

WESTTOWN TOWNSHIP PLANNING COMMISSION MEETING

Stokes Assembly Hall
1039 Wilmington Pike, Westtown Township
April 20, 2016 – 7:30PM

Present

Commissioners – Rodia, Whitig, Adler, Hatton and Lees. Absent were Pomerantz and Yaw. Also present was Township Planning Director Chris Patriarca and those mentioned below.

Call to Order

Mr. Hatton called the meeting to order at 7:30 and led those present in the Pledge of Allegiance.

Adoption of Agenda

The Agenda was approved unanimously as presented (BW/JL).

Approval of Minutes

The minutes of the Planning Commission (PC) meeting of April 6, 2016, were unanimously approved as amended (JL/BW).

Announcements

Mr. Patriarca stated that the Giant expansion land development application will likely come before the PC by their second May meeting. He further stated the developer of the Westtown Woods project is continuing to engineer the project and that he expects a formal submission soon. Mr. Whitig asked how this project may impact the new billboard to which Mr. Patriarca indicated that it will be reviewed by the Solicitor for this purpose. Mr. Patriarca then indicated a text amendment for the Deer Creek Malthouse will likely be submitted to the Township in the near future as well and that the Dunkin Donut proposal will be before the PC at their May 4 meeting.

Non-Agenda Public Comment

There were no non-agenda public comments.

Old Business

Residential chicken keeping draft ordinance

Mr. Hatton introduced the topic and asked the PC for their initial reactions. Ms. Adler noted the draft included the allowing of keeping of hens townhomes, and not only single-family detached homes as had been discussed all along. Mr. Patriarca indicated this would be removed from the draft. Mr. Hatton stated the draft addressed all of the issues brought forth in the previous meeting. Mr. Patriarca then asked the PC if a cap should be placed on the total number of hens allowed for large-lot, single family homes or just leave it at ten additional hens for every acre above two.

Eva Foster, of 734 Westbourne Road, next spoke of several items needing to be addressed in the draft. First she stated that there is no such thing as a crowing hen and that it should be removed from the draft. She next spoke of her concern with prohibiting the keeping of roosters as part of the ordinance and asked to see if the Township receives complaints about them before finalizing the ordinance. She spoke of how a prohibition of roosters could result in a resident being unable to sell chicks raised in an incubator in an existing home. She concluded by asking who was going to be the “chicken police” in the enforcement of the ordinance.

Mr. Patriarca first discussed the next steps for this ordinance and stated that it still had a way to go before it is sent to the BOS for their consideration. Speaking to the issue of noise, Ms. Adler stated that historically the only substantive complaint she knew of in the Township was about the crowing of roosters. Mr. Rodia further noted that roosters were prohibited in similar ordinances from other municipalities. Mr. Hatton, asked what the non-commercial language means in the draft. Mr. Patriarca stated this would not apply to this as the overall scale would not result in a more commercial-like operation. Mr. Patriarca then concluded by stating he did speak with neighboring jurisdictions that have similar ordinances in place, but that most had not had to utilize their ordinance yet.

New Business

Zoning Hearing Board variance request

Mr. Patriarca introduced the variance request to allow for the construction of a detached garage that encroaches twenty-two feet into the required forty foot front yard setback on a corner lot. He further indicated the property currently does not have a garage and the location was being chosen due to the constraints posed along the southern property line as well as the location of his septic field in the rear yard. Mr. Patriarca concluded by stating the case the applicant will need to make to the ZHB is that the requested relief is the minimum required.

Ms. Adler asked if the construction will result in an additional driveway access to which Mr. Patriarca stated it would. She then asked if the current impervious area adjacent to the home would remain, and Mr. Patriarca stated he was unsure, but that the new impervious areas must conform to the impervious allotment for the R-2 district. Ms. Adler asked if the owner is currently running a business to which Mr. Patriarca stated there is but that it is not out of character for a residential area.

Mr. Lees noted the drawing was not to scale and that the garage as proposed was rather large, and further stated that he would like the applicant to demonstrate that the proposed location is the requesting the minimum relief required for the project. He stated that he feels that the garage could possibly fit within the current building envelope. Mr. Rodia asked if it was considered to run the driveway behind the home as to keep a second driveway from being constructed off Clearview. The PC recognized the need to look at amending the ordinance to limit the size of residential accessory buildings.

After discussion, the PC elected to comment on the application. Specifically, the PC requested the ZHB consider impervious surfaces and a more refined plan that illustrates the proposed variance request is the minimum required to make the project possible.

Public comment

There were no public comments.

Adjournment

8:15 pm (JL/RH)

Respectfully submitted,

Chris Patriarca
Planning Commission Secretary