

WESTTOWN TOWNSHIP

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AGENDA

Westtown Township Board of Supervisors Regular Meeting Tuesday, February 19, 2019 - 7:30 PM

Westtown Township Municipal Building
1039 Wilmington Pike, Westtown

- I. **Call to Order**
- II. **Approval of Meeting Minutes – February 4, 2019**
- III. **Summary of Board of Supervisors Workshop – February 19, 2019**
- IV. **Departmental Reports**
 - A. Westtown-East Goshen Regional Police Department – Chief Brenda Bernot
 - B. Parks & Recreation Commission – Tim Farrell
 - C. Planning Commission – Steve Rodia
 - D. Manager’s Report – Rob Pingar
- V. **Public Comment (Non-Agenda Items)**
- VI. **Old Business**
- VII. **New Business**
 - A. Ordinance 2019-01, Accessory Structures Setbacks ordinance amendment - Act 247 review
 - B. Ordinance 2019-02, Accessory Dwelling Units ordinance amendment - Act 247 review
- VIII. **Announcements**
 1. Parks & Recreation Commission opening – accepting applications
 2. 2019 Westtown Comprehensive Plan - comment period runs through Feb. 21, 2019.
 3. CRC Watersheds Association, Mussel Mania Event – Thursday, February 28, 2019
- IX. **Public Comment (All Topics)**
- X. **Payment of Bills**
- XI. **Adjournment**

How to Engage in the Public Comment Sections of a Township Meeting

Public Comment is heard at three (3) different points during the meeting:

1. BEFORE OLD BUSINESS - The public is permitted to make public comment on any matter not on the agenda. This comment period is subject to the time constraint in (d) below
2. PRIOR TO any action on a motion on an Agenda item. Public Comment at this stage is limited to the item under discussion (e.g. it is not appropriate to initiate a discussion on police services if the body is acting upon a sewer issue).
3. AFTER NEW BUSINESS. - Public Comment is open to any legitimate item of business which can be considered by that Township Board/Commission (e.g. Planning Commission can discuss issues having to do with plan reviews, but cannot discuss why the Township does not plow your street sooner. Supervisors can discuss nearly every issue).

How to make a comment to any Township Board/Commission:

- a. The Chair will announce that the Board/Commission will now hear public comment, either on a specific issue or generally.
- b. You must then obtain recognition from the Chair prior to speaking.
- c. Once you have the floor, state your name and address for the record.
- d. You may then make your comment or ask your question. You will have three (3) minutes to make your statement, unless the Chair has announced otherwise, so please come prepared!

WESTTOWN TOWNSHIP BOARD OF SUPERVISORS REGULAR MEETING

Westtown Township Municipal Building, 1039 Wilmington Pike, Westtown

Monday, February 4, 2019 – 7:30 PM

In attendance were Chair Scott Yaw, Vice Chair Mike Di Domenico, Police Commissioner Carol De Wolf, Township Manager Rob Pingar, Public Works Director Mark Gross, Historical Commissioner Pam Boulos, Planning Commissioner Dick Pomerantz, and Township Solicitor Pat McKenna. There were 3 guests.

I. **Call to Order**

Mr. Yaw called the meeting to order at 7:42 PM. He asked if anyone was recording the meeting. Eva Foster stated that she was recording.

II. **Approval of Minutes (January 22, 2019)**

Mr. Di Domenico made a motion to approve the Board of Supervisors meeting minutes of January 22, 2019. Ms. De Wolf seconded the motion. There were no questions or comments and the minutes were unanimously approved.

III. **Workshop Meeting Summary (February 4, 2019)**

Mr. Yaw stated that the workshop began with an Executive Session on legal and personnel matters. The Board then heard a presentation from Cedarville Engineering on the township's MS4 Pollutant Reduction Plan. The two other items on the workshop agenda, Speed Detection Devices and the Exclusion of Harmful Waste Ordinance, were not discussed due to time limitation, and will be added to the Tuesday, February 19 workshop meeting.

There were no comments or questions.

IV. **Departmental Reports**

A. **Public Works (PW) – Mark Gross**

Mr. Gross reported that January was relatively mild with four salting/plowing events. He added that the crew has been spot salting and plowing several spots with high groundwater. They also addressed stormwater drainage issues on West Pleasant Grove Road near Arborview by using the backhoe to clear the culvert.

