WESTTOWN TOWNSHIP

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AGENDA

Westtown Township Board of Supervisors Regular Meeting

Monday, July 15, 2019 - 7:30 PM

Westtown Township Municipal Building 1039 Wilmington Pike, Westtown

- I. Call to Order
- II. Approval of Board of Supervisors Meeting Minutes July 1, 2019
- III. Summary of Board of Supervisors Workshop July 15, 2019
- IV. <u>Departmental Reports</u>
 - A. Westtown East Goshen Police Chief Bernot
 - B. Planning Commission Jack Embick
 - C. Manager's Report Rob Pingar
- V. Public Comment (Non-Agenda Items)
- VI. Old Business
 - A. Ordinance 2019-05, Amendments to Township Code Chapter 170, Zoning Authorize advertisement
 - 1. Article II Definitions
 - 2. Article V A/C Agricultural/Cluster Residential District
 - 3. Article IX Flexible Development Procedure
 - 4. Article XV General Regulations
 - 5. Article XX Administration
- VII. New Business
 - A. Tyson Park Phase II Improvements contract award
- VIII. Announcements
 - A. Movie Night, July 19 at 7:30 pm at Oakbourne Park featuring The Princess Bride
 - B. Westtown School Conditional Use Hearing, July 23rd at 7:00 pm
 - C. Citizens Police Academy, Tuesdays starting September 3, 2019 at 7:00 pm
 - D. Neighborhood University, Thursdays starting September 12, 2019 at 6:30 pm
 - E. SMP Routine Inspection Reports, Reports are due October 31, 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, July 1, 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 Paul Mullin, and Planning Commissioner Elaine Adler. There were 8 guests.

I. Call to Order

Mr. Yaw called the meeting to order at 7:30 PM. He asked if anyone was recording the meeting. Eva Foster stated that she was making an audio recording.

II. Approval of Minutes (June 17, 2019)

Mr. Di Domenico made a motion to approve the June 17, 2019 Board of Supervisors meeting minutes. Ms. De Wolf seconded the motion. There were no questions or comments and the minutes were unanimously approved.

III. Workshop Meeting Summary (July 1, 2019)

Mr. Yaw reported that the Board held an Executive Session before the open workshop to discuss police arbitration and collective bargaining matters, several personnel matters, and litigation. In the public workshop, the Board discussed an ordinance amendment to outdoor lighting regulations, which is on tonight's regular meeting agenda.

There were no comments or questions on the workshop.

IV. <u>Departmental Reports</u>

A. Public Works (PW) - Mark Gross

Mr. Gross reported that in June the Public Works department addressed downed trees and washouts caused by the ongoing heavy rains. They also dealt with electrical issues at the administration building, garage, and sewage treatment plant, perhaps related to the storms. The A/C units in all township buildings were also serviced for the season.

At Oakbourne Park, the stone base for the new park entrance sign has been constructed and the electrical work has been completed. The sign is being fabricated.

In the Wastewater Department, Mr. Gross reported that there have been some programming issues during power outages at the Kirkwood Pump Station caused by the switch between the backup generator and utility power. Mr. Gross has been working with the manufacturer to address the problem. The contractor is working on fencing and the township will complete landscaping once the fence is finished. He added that the force main relocation at Oakbourne Bridge in preparation for the bridge replacement was completed today and is operational.

Future projects include stormwater inlet repairs for the Road Maintenance Program

Mr. Di Domenico thanked Mr. Gross for clearing the overgrown vegetation around the stop sign on Woodland Road.

Mr. Yaw commented that the masonry work on the sign base at the park is beautiful. Mr. Gross stated that the stone was salvaged from the property. Mr. Yaw asked when the road program will begin. Mr. Gross stated it would probably begin in mid-August.

There were no other comments or questions.

B. Historical Commission (HC) - Paul Mullin

Mr. Mullin reported that the excavation project at the Huey site being performed by the West Chester University (WCU) Archeology Department is on summer hiatus and will resume in late August. The HC is considering displaying some of the artifacts found at the site on Westtown Day. The HC is still working on the Westtown history book, and hopes to have it published by late summer. They are also finalizing the Historical Resource List updates, and planning for a public meeting date in October. Mr. Mullin also reported that a former HC commissioner, Jon Hoppe, found an article at the Chester County Historical Society supporting the theory that the gatehouse at Oakbourne Park was the Mercer Schoolhouse.

