

WESTTOWN TOWNSHIP PLANNING COMMISSION MEETING MINUTES

Stokes Assembly Hall
1039 Wilmington Pike, Westtown Township
Wednesday March 20, 2019 – 7:30PM

Present

Commissioners – Planning Commission (PC) members Steve Rodia and Elaine Adler were absent, all others were present (5-2). Also present were Township Planning Director Will Ethridge.

Call to Order and Pledge of Allegiance

Mr. Pomerantz called the meeting to order at 7:33 PM, Mr. Pomerantz led those present in the Pledge of Allegiance.

Adoption of Agenda (JE/JL) 5-0

Two amendments were made. The PC added New Announcement items #1 - Historic Preservation of African-American cemeteries webinar, *and* #2 – Comprehensive Plan Implementation webinar.

Approval of Minutes

Planning Commission Meeting minutes for 03/06/2019 were approved. (JE/JL) 5-0

Announcements

1. Historic Preservation of African American Cemeteries webinar is on March 29, 2019.
2. Comprehensive Plan Implementation webinar is on April 24, 2019.

Public Comment – Non Agenda Items

None

Old Business

Bi-Directional Antennas – Will Ethridge presented an email from the Township solicitor, Tony Verwey, confirming that the last items the Township was waiting for to move forward with bi-directional antennas ordinance were comments from public safety agencies. He noted that he received an email from Chief of Westtown-East Goshen Regional Police Department, Brenda Bernot, who seemed satisfied with the proposed bidirectional amplifier ordinance. Mr. Ethridge also noted that Mark Scanlon, Assistant Chief of the West Chester Fire Department, seemed to be satisfied with the ordinance as well, except he suggested to replace “West Chester Fire Company” and “FAME Fire Company” with “West Chester Fire Department”. Mr. Ethridge confirmed that those changes were made. Mr. Embick raised a question regarding the number of municipalities in the West Chester Area Council of Governments (COG) that adopted similar regulations. Mr. Ethridge confirmed that at least half of the municipalities already had those in place. Mr. Embick brought up a question concerning the appointment of the appeals board. Mr. Pomerantz recapped that the proposed ordinance stated that the COG had formed a Board of Appeals, and he suggested that Mr. Ethridge reached out to Casey LaLonde, Chair of the COG and Township Manager of West Goshen, to confirm that the COG formed a Board of Appeals, who the members

were, and if somebody wanted to appeal, who they would appeal to if the members hadn't been assigned yet. Mr. Embick noted that there was a reference in the ordinance to adopt the 2006 International Building Code, which was an outdated version. Mr. Ethridge elaborated that the Township was currently using a 2009 version, and would be adopting a 2015 Code in the future. He proposed to change the reference in the ordinance to the 2015 International Building Code. After a brief discussion, Mr. Pomerantz asked Will Ethridge to confirm with the Township Manager which version of the building code should be referenced. Mr. Flynn raised a question that there were some references in the proposed ordinance that didn't seem to be accurate, such as the establishment of flood hazard area and sections of the International Fire Code. In addition, the numbering system throughout the document didn't seem to make sense. PC members had a discussion on whether or not the \$1000 fine per violation, per day was punitive enough. Mr. Ethridge elaborated that that number was pretty standard among municipalities, where each day would count as a separate offence increasing the total cost of violation if not addressed in timely manner. PC members elaborated that there were still some changes to be made to the proposed ordinance before moving forward with recommendation to adopt. Will Ethridge will follow up with Tony Verwey with proposed ordinance changes.

Italiano ZHB application – Mr. Ethridge recapped that Mr. Italiano provided some supplementary documentation in response to PC previous questions regarding the Zoning Hearing Board application. That documentation included the forms from the fence company that Mr. Italiano hired, but they didn't release an exact copy of the contract. The company confirmed that they began communication with Mr. Italiano in 2010 and completed fence installation in 2014. As a part of that contract, Mr. Italiano was responsible for obtaining necessary permits. Mr. Pomerantz noted that it seemed odd that documentation provided included various dates, such as 2010, 2014 and 2018. Mr. Ethridge confirmed that fact and stated that he questioned the fence company, but didn't get a straight answer on why that might be. He also confirmed that he checked Chris Patriarca's phone log, but unfortunately, the log didn't go past August 2014. He reached out to Mr. Patriarca, who said that he didn't remember talking to Mr. Italiano. Mr. Pomerantz made suggestion to the PC members to make a decision to either vote to recommend to the Zoning Hearing Board to grant or not to grant a variance, or not to provide any comment and let the Zoning Hearing Board to make a final decision. After discussion, PC members decided to write a letter to the Zoning Hearing Board with the reasons why they were not recommending the variance request. Mr. Pomerantz asked Mr. Ethridge to draft a letter for members to review.

PC's Prioritized list of Ordinance/Code Proposed Changes & Status Updates – Mr. Pomerantz made PC aware that he suggested Russ Hatton to drive the process of working towards completing the prioritized ordinance changes. Mr. Hatton complimented on the formatting of the prioritized list and proposed to add two more columns: one for the date for when the PC signs off, and the second for the BOS. He also suggested to have a fixed number assigned to each listed item for tracking purposes. Mr. Hatton also pointed out that the "originator" column is blank for most of the listed items and should be revisited. Mr. Ethridge agreed to make those edits. Mr. Hatton then suggested that some of the items could be easily accomplished by Will Ethridge without PC discussion, such as correcting references. He also suggested to assign deadlines for items to be completed by and to update the list as new ordinance changes come into view. Another suggestion was to add the future actions and policy recommendations list assigned to PC from the Comprehensive Plan to the prioritized list of ordinance changes. Mr. Ethridge confirmed that there were only two pending applications for the PC to review, such as a special exception with variance to operate a private swimming instruction at residential property and the installation of a playground at Saint Simon and Jude Church. Mr. Flynn asked if someone was putting presentation about the pipeline. Mr. Pomerantz responded that Nancy Harkins wasn't invited

yet. He suggested that Will Ethridge would send her an invitation to give PC an educational presentation on the status of the pipeline.

PC had a discussion on assigning due dates to the prioritized list, and added other proposed changes. Mr. Embick proposed to add the following item: international green building code, which would be activated in certain situations where scrutiny could be given to or requirements could be made to be made for certain kinds of energy concerning building materials. Mr. Ethridge noted that the Township Code does have some language related to that, but it could definitely be more detailed. Mr. Hatton proposed a revision to Item #27 to include special parking requirements for veterans. PC also discussed the possibility of adding provision for parking for ridesharing services. Mr. Hatton also pointed out that when reviewing parking regulations, PC should consider revising regulations for the number of parking spaces per apartment building. The existing regulations seemed to be inadequate. Mr. Ethridge noted that the trend has been towards less parking to reduce impervious cover.

New Business

None

Public Comment

None

Reports

Mr. Hatton summarized his observations of the BOS workshop and meeting.

Adjournment (KF/JL) 5-0

Meeting was adjourned at 9:29 pm.

Next PC Meeting – April 3, 2019, 7:30 pm – Township Building

PC Representative at next Board of Supervisors Meeting: April 1, 2019 – Kevin Flynn (primary) or Steve Rodia (alternate)

Respectfully submitted,
William Ethridge, Planning Commission Secretary