The new Public Works employee has proved to be an excellent addition to the crew, and the township has narrowed the candidates for an additional opening.

Due to recent swings in temperatures from single digits to mid-50s, Mr. Gross stated that he is anticipating potholes to open up in various areas, which will be an indicator of potential roads for the 2019 paving project.

The new Public Works garage is nearing completion. Punch list items are being addressed and Mr. Gross is waiting for the Notice of Substantial Completion from the builder and architect before taking possession of the building.

At Oakbourne Park, Mr. Gross met again with architects working on the Oakbourne Mansion exterior maintenance project, and hopes to have that bid package ready to go out this spring.

The crew also investigated odor complaints in the Wickerton Drive area and found grease coming from Marketplace Shopping Center blocking the sewer. He will have the line jetted again when weather permits, but stated that the township needs to work on the Harmful Waste Ordinance to address this ongoing issue.

Mr. Di Domenico asked about the zoning postings made around the perimeter of Westtown School. Mr. Gross stated that one of his staff made the postings, as required for the Conditional Use application made for a lighting ordinance amendment.

Mr. Yaw asked if the carriage house was included in the bid package for the Oakbourne Mansion exterior repairs. Mr. Gross stated that the bid will have several options, so the Township can decide what gets addressed based on cost. He said the carriage house doors are in terrible condition and several windows are missing. Mr. Yaw also thanked Mr. Gross for sharing photos of the trucks getting washed in the new wash bay. Mr. Gross replied that the wash bay will help extend the life of their equipment.

There were no other comments or questions.

B. Historical Commission (HC) – Pam Boulos

Mrs. Boulos reported that the HC has been removing the flags on the property of the abandoned AME cemetery on Little Shiloh Road, after neighboring residents complained about the appearance of the property.

Mrs. Boulos stated that the HC has acquired a grave marker for Valentine Kirgan (1771-1831), and has been struggling with what to do with it. He was a mason who was buried in the Taylor Family cemetery in Pleasant Grove, but he was not a veteran. She said the HC is pursuing a lead on a descendant of Mr. Kirgan, and hopes to get the stone to a family member.

The HC continues to work on updates and corrections to the Historical Resource List, which will then need to be reviewed by the Planning Commission and the Board. Mrs. Boulos added that several commissioners recently attended a Chester County Historic Preservation Leadership luncheon, and learned of a grant that is funding historical roadside markers for 15 municipalities that fall within the Battle of the Brandywine area.

Mr. Di Domenico asked if the HC was still working on updating the History of Westtown. Mrs. Boulos stated the commission is making good progress on the project, and intends to eventually post it on the township website.

There were no other comments or questions.

C. Planning Commission (PC) – Dick Pomerantz

Mr. Pomerantz reported that the PC met on January 23, 2019 to discuss the “clean” final draft of the Sign Ordinance. He stated that Elaine Adler found several discrepancies in the draft, and that a representative from Lamar Advertising spoke for about 45 minutes on the language in the ordinance, noting inconsistencies. As a result, the PC did not vote on the ordinance. On behalf the entire PC, Mr. Pomerantz stated that he felt they should have legal counsel present at meetings in which they are voting on an ordinance.

Mr. Di Domenico expressed frustration over information being presented to the PC by the commissioners who attend the Board meetings. Mr. Pomerantz stated there was a need for better communication between the Board and the PC.

Ms. De Wolf stated that she was not concerned about input from a sign lobbyist. Mr. Pomerantz agreed, but maintained there is a need for legal counsel. Mr. Yaw stated that the Board would discuss the matter of legal representation for the PC at their upcoming joint meeting on February 27, 2019.

There were no other comments or questions.

D. Township Solicitor – Pat McKenna

Mr. McKenna reported that his office prepared comments to FERC regarding the Adelphia pipeline environmental assessment, and assisted with the Historical Resources List amendments. He stated they spent an inordinate amount of time coordinating schedules for the Westtown School Conditional Use hearings, the first of which is set for Wednesday, February 13. His office is also working on the brief for the Crebilly case, to be presented to the Commonwealth Court on or before February 22.