Mr. Mullin stated that the HC is looking forward to discussing the future of the Shiloh Road AME cemetery project with the Board, and asked if they could contact the owner directly. They would also like the Board's decision on the historical roadside markers they have proposed, as well as guidelines regarding the presence of political officials at Westtown Day.

Mr. Mullin asked about the status of the Veterans' Memorial project and whether the Board was reconsidering the location. Mr. Pingar stated that the project will go to bid and the Board will decide on whether to move forward on the project based on the bids.

Regarding the roadside markers, Mr. Di Domenico stated that Birmingham Township is currently seeking a grant for an interpretive plan for the Brandywine Battlefield. Ms. De Wolf stated that interpretive signage and roadside markers need to be coordinated. The Board would like to wait until their plan is finished before deciding on the location of the Battlefield Marker in Westtown.

With respect to political candidates at Westtown Day, Mr. Yaw stated that the township solicitor is researching the matter. The Board will provide guidance to the HC and Parks & Recreation commission as soon as possible.

Mr. Pingar stated that any communication regarding the Shiloh Road AME cemetery should come from the Board, not from the HC. He stated that the Board has no plans to move forward with the project at this time.

There were no other comments or questions.

C. Planning Commission (PC) - Elaine Adler

Mrs. Adler stated that the PC meeting on June 19 dealt primarily with the amendments to the zoning ordinance. A new draft will be reviewed by the PC at their July 17 meeting. The PC also was apprised of three upcoming Zoning Hearing Board applications, which they will review in the coming weeks.

Mr. Yaw thanked the PC for their review of the zoning ordinance amendment. He stated that the changes are significant enough to warrant sending back the Chester County Planning Commission for another Act 247 review.

There were no additional comments or questions.

D. Manager's Report – Rob Pingar

Mr. Pingar said that at a recent pipeline meeting, the contractor (Michels) stated that installation of the 16" pipeline will begin in September. The contractor will be contacting East Goshen, Thornbury, and Westtown Townships to request a waiver to the noise ordinance allowing them to operate 24/7 to avoid possible problems caused by starting and stopping the pulling of the pipeline. Mr. Pingar stated he would provide that request to the Board once he receives it.

On other matters, Mr. Pingar also reported that another emergency services tabletop exercise is being planned. This one will focus on an active shooter scenario. He will notify the Board when that is scheduled. Mr. Pingar noted that on June 24, a police union contract arbitration hearing was held. That negotiation is ongoing. He stated that another hearing for the Westtown School Conditional Use application was held on June 26, and the final hearing is scheduled for July 23, consisting primarily of public comment. Mr. Pingar stated that the bid opening for Phase II of the Tyson Park project is Monday, July 8. He added that final drainage revisions are being made to the plans for the Veteran's Memorial, and expects that project to be bid in August. Finally, Mr. Pingar stated that George Csete of StreamBend, LLC, who did a 3D scan of the Huey ruins, also scanned the Oakbourne water tower last week. The scan will enable people to see what the interior looks like, since it is not safe or practical to allow people inside.

Mr. Di Domenico asked about the timeframe for the 24/7 work on the pipeline. Mr. Pingar stated that Michels has not made the request yet, but they will be asking to work 24/7 for a few days while they pull the 16" diameter pipe. If they aren't permitted to work 24/7, then pulling the pipe will take longer. Mr. Pingar said the 16" pipe work is expected to be completed by September, and then the entire process will be repeated for the 20" pipe. Work on the 20" line is expected to continue into next year.

There were no other comments or questions.

