for Oakbourne Park improvements which will start next spring, and \$8,400 for the acquisition of three parcels to complete the Township trail system.

**Board of Supervisors Meeting, November 20, 2001.** Don Verdiani reported. Tract 1999-14, Brandolini Townhomes, was granted final approval by the Board.

**West Chester Regional Planning Commission.** Carol DeWolf reported the WCRPC heard a presentation by Jan Powers and David Ward of Chester County Planning Commission on the recently completed water resources study. The WCRPC was looking for opportunities for the municipalities to participate in the implementation of the study's recommendations. It appears that participating in an inventory might be useful, however, Ms. DeWolf noted that the water issues do not fit into typical regional boundaries but are best considered according to basin and watershed. Mr. Cotter said that Westtown is currently reviewing the Act 167 ordinance requirements and the Chester Creek Plan. The "water quality" aspect of the storm water management plan has been an issue with many of the local townships and is in the process of revision from the original.

**Meeting Assignment Schedule.** Nick Bibbo will represent the Planning Commission at the December 17<sup>th</sup> Board meeting.

### **Announcements:**

Brandywine Conservancy/Environmental Management Open House, Thursday, December 6, 2001, 6PM.

CCPC, Landscapes-Open Space Plan, Monday, December 10, 2001, at 2:30PM and 7PM in Room 171, Government Service Building.

Westtown Township Annual Staff Holiday Reception, Monday, December 17, 2001, 5-7PM, Oakbourne.

**Tract 2001-6, Joyce Realty/Office Building:** Present were Spencer Qualls, James Hatfield and Melissa Kay. The Board of Supervisors granted Conditional Use approval for this project on September 13, 2001 and accepted the Preliminary Plan for this 6,500 square foot office building to be located on the Kirkwood

Fitness Center site on November 5, 2001. PC received Chester Valley Engineers review letter dated 12/3/2001.

Mr. Hatfield said that the building is located in what is now a landscaped area in the parking lot. Parking will be revised as previously discussed with the Township during the course of the Conditional Use review. There will actually be less impervious cover as a result of this project. Mr. Hatfield indicated that the applicant will comply with the Zoning and Subdivision comments in the CVE letter on the Final Plan. In response to questions he indicated that the new building will use the existing trash dumpsters. Referring to SALDO comment #7, Mr. Hatfield indicated that there was a problem locating landscaping materials with a 3 ½ inch caliper as specified in the Ordinance because of the drought conditions. The Planning Commission prefers to see the proper specifications on the plan and consider an accommodation if necessary at the time the landscaping is installed. As the landscaping is primarily decorative and not part of a buffer, the Commission would recommend such relief.

Mr. Hatfield said the applicant was awaiting additional comments from the Township's sewer consultant and expected to make any requested changes.

Mr. Hatfield indicated that the Board had asked for drawings showing compatible architecture as part of the Conditional Use Order. They expect to present these to the Board on December 17, 2001. Mr. Qualls presented the drawings to the Commission explaining there were two alternatives, both compatible with both the office and the fitness center, but with slightly different roof treatments. In response to Mr. Verdiani's comment that the new homes in Green Lane Village would view the back of the new office building, Mr. Qualls presented drawings showing that all sides of the building would be finished in a similar manner. While the Board had expressed interest in a wood shingle roof treatment, Mr. Qualls noted that this added five feet to the height of the building. PC members also expressed a preference for the wood shingle roof which causes the new building to more closely resemble the fitness center.

Although the Board accepted this as a Preliminary Plan, the Commission feels that it is not necessary for the applicant to come back for a final plan review. **Motion (DB/AH) the Planning Commission recommends the Board approve the Preliminary Plan for Tract 2001-6, Joyce Realty. Further, the Commission finds the plan acceptable for Final Approval providing that the plan is revised in accordance with the Chester Valley Engineers letter of December 3, 2001. Public Comment – none at this time. Unanimously approved.**

**Zoning Amendment – R-1 Residential Cluster:** PC received memo dated December 4, 2001 from John Snook relating to the performance zoning for cluster development in the R-1 Zoning District. Mr. Snook indicated he had revised the last URDC draft based in his discussion with the Planning Commission in October. Discussion of the major points of the current memo followed.

#1,4 & 5. Delete the Flexible Development option as a Use by Right in the R-1 District and make it a Conditional Use so that the Board of Supervisors can approve such a project subject to specific design conditions, and delete the Residential Cluster option as it specifies less open space and allows less flexibility and design control. Make the same changes to the RA District as well. Eliminate the special "Flexible Development" process as these projects would be reviewed under the Conditional Use provisions.

PC questioned if making the Flexible Development a Conditional Use would make it less appealing to a developer. Mr. Snook does not believe it does because of the advantage of design flexibility and potential increased density. As most of the remaining lands in Westtown have constraints of some form, this is a significant benefit. Further, he contends that it gives the Township far greater opportunity to affect the design and gives neighboring residents a better opportunity to be a part of the process. PC members are in favor of using the Conditional Use process as long as it does not serve to discourage use of this option.