Ms. De Wolf inquired about the work on the Historical Resources List. Mr. McKenna stated that it was determined that changes to the list can be adopted by Resolution, rather than amendment to the Zoning Ordinance. She asked if Mr. Verway is working to correct the inconsistencies on the sign ordinance. Mr. McKenna stated that he was out last week and Mr. Verway is out this week. He did not know if the comments on the draft ordinance have been communicated to Mr. Verway.

There were no additional questions or comments.

E. Manager's Report – Rob Pingar

Mr. Pingar stated that he attended the WEGO Regional Police Commission meeting on January 23. He reported that WEGO is working on their re-accreditation. He stated that the new Act 44 Safe to Say reporting requirements will require more officer time. The Police Commission also discussed speed enforcement devices.

He reported that he has been working with Tom Galbally of Tag Builders on the connector road between the Stetson jughandle and West Pleasant Grove Road. Tag received a grant from the state for the road.

Mr. Pingar stated that he investigated a drainage complaint on Westbourne Road associated with the Hayes subdivision.

Finally, Mr. Pingar reminded all present that the first conditional use hearing for the Westtown School application for field lighting will be held at the Township building on Wednesday, February 13 at 7 PM.

Ms. De Wolf asked Mr. Pingar to follow up with PECO regarding the project on Robin Drive, and ensure that residents are informed.

Mr. Di Domenico asked Mr. Pingar if there has been any update on the Mariner II Project along Rt. 352. Mr. Pingar stated that the last update he received was several weeks ago, indicating that they will be doing two borings, one south of West Lynn, and one at St. Simon & Jude. Ms. De Wolf asked Mr. Pingar to make sure we post any information we receive on the website. Mr. Di Domenico asked if Sunoco indicated that they would provide results of their boring tests. Mr. Pingar replied they did not state they would provide information regarding the subsurface soil and rock testing.

There were no other comments or questions.

V. Public Comment (Non Agenda Items)

Eva Foster, 734 Westbourne Road, asked about the Westtown School Conditional Use hearing. Mr. McKenna stated that as with any other conditional use hearing, notice goes out to adjacent properties as required by ordinance, and any member of the public can attend the hearing and be heard. It will be an on the record proceeding, with evidence and exhibits presented by legal counsel. He stated that he expects the hearing will run more than one evening.

There were no other comments or questions.

VI. Old Business

There was none.

VII. New Business

There was none.

VIII. Announcements

Mr. Yaw made the following announcements:

1. Westtown Zoning Hearing Board (ZHB) Alternate – The township is accepting applications for appointment to the ZHB as an Alternate member in the event a regular member is absent. The ZHB reviews and adjudicates zoning variance and special exception applications. Hearings are held at 7 PM on dates convenient to all members. Please send your letter of interest and resume to the Township Manager, Rob Pingar.
2. Parks & Recreation Commission vacancy - The township is accepting applications for appointment to the Parks & Recreation (P&R) Commission. P&R plans and runs community events at Oakbourne Park. It meets at 7:00 PM on the second Tuesday of the month at Oakbourne Mansion. If you would like to volunteer on P&R, please send your letter of interest and resume to the Township Manager, Rob Pingar.
3. The 2019 Westtown Comprehensive Plan comment period runs through February 21, 2019. Please submit your comments to Township Manager, Rob Pingar.

Mr. Yaw stated the Board will reconvene in Executive Session for a legal matter after the regular meeting.

IX. Public Comment on All Topics

There was none.

X. Payment of Bills

Mr. Di Domenico made a motion to approve the General Fund bills in the amount of \$59,054.18, Wastewater Fund bills in the amount of \$10,710.57, Capital Projects Fund bills in the amount of \$3,628.50, for a grand total of \$73,393.25. Ms. De Wolf seconded the motion. There were no questions or comments, and the check registers were unanimously approved.

XI. Adjournment

Mr. Yaw made a motion to adjourn the meeting. Mr. Di Domenico seconded the motion. The motion was unanimously approved and the meeting adjourned at 8:28 PM.

Respectfully submitted,

Robert Pingar
Township Manager

Westtown Township
Parks & Recreation Commission Meeting
Oakbourne Mansion, 1014 S. Concord Road, Westtown, PA
January 8, 2019

In attendance: Commissioners Ida Fritsche, Phillip Garabedian, Susan Alloway, Allison Corcoran, Eileen Bengston, and Tim Farrell. Township Manager, Rob Pingar, and 1 guest were also in attendance.