V. Public Comment (Non Agenda Items)

Steve Berstler, 201 Larchwood Road in West Goshen, asked if the township could clean the storm drains on his street more often. Mr. Gross replied that he has responded to Mr. Berstler's phone calls many times over the years. Mr. Gross stated that the township does not have the resources to clean every storm drain after every rain event, and noted that no storm drain could handle the heavy rainfall we have had in recent storms. He added that leaves and tree debris come from yards, and it takes community effort to help keep the drains clear. The township has 3 employees to maintain 980 storm drains. Ms. De Wolf stated that the amount of rain we have been experiencing cannot be handled by stormwater infrastructure alone. She said residents need to understand their part in stormwater management. Homeowners can use rain gardens and other stormwater management techniques to help reduce the flow of stormwater runoff. The Stormwater page on the township website provides tips for homeowners.

There were no additional comments or questions.

VI. Old Business

A. Ordinance 2019-05, Amendments to Township Code Chapter 170, Zoning – Authorize Act 247 Review of the revised ordinance amendment

Mr. Yaw noted that the initial version of this proposed ordinance was authorized by the Board for Act 247 review on June 3, 2019; however, additional edits were deemed substantive enough to warrant re-authorization of Act 247 review.

Mr. Di Domenico made a motion to authorize Act 247 review of revised Ordinance 2019-05 amending Chapter 170 of the Code of Westtown Township:

- 1. Article II Definitions
- 2. Article V A/C Agricultural/Cluster Residential District
- 3. Article IX Flexible Development Procedure
- 4. Article XV General Regulations
- 5. Article XX Administration

Ms. De Wolf seconded the motion. There was no public comment and the motion was unanimously approved.

VII. New Business

A. West Goshen Sewer Authority – Sewage Treatment Agreement

Mr. Di Domenico made a motion to approve the Sewage Treatment Agreement between Westtown Township, the West Goshen Sewer Authority and Township of West Goshen for the treatment of sewage from 1095 Westtown Township public sewer customers that flows to the West Goshen Sewage Treatment Plant on S. Concord Road. This is an updated agreement to address the West Goshen Sewer Authority's capital improvement projects, and to resolve pending litigation among the parties to the agreement. Ms. De Wolf seconded the motion. There was no public comment and the motion was unanimously approved.

B. Oakbourne Mansion Exterior Repairs - Contract Award

On June 11, the township received two bids for exterior repairs and painting of the Oakbourne Mansion and carriage house. Linn Architects and Mark Gross reviewed the proposals and recommend that the township award the contract to R.C. Legnini Company, Inc.

Mr. Di Domenico made a motion to award the Oakbourne Mansion Exterior Repairs project to R.C. Legnini Company, Inc. for Bid Packages 1, 2, & 3 and Alternates A, B, & C in the total amount of \$352,736.07. Ms. De Wolf seconded the motion. Mr. Yaw thanked Mark Gross and Pam Coleman for their work on this project. Mr. Yaw stated that the mansion is a valuable asset to the township, and that these repairs are long overdue. There was no additional comment and the motion was unanimously approved.

C. Oakbourne Mansion Exterior Repairs – Construction Management Services Agreement

Mr. Yaw explained that the nature of this project demands the services of an architect with experience in historic restoration. Linn Architects and the architectural historian they enlisted to help prepare the detailed scope of work and associated bid package for this project are uniquely qualified to provide these services.

Mr. Di Domenico made a motion to accept the proposal from Linn Architects to provide professional architectural services for the Oakbourne Mansion Exterior Repairs project for a budget amount of \$8,730.00. Ms. De Wolf seconded the motion. Mr. Gross stated that the restoration will not be an exact historical replication, but the work will be done to closely replicate the ornate architectural details of the mansion. There was no additional comment and the motion was unanimously approved.

D. Ordinance 2019-06, Amendment to Township Code, Chapter 170, Article XV Outdoor Lighting – Authorize Act 247 review

Mr. Yaw stated that the West Chester Area School District (WCASD) desires to increase the maximum number of nights the Rustin stadium lights can be used from 20 nights to 30, to accommodate the needs of non-football sports for boys and girls.

Mr. Di Domenico made a motion to authorize Act 247 Review amending The Code of Westtown, Article XV Outdoor Lighting, to permit a maximum of 30 lighted events per calendar year on any one school campus where permanent lighting is permitted. Ms. De Wolf seconded the motion. Mr. Di Domenico added that the existing ordinance allows for three additional nights for playoffs, if needed.