#3. Change the minimum tract size eligible for the Flexible Development option in the R-1 District from 40 acres to 20 acres.

Mr. Snook commented that the greater design flexibility makes this option useful even on tracts smaller than 20 acres, particularly where there is an existing dwelling. PC wants to see a Township map indicating undeveloped properties and developed tracts with the potential for further subdivision.

#6 The base open space required should be higher where multi-family dwellings are provided.

It is Mr. Snook's contention that it is easy to provide the additional open space under these circumstances. A provision should be included to make the open space requirement proportional to the number of dwelling units of each type.

#10 Section 3 - Performance Standards for use of Bonus Density. Mr. Snook believes this language controls the land to be considered as open space while avoiding the term "usable" which is subject to interpretation. PC members are looking for adequate control of what land can be included.

#7 Separate open space specifications will be established for two-family dwellings. Definitions of multi-family dwelling, two-family dwelling, and four-family dwelling need to be revised to eliminate confusion and possible conflict. Definitions should be written so as to encourage connecting dwelling units in clusters rather than in rows. PC members expressed concern with the currently permitted 120-foot total building length for townhouses if it is applied to quadraplexes. PC agrees that R-1 Flexible should permit all multi-family dwellings except apartments. In the course of this discussion Mr. Cotter said that the issue of in-law suites would be considered with in the Zoning Ordinance rewrite.

#8 "Recreational" uses in the open space would be limited to "non-commercial recreational" uses.

#9 Bonus Density

Mr. Snook says that the reality of one-acre zoning is .8 units per acre, therefore the 1.25 units per acre flexible density is a significant increase and motivation for using the Conditional Use procedure. The density bonus for additional open space (calculated from a different base depending on the mix of single, two-family and townhouse units) requires open space which meets specific criteria.

Mr. Cotter commented on the application of these standards and the possibility of creating a two-tier review procedure. It appears that a total rewrite of this section would produce a less confusing procedure. It was decided to round all fractions to the next lower whole number in any density calculations.

Questions raised in the discussion of "Substantial Public Improvements" will be referred to the Township Solicitor. The PC favors having any SPI offered benefit the immediate neighborhood in so far as possible. Language to prevent "double dipping" should be added. Mr. Capuzzi suggested more emphasis on preparations of estimates for SPI. Mr. Cotter agreed more information should be required. Mr. Snook suggested requiring additional information and engineering for the Conditional Use plan.

Discussion will be continued at the December 19<sup>th</sup> Planning Commission meeting.

#### Public Comment.

William Steel, East Niels Lane. Appreciates the care and effort which has gone into preparing this material but objects to reducing the 40 acre requirement for R-1 Flexible. Feels that the proposed language is missing protection for existing properties.

Jay Albrecht, East Niels Lane. Understands what the Township is trying to do, but feels this type of cluster belongs in the vicinity of major highways. This is not addressed by proposed amendment. He does not feel they belong in established neighborhoods where the road system is not designed for increased density.

Mr. Snook suggested that perhaps the starting point for the Flexible Development for smaller tracts and tracts in established neighborhoods might be less since the jump from .8 (the real R1 density) to 1.25 was considerable. The design flexibility offered might be sufficient incentive for the developer.

Philip Jones, Jennifer Lane. Agrees with much of what has been said, but remains very concerned with density. Finds the nearly 300% jump from .8 to 2.25 is much too much. Does not believe this is what the majority of the Township residents want. Asked what happens if the Township adopts this type of zoning and then a year later wants to change it again. Also questioned the Township's ability to deny Conditional Use applications. Mr. Cotter explained that the Board must have a specific reason for such denial. Mr. Snook suggested that it was possible to write the Conditional Use Order to require plans revisions to satisfy Township concerns.

**Tract 2000-8, Jefferson Center Senior Apartments Conditional Use Application:** Mr. Cotter explained that the Board held a Conditional Use Hearing on this application on December 3<sup>rd</sup>. The record was left open for any comments or recommendations from the Planning Commission. The Conditional Use application does not make use of the density bonus available. The Planning Commission has previously recommended approval of this use, but expressed concern with the landscaping and architectural impacts. PC will repeat its prior comments concerning architectural treatments and landscaping. A recommendation will be prepared for the next PC meeting.

**Recommendation for Township Engineer:** Mr. Bibbo commended the work of Chester Valley Engineers and specially Angelo Capuzzi and asked the Commission to express its appreciation by recommending reappointment by the Board for 2002. **Motion (DB/AH), the Planning Commission commends Chester Valley Engineers and recommends reappointment of the firm as the Township Engineer. Public Comment – none at this time. Unanimously approved.**

**Public Comment,** None at this time.

**Adjourned:** 10:40PM (AH/EA)

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Elaine L. Adler, Secretary