I. Call to Order

The meeting was called to order at 7:02 p.m.

II. Approval of Minutes

The minutes of November 13, 2018 were approved with the following edits: Under Approval of Minutes, "The date of the last meeting was corrected to October 9, 2018. Under New Business, the spelling of Phillip Garabedian's name was corrected. (SA/AC)

III. New Business

A. Election of New Officers

Phillip Garabedian made a motion to nominate Ida Fritsche as Chair. Allison Corcoran seconded the motion. Ida accepted the nomination. There was no comment and the motion was unanimously approved.

Ida Fritsche made a motion to nominate Phillip Garabedian as the Vice Chair. Susan Alloway seconded the motion. Phillip accepted the nomination. There was no comment and the motion was unanimously approved.

The commission decided not to appoint a Secretary for 2019. Instead, the commission decided to operate on a rotating schedule:

January/February: Phillip Garabedian
March/April: Eileen Bengston
May/June: Susan Alloway
July/August: Tim Farrell
September/October: Jim Brookover
November/December: Allison Corcoran

The commission also scheduled representation at the 2019 Board of Supervisors meetings:

January 22, 2019: Phillip Garabedian
February 19, 2019: Tim Farrell
March 18, 2019: Eileen Bengston
May 20, 2019: Susan Alloway
June 17, 2019: Ida Fritsche
July 15, 2019: Ida Fritsche
August 19, 2019: Ida Fritsche

September 16, 2019: Ida Fritsche
October 21, 2019: Jim Brookover
November 18, 2019: Allison Corcoran
December 16, 2019: Susan Alloway

B. 2019 Calendar of Events

The commission discussed the summer movie nights, including the possibility of decreasing the number of movie nights from 4 to 3. The discussion focused on adult themed movie nights. Tim Farrell suggested having a band play before the movie. The commission liked the idea and Tim said he would follow up with the West Chester Band for availability. In addition to the band, the commission discussed incorporating a wine or beer tasting at the movie. The commission agreed to further look into what businesses may be interested in this and if something like this would be acceptable from a township perspective.

The Children's Summer series was briefly discussed including the potential to increase the number of events from 3 to 4 as a result of the high turnout last year. Susan Alloway said she would start looking at various performers and ideas for this year's Summer Series as well as talk to Pam Coleman to secure dates.

Based on a suggestion from Eva Foster, the commission agreed to look into hosting a garden lecture in the spring. Eileen Bengston said she would reach out to Friends of Oakbourne about the idea.

IV. Old Business

A. Holiday Festival Recap

The commissioners agreed that the Winter Festival was a success, noting that they went through all the gingerbread cookies and presents. The group agreed that the vendors did not get as much traffic as desired, and discussed changing the layout or adding additional signage to increase awareness that vendors are present in the Dunning Room.

V. Public Comment

Eva Foster, 734 Westbourne Road, asked P&R to consider more events for adults. She described some of the events P&R used to host when she was on the commission. Her suggestions included a dog show, gardening lecture, clam bake, car show, or having an event put on by the Mummers. Mrs. Foster asked why the commission decided not to hold the Yard Sale this year. Phillip Garabedian and Susan Alloway explained that seller registrations had declined for the last several years. Eliminating the yard sale also created space on the calendar for P&R to introduce the Egg Hike, slated for Saturday, April 13.

VI. Adjournment

The meeting was adjourned at 8:25 p.m.

The next P&R commission meeting is Tuesday, February 12, 2019.

WESTTOWN TOWNSHIP PLANNING COMMISSION MEETING MINUTES

Stokes Assembly Hall
1039 Wilmington Pike, Westtown Township
Wednesday February 6, 2019 – 7:30PM

Present

Commissioners – Planning Commission (PC) member Elaine Adler 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, Ed McFalls led those present in the Pledge of Allegiance.

Adoption of Agenda (SR/RH) 6-0

One amendment was made. The PC added New Business item #4: *PC Comments on the Draft Comprehensive Plan for Westtown Township*.