Eva Foster, 734 Westbourne Road, complained about the noise generated at night games and other Rustin events such as movie nights and band practice. She stated that if the Board approves the Westtown School application for over 200 lighted night games, then the WCASD will come back asking for more. Mr. Yaw stated that the WCASD indicated they would not be seeking additional nights.

There was no other public comment and the motion was unanimously approved.

VIII. Announcements

- A. Parks & Recreation Commission Vacancies The township is accepting applications for appointment to the Parks & Rec (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.
- B. Holiday Closure Township Offices will be closed Thursday, July 4 for Independence Day.
- **C.** West Chester Area Council of Governments Renewable Energy Plan Workshop will be held on July 11, 2019 at West Whiteland Township Building from 6-8PM. This is a public workshop on regional energy planning in the West Chester area.
- D. Movie Night Friday, July 19 at 7:30pm at Oakbourne Park. Featuring "The Princess Bride."

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 of 365,797.38, Wastewater Fund bills of \$316,625.55, and Capital Projects Fund bills of \$20,901.74, for a grand total of \$703,324.67. Ms. De Wolf seconded the motion. There were no questions or comments, and the check registers were unanimously approved.

XI. Adjournment

Ms. De Wolf made a motion to adjourn the meeting. Mr. Di Domenico seconded the motion. The motion was unanimously approved and the meeting adjourned at 8:31 PM.

Respectfully submitted,

Robert Pingar Township Manager

ORDINANCE NO. 2019-05

WESTTOWN TOWNSHIP CHESTER COUNTY, PENNSYLVAN.IA

AN ORDINANCE AMENDING CHAPTER 170, ZONING, OF THE CODE OF WESTTOWN TOWNSHIP BY ADDING NEW DEFINITIONS TO ARTICLE II; AMENDING THE STATEMENT OF INTENT FOR ARTICLE V, A/C AGRICULTURAL/ RESIDENTIAL DISTRICT, §170-500; AMENDING VARIOUS PROVISIONS AND SECTIONS OF ARTICLE IX, FLEXIBLE DEVELOPMENT PROCEDURE; AMENDING ARTICLE XV, GENERAL REGULATIONS, §170-1519, STANDARDS FOR MINIMUM TRACT AND LOT AREA; MAXIMUM DENSITY OF TRACT USAGE; AND AMENDING ARTICLE XX, ADMINISTRATION, §170-2009.D, STANDARDS FOR CONDITIONAL USE APPROVAL.

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 to add the following terms and definitions:

BRANDYWINE BATTLEFIELD SWATH

That area of the September 11, 1777 Brandywine Battlefield troop movements and battlefield skirmishes so designated and mapped in correspondence to Westtown Township from the Chester County Planning Commission dated December 7, 2016 and included Appendix A. The Brandywine Battlefield Swath also shall be considered an historical landscape and a scenic landscape or scenic view.

HISTORIC RESOURCE(S)

Any site, structure, ruin, landscape feature or other object included in the Westtown Township Inventory of Historic Resources or listed in the National Register of Historic Places or determined eligible for such listing by the Pennsylvania Historic and Museum Commission.

HISTORICAL LANDSCAPE

The landscape area surrounding any historic resource(s) that contributes to or is visually consistent with the historical character of the designated resource(s) as may be determined by the Township.

SCENIC LANDSCAPE(S)

Those landscapes visible from public rights-of-way at any time of year which are characteristic of the natural heritage and historical settlement of Westtown Township as further described in the Westtown Township Comprehensive Plan.

SCENIC VIEW(S)

Views of Scenic Landscapes as defined herein.

SECTION 2. Article II, Definitions, §170-201, Definitions, shall be amended to revise the following terms and definition to read as follows:

DENSITY, NET RESIDENTIAL

Within a flexible development, the number of residential dwelling units of a single particular type and no others, divided by the area of that portion or portions of the tract to be utilized for that specific dwelling unit type, expressed in units per acre. Calculation of the area of the tract so utilized shall comply with the standards set forth in §170-904.E.

