

# WESTTOWN TOWNSHIP PLANNING COMMISSION MEETING MINUTES

Stokes Assembly Hall  
1039 Wilmington Pike, Westtown Township  
Wednesday January 23, 2019 – 7:30PM

## **Present**

Commissioners – Planning Commission (PC) member Kevin Flynn was not present, all others were present (6-1). Also present was Township Planning Director Will Ethridge.

## **Call to Order and Pledge of Allegiance**

Mr. Pomerantz called the meeting to order at 7:30 PM, Meg Kyle led those present in the Pledge of Allegiance.

## **Adoption of Agenda (EA/RH) 6-0**

No changes

## **Approval of Minutes**

Mr. Pomerantz requested to have PC members' comments captured verbatim for the agenda item "Thoughts about the PC in 2019" added as an addendum at the end of the minutes.

Planning Commission Meeting minutes for 1/9/2019 – **(RH/SR) 6-0**

## **Announcements**

- Mr. Rodia wanted to confirm the Feb 19 Board meeting is on a Tuesday. PC members confirmed it is on a Tuesday because Monday is a Presidents Day.
- Mr. Pomerantz asked Mr. Ethridge to inform the PC of the hearing dates for the Westtown School CU. Mr. Ethridge identified 2/13, 2/26 as the first two dates.

## **Public Comment – Non Agenda Items**

None

## **Old Business**

1. Mr. Ethridge summarized the history of the Sign Code update and asked the PC to vote to adopt it and forward it to the Board for consideration. Mr. Ethridge noted that the Township was exempt from the regulations in the sign code update. Elaine Adler requested that the language be clear when it states "residential" in the Code update where it either means "residential use" or "residential zoning". Ms. Adler also noted that electrical standards should be its own paragraph, and there seemed to be a formatting error. Mr. Hatton made some recommendations to ensure the formatting was consistent throughout the document. Elaine Adler reiterated her previous point about the language clarification regarding "residential use" versus "residential zoning" because it had ramifications throughout the Code. Mr. Pomerantz made a suggestion for Mr. Ethridge to coordinate communication between Elaine Adler, Jack Embick, and the Township Solicitor, Tony Verwey, so that the concerns discussed at the meeting can be better articulated to Mr. Verwey. Mr. Pomerantz reiterated that any ordinance update discussions should include the Township Solicitor from now on.

Ms. Kyle from Lamar Advertising Company made a point of thanking the PC for not voting to adopt the Sign Code update because she felt the language contained therein was exclusionary towards its treatment of billboards, and would be vulnerable to a court challenge. She asked the PC to consider changing the language to make allowances for billboards in more places in Westtown. Mr. Ethridge noted that the applicant could always file for a variance to the regulations if needed. Ms. Kyle emphasized her opinion that the Township in adopting this proposal was creating an undue hardship upon property owners, preventing them from putting up billboards. Ms. Kyle would like to see allowances made to permit billboards along Route 3.

Mr. Pomerantz recommended for the Township Solicitor to weigh in if the proposed update was exclusionary towards its treatment of billboards.

Ms. Kyle cited the study completed by Dr. Lou Lewin in which he made different recommendations on brightness than what is proposed in the Sign Code Update. Mr. Pomerantz asked Ms. Kyle to leave the mentioned study for the PC members to get familiar with. Ms. Kyle also had issues with the maximum amount of space allowed between a two-sided billboard. She noted that catwalks were necessary for maintenance and that 24" minimum was needed between sides of a sign. Mr. Pomerantz recommended for Ms. Kyle to meet with the Township Manager and the Township Solicitors, Mr. Verwey and/or Mr. McKenna, to discuss mentioned concerns.

Mr. Pomerantz asked other PC members if they were in favor of delaying the vote on the Sign Code update. Members agreed unanimously.

Mr. Pomerantz reiterated the desire of the PC to have the Township Solicitor attend meetings when ordinances were discussed and/or to be voted on.

### **New Business**

1. Mr. Ethridge presented PC members with the printed packet of all zoning and subdivision updates and changes that had been logged by the PC since before he began working for the Township. Mr. Hatton requested the document be sorted by date and have font consistency. Mr. Ethridge proposed to review the list in relevance to any state or federal laws that were changed that might require amendment. Mr. Pomerantz asked Mr. Ethridge for a list of easy fixes for the next PC meeting. The PC asked Mr. Ethridge to work with Kevin Matson on either an ordinance or new language that would provide a pathway for modifying an existing driveway. PC members decided to send a letter to the Board outlining the request to have a substantive meeting with BOS Chairman, Township Manager, and Mr. Ethridge before March 26, 2019.
2. PC members discussed prioritizing zoning, subdivision, and stormwater management ordinance issues. Mr. Embick made a point that anything required by the MPC should be done within required time limits. He emphasized that it was a priority to continue reviewing various ordinances. Mr. Embick also posed a question to the PC members regarding public comment period in relevance to the draft Comprehensive Plan. Mr. Lees expressed his frustration with the lack of communication and transparency from the Board. Mr. Hatton expressed his frustration with the circuitous nature of PC discussions and the lack of progress in adopting improvements and updates to the various ordinances and regulations.

### **Public Comment**

- PC would like to work with Mr. Ethridge to get articles published in the Gazette.
- PC and Mr. Ethridge discussed the feasibility of a proposal from Westminster Presbyterian Church to construct a multi-family dwelling for low-income individuals on a portion of their property along 202 South.

## **Reports**

- Mr. Hatton summarized the Board of Supervisors meeting of Jan 22.
- During the discussion of the report, members asked Mr. Ethridge for the following:
  - A copy of the Board's letter of support for Nancy Harkin's appearance before the WCACOG and asked to be notified that next time the Board takes such action.

## **Adjournment (RH/JL) 6-0**

Meeting was adjourned at 9:35 pm.

Next PC Meeting – February 6, 2019, 7:30 pm – Township Building

PC Representative at next Board of Supervisors Meeting: February 4, 2019 – Dick Pomerantz

Respectfully submitted,

William Ethridge, Planning Commission Secretary