Approval of Minutes

Planning Commission Meeting minutes for 1/23/2019, one change was made: “Meg Kyle led those present in the pledge of allegiance.” – **(JL/RH) 5-0** (Kevin Flynn was absent on 1/23/19)

Announcements

- Malvern School Preliminary / Final Development plans will be on the 2/20 PC agenda.
- Mr. Pomerantz asked Mr. Ethridge to request legal counsel for the 2/20 meeting. He also discussed his conversation with the Board regarding a policy the PC would like to have, with the Board’s agreement, regarding the use of legal counsel.

Public Comment – Non Agenda Items

None

Old Business

None

New Business

Westminster Presbyterian Church – request for revision to 2019 Comp Plan Update – Ed McFalls, Bert Rothenberger, Dave Walter

Mr. McFalls summarized the Church’s request to change the Future Land Use designation for the property which surrounds the existing church site from its current designation, which is Neighborhood Conservation, to Mixed Use. He explained that the Mixed Use designation would allow the church the flexibility in the future to explore one or more “Visioning” ideas the Church had recently considered in Chester Co., such as Affordable Housing for seniors. To do this, the current zoning of the property would have to be changed. Without a change to the Future Land Use map, such a zoning change would be considered Spot Zoning, which is prohibited in Westtown Twp. Upon questioning from the PC, Mr. Rothenberger noted that the Church does not currently

have a plan for the property and there is a possibility the property could become home to an expansion of the existing church site.

PC members asked for an explanation of Affordable Housing from the applicants. Mr. Rothenberger explained, the Church's definition includes school teachers, firefighters, entry level workers, essential workers, and senior citizens, and that it is larger than a simple income based definition. He added that they are not tied to apartments, condos, or any specific type of housing.

Mr. Ethridge read aloud the Future Land Use chapter and the meaning of the Mixed Uses designation. All parties were in agreement that a Mixed Use designation would allow the Church to do what it would like to.

The PC offered its support to Westminster Presbyterian Church in their request to the Board of Supervisors to change the future land use map designation for their undeveloped property from Neighborhood Conservation to Mixed Use.

Recommend to BOS (JE/SR) 6-0

Recommended Ordinance Amendments & Code Updates (prioritized) – Mr. Ethridge

Mr. Hatton expressed his pleasure with the layout and design of the document and noted that there are other lists that contain information on projects and ordinance updates that the PC is not aware of. He asked the Twp to consider creating a master list of all projects to assist the PC in prioritizing and potentially eliminating redundancy of effort.

Mr. Pomerantz noted that to his knowledge, the Board did not have a list of its projects to share with the PC and concurred that such a list would be helpful.

Mr. Embick asked Mr. Ethridge to add a title, a creation date, revision dates/version numbers, and page numbers.

Mr. Hatton asked Mr. Ethridge to add creation dates to each task, as well as a column identifying who created the task (the originator) for context and history.

Mr. Pomerantz suggested Mr. Ethridge examine the summer 2017 minutes to determine the status of the Conditional Use Posting requirements work that had been started by his predecessor.

Members asked about the status of the Chicken Keeping Ordinance. Mr. Ethridge noted that the BOS indicated that they would not act on this proposed ordinance.

Members asked Mr. Ethridge to move the re-examination of where Medical Services should be appropriate under the zoning code to a category 2 task.

Mr. Ethridge informed PC members that items 1-4 were in the process of being completed. Members asked Mr. Ethridge to take action on items 5-13 on the list as soon as possible.

Agenda for 2/27 Join PC/BOS meeting

Mr. Pomerantz informed members that the agenda can be as long as necessary so as not to limit themselves on what they would like to discuss with the Board.

Members agreed to discuss communication protocol with the BOS, their initiatives for 2019, access to legal counsel, an update of the 2019 Comprehensive Plan, the potential for having a Board member attend PC meetings periodically, the possibility of having a joint meeting or meetings with other planning commissions, a joint meeting or meetings with other townships and/or the County, reviewing meeting minutes from adjacent townships, discussing the budget for legal counsel, and asking the Board to reconsider the PC's party status to the Westtown School Conditional Use application.

PC Comments on the Draft Comprehensive Plan for Westtown Township

PC members debated the merit of discussing a potential implementation committee with the Board, as well as comparing the version that was forwarded to the Board with the version the Board released to the public.

Public Comment

None

Reports

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

Adjournment (KF/JE) 6-0

Meeting was adjourned at 9:37 pm.

Next PC Meeting – February 20, 2019, 7:30 pm – Township Building

PC Representative at next Board of Supervisors Meeting: February 19, 2019 – Steve Rodia (primary) and Jim Lees (alternate)

Respectfully submitted,
William Ethridge, Planning Commission Secretary

ORDINANCE NO. 2019-01

**WESTTOWN TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA**

**AN ORDINANCE AMENDING CHAPTER 170, ZONING,
OF THE CODE OF WESTTOWN TOWNSHIP
REGARDING THE SIZE AND SETBACK
REQUIREMENTS FOR ACCESSORY STRUCTURES AND
USES ACCESSORY TO RESIDENTIAL USE.**

BE IT ENACTED AND ORDAINED by the Board of Supervisors of Westtown Township, Chester County, Pennsylvania, that certain provisions of Chapter 170, Zoning, of the Code of Westtown Township, as amended, be amended as follows:

SECTION 1. Article XV, General Regulations, §170-1502, Projections into setbacks and setback exceptions, Subparagraph F shall be amended to read as follows:

- F. Arbors, garden sheds, private garages, private greenhouses, trellises, workshops, and similar accessory structures shall be permitted within side and rear yard areas provided they do not exceed the height, nor 50% of the footprint, of the principal structure. The side and rear yard setbacks for such structures shall be no less than the height of the accessory structure, irrespective of the otherwise applicable yard requirement of the district. Any wheels attached to a mobile structure must be removed prior to the issuance of any permits. These standards do not apply to flexible developments.

SECTION 2. Article XVI, Supplemental Regulations, §170-1603, Accessory uses and structures, Subparagraph C, Uses accessory to residential use, Subsections (1), (2), and (3) shall be amended to read as follows:

- (1) Private parking space.
- (2) Barn, private stable or other shelter for animals (but not including a kennel), in accordance with the terms of §170-1516 of this chapter.
- (3) Private garage, workshop, greenhouse, garden shed, or similar structure.

SECTION 3. If any sentence, clause or section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or validity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Board of Supervisor that this Ordinance would have been adopted had such unconstitutional, illegal, invalid sentence, clause, section or part thereof not been included herein.

SECTION 4. All ordinances or parts of ordinances conflicting or inconsistent herewith are hereby repealed.

SECTION 5. This Ordinance will be effective five (5) days after enactment.

ENACTED AND ORDAINED this _____ day of _____, 2019.

ATTEST:

WESTTOWN TOWNSHIP

Secretary

Scott E. Yaw, Chair

Mike T. Di Domenico, Vice Chair

Carol R. De Wolf, Police Commissioner

ORDINANCE NO. 2019-02

**WESTTOWN TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA**

**AN ORDINANCE AMENDING CHAPTER 170, ZONING,
OF THE CODE OF WESTTOWN TOWNSHIP, CHESTER
COUNTY, PENNSYLVANIA, REGARDING THE
CONVERSION OF AN ACCESSORY DWELLING UNIT
INTO A RENTAL BY SPECIAL EXCEPTION AND
PROVIDING A DEFINITION FOR “BUILDING
FOOTPRINT” AND “MEMBERS OF THE SAME FAMILY”.**

BE IT ENACTED AND ORDAINED by the Board of Supervisors of Westtown Township, Chester County, Pennsylvania, that certain provisions of Chapter 170, Zoning, of the Code of Westtown Township, as amended, be amended as follows:

SECTION 1. Article II, Definitions, §170-201, Definitions, shall be amended by adding the following new terms and definitions:

BUILDING FOOTPRINT

The area of any building measured along the perimeter of the exterior foundation walls.

MEMBERS OF THE SAME FAMILY

Any individual, such individual's brothers and sisters, the brothers and sisters of such individual's parents and grandparents, the ancestor and lineal decedents of any of the foregoing, a spouse of any of the foregoing and the estate of any of the foregoing. Individuals related by the half blood or legal adoption shall be treated as if they were related by the whole blood.

SECTION 2. Article V, A/C Agricultural/Cluster Residential District, §170-501, Use regulations, Subsection B, Uses by special exception, shall be amended by the addition of the following subparagraph:

(8) Conversion of an accessory dwelling unit into a rental, in accordance with the provisions of §170-1619.

SECTION 3. Article VI, R-1 Residential District, §170-601, Use regulations, Subsection B, Uses by special exception, shall be amended by the addition of the following subparagraph:

(9) Conversion of an accessory dwelling unit into a rental, in accordance with the provisions of §170-1619.

SECTION 4. Article VII, R-2 Residential District, §170-701, Use regulations, Subsection B, Uses by special exception, shall be amended by the addition of the following subparagraph:

(8) Conversion of an accessory dwelling unit into a rental, in accordance with the provisions of §170-1619.

SECTION 5. Article XVI, Supplemental Regulations, new §170-1619, Conversion of an Accessory Dwelling Unit (ADU) into a rental, shall be added as follows:

§170-1619 Conversion of an Accessory Dwelling Unit (ADU) into a rental.

- A. Statement of intent. The intent of this section is to provide an alternative use for a structurally sound, approved, and permitted ADU whose occupancy was permitted only to **Related or Relative** persons as defined under §170-201. This section is also intended to increase the supply of smaller dwelling units and provide for a more efficient use of the existing housing stock, while protecting the character of sound, stable residential neighborhoods and preserving the basic character of dwellings that might otherwise become obsolete.
- B. Standards for conversion to residential rental use. An approved, permitted ADU, either existing on the effective date of this chapter or approved and permitted thereafter, may be converted into and used as a dwelling unit for rent, when approved as a special exception by the Zoning Hearing Board in accordance with the terms of Article XXI of this chapter and with the following stipulations:
- 1) The ADU may be located in the principal dwelling or in a structure which is accessory to the principal dwelling and is located on the same single-family residential lot.
 - 2) A detached ADU shall meet setbacks for an accessory structure for the zoning district in which it is located
 - 3) The minimum size of the ADU shall be 500 sqft, the maximum size shall be no greater than 50% of the footprint of the principal dwelling.
 - 4) The height of the ADU shall not exceed the height of the principal dwelling.
 - 5) There shall not be more than one accessory dwelling unit created on any single-family residential lot.
 - 6) One of the two dwelling units (either the principle or the accessory) shall be occupied by the owner of the property, or a family member of the owner of the lot on which both dwelling units are located.
 - 7) At least one paved off-street parking space shall be required for the accessory dwelling unit in addition to those required for the principal dwelling. The additional parking space(s) shall not be located within any required setback area.

- 8) Utility billing for the property shall remain under the name of the property owner.
- 9) No other alterations to the exterior of the structure shall be permitted unless necessary for health or safety reasons.
- 10) Except where public sewer is available, the applicant shall submit to the Township a permit for an on-site sewage disposal system issued by the Chester County Health Department, certifying that the sewage disposal facilities are adequate for the projected number of residents. Where the existing on-site system is found to be inadequate, by the Department, to serve the projected demand, no approval shall be given for the accessory dwelling unit until the system is improved to meet Health Department requirements and a permit is issued by the Department.
- 11) To ensure compliance with this chapter, a site plan shall be submitted, accurately drawn to scale, indicating the location and size of the existing and proposed dwelling units, parking areas and any proposed exterior alterations.
- 12) All accessory dwelling units in the Township shall be subject to the requirements of §170-2004, §170-2005 and §170-2006 relating to use and occupancy permits.
- 13) The Rental Dwelling Unit shall not be occupied by more than 1 family per dwelling unit, which shall consist entirely of individuals who are related to one another as defined under "Members of the same family".

SECTION 6. If any sentence, clause or section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or validity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Board of Supervisor that this Ordinance would have been adopted had such unconstitutional, illegal, invalid sentence, clause, section or part thereof not been included herein.

SECTION 7. All ordinances or parts of ordinances conflicting or inconsistent herewith are hereby repealed.

SECTION 8. This Ordinance will be effective five (5) days after enactment.

ENACTED AND ORDAINED this _____ day of _____, 2019.

ATTEST:

WESTTOWN TOWNSHIP

Secretary

Scott E. Yaw, Chair

Mike T. Di Domenico , Vice Chair

Carol R. De Wolf, Police Commissioner

Beer

Water

Mussels

Fun



science on Tap

Thursday, February 28, 7:00 - 9:00 pm at Sligo

Please join us for *Mussel Mania*, our second *CRC Science on Tap* event. Have a few beers, try mussels prepared in a variety of yummy broths, and listen to Dr. Danielle Kreeger tell about how she is restoring the hard-working, under-appreciated, awesome mussels who clean our local waters.

The \$25 cover includes your first beer, mussel appetizers, and Dr. Kreeger's talk.

Who knew mussels could be so interesting?

We'll be upstairs at Sligo, 113 W. State Street in Media.

Bring your mussels-and-beer-loving friends for a fun evening with CRC.

register online: www.crcwatersheds.org

Check Register

Westtown Township

15-Feb-19

From: 05-Feb-19 To: 19-Feb-19

Check No	Check Date	VendorNo	Vendor	Check Amount	Status
Bank Account: 1 GENERAL FUND					
14777	2/6/2019	405540	Albert Federico Consulting, LL	\$1,312.50	O
14778	2/6/2019	1009	Ann Marie Cassidy	\$650.00	O
14779	2/6/2019	5761	CCHPN	\$230.39	O
14780	2/6/2019	1206	Freedom Systems Corporation	\$2,462.00	O
14781	2/6/2019	127	In-Fleet Truck Service	\$726.40	O
14782	2/6/2019	405705	Krapf Coaches	\$810.00	O
14783	2/6/2019	1074	LENNI ELECTRIC CORPORA	\$2,713.00	O
14784	2/6/2019	333	PA American Planning Assoc	\$104.00	O
14785	2/6/2019	231	USPS - WESTTOWN POSTM	\$204.00	O
14786	2/6/2019	7	Westtown-East Goshen PD	\$306,949.27	O
14787	2/6/2019	5363	Chris R. Culberson	\$331.20	O
14788	2/6/2019	792	PA Twps Health Ins Coop Tru	\$143.72	O
14789	2/6/2019	980	USPS- Postmaster	\$1,681.32	O
14790	2/12/2019	6958	Capital One Bank	\$99,830.53	O
14791	2/12/2019	5506	Chester Co Historical Society	\$15.00	O
14792	2/13/2019	405745	Adel Gheith	\$90.22	O
14793	2/13/2019	405748	Gillian May Schaadt	\$230.62	O
14794	2/13/2019	405746	Leslie Polss	\$18.26	O
14795	2/13/2019	405749	Simon Dennis	\$102.31	O
14796	2/13/2019	405747	Vincent Digirolamo	\$53.21	O
14797	2/19/2019	1044	ASSOCIATED TRUCK PART	\$209.08	O
14798	2/19/2019	5761	CCHPN	\$85.00	O
14799	2/19/2019	7191	Code Inspections Inc	\$15,679.05	O
14800	2/19/2019	1001	CRC Watersheds Assoc	\$300.00	O
14801	2/19/2019	225	DELCHESTER PUBLIC WOR	\$45.00	O
14802	2/19/2019	989	Ecolab	\$102.50	O
14803	2/19/2019	998	Environmental Systems Resea	\$400.00	O
14804	2/19/2019	7196	GreatAmerica Financial Svcs	\$46.00	O
14805	2/19/2019	1061	McCormick Taylor	\$7,992.50	O
14806	2/19/2019	1157	Nationwide Testing Associatio	\$191.50	O
14807	2/19/2019	86	PRESTIGE MAILING SERVIC	\$415.00	O
14808	2/19/2019	153	Rothwell Document Solutions	\$1,031.36	O
14809	2/19/2019	7316	Science Tellers	\$400.00	O
14810	2/19/2019	860	TrueNet, Inc	\$120.00	O
14811	2/19/2019	1148	West Chester Area Council of	\$500.00	O
Bank Total:				\$446,174.94	
Bank Account: 8 WASTEWATER FUND					
3300	2/6/2019	5666	M&B Environmental, Inc.	\$247.71	O

Check Register**Westtown Township**

15-Feb-19

From: 05-Feb-19 To: 19-Feb-19

Check No	Check Date	VendorNo	Vendor	Check Amount	Status
3301	2/6/2019	1164	Univar USA, Inc.	\$6,938.09	O
3302	2/6/2019	61	West Goshen Township (WW	\$41,926.50	O
			Bank Total:	\$49,112.30	
Bank Account: 18 CAPITAL PROJECTS FUND					
1153	2/6/2019	7234	Linn Architects	\$500.00	O
			Bank Total:	\$500.00	
			Total Of Checks:	\$495,787.24	