SECTION 3. Article V, A/C Agricultural/Cluster Residential District, §170-500, Statement of Intent, shall be amended to read as follows:

§170-500 Statement of Intent.

In addition to the general goals in the preamble, the purpose, and the community development objectives, it is the purpose of this article to preserve the traditional agricultural and rural residential character of appropriate areas of the Township including scenic views and historical landscapes, notably the area involved in the Battle of Brandywine, September 11, 1777, especially that area denoted as the "Brandywine Battlefield Swath," and to provide housing opportunities for residential development at low densities consistent with such character, and provide for clustering of housing as an option to preserve and enhance the natural, scenic, and historic character of the landscape.

SECTION 4. Article V, A/C Agricultural/Cluster Residential District, 170-503, Design Standards, Subsection C(3), shall be amended to read as follows:

- (3) Continuous collector road(s) and pedestrian trail(s) shall be developed as part of the subject use or development to provide direct internal through connection(s) between existing collector and/or arterial streets and trail(s), as applicable, and as required by the Board of Supervisors to provide reasonable access to the subject use, enhance community connectivity and improve local mobility. Examples include but are not limited to through collector streets connecting:
 - Skiles Boulevard and West Pleasant Grove Road:
 - West Pleasant Grove Road and PA Route 926 at the intersection of Bridlewood Boulevard in Thornbury Township. Chester County;
 - Walnut Hill/Shady Grove Roads to PA Route 926 opposite Cheyney Road in Thornbury Township.

At the discretion of the Board of Supervisors in the context of any conditional use application, as a condition of approval, the Board may require that collector road(s) be developed, in whole or in

part, through the subject property. The design of such road(s) shall support the goal of providing through collector road(s) functioning independently of other streets or roads, existing or proposed. The Board may require that no dwellings have individual driveway access onto a collector road.

SECTION 5. Article IX, Flexible Development Procedure, §170-900, Statement of Intent, Subsection B(4), shall be amended to read as follows:

(4) Encourage more flexible land development which will respect and conserve natural resources such as streams, lakes, floodplains, groundwater, wooded areas, steeply sloped areas, areas of unusual beauty or importance to the natural ecosystem; and conserve cultural resources including scenic views and historical landscapes, notably the area involved in the Battle of Brandywine, September 11, 1777, especially that area denoted as the "Brandywine Battlefield Swath."

SECTION 6. Article IX, Flexible Development Procedure, §170-902, Applicability to Base Zoning Districts, Subsection B, shall be amended to read as follows:

B. Unified tract(s) of land for flexible development shall be of ten (10) acres in size or greater.

SECTION 7. Article IX, Flexible Development Procedure, §170-904, Density Standards, Subsection A, Permitted Base Density and Potential Bonus Density, is deleted in its entirety, and shall be amended to read as follows:

- A. Permitted base density and potential bonus density.
 - (1) Base density. In a flexible development, subject to compliance with all applicable standards, criteria and requirements herein, and as a condition of conditional use approval, the Board of Supervisors may approve a plan that provides for a greater number of dwelling units per acre than would be permitted by the Township zoning regulations applicable to the subject tract(s), as provided in §170-1519.B of this chapter.
 - Bonus density for historic preservation. The maximum density established in accordance with §170-904.A(1) above may be further increased, where approved by the Board of Supervisors subject to conditional use approval, and in accordance with the standards set forth in §170-1519.B(5).

SECTION 8. Article IX, Flexible Development Procedure, §170-904, Density Standards, Subsection C, shall be amended to read as follows:

C. The following percentages of the gross area of the tract shall be set aside as minimum required open space for the use and benefit of the residents of the development and/or Township, subject to the standards for measurement of minimum required open space set forth in §170-907.A.

Additional open space may be provided: (1) A/C Agricultural/Cluster Residential District: 60%. Where applicable, the minimum required open space shall include at least 85% of any area on the subject property that comprises the Brandywine Battlefield Swath or a portion thereof.

- (2) R-1 Rural-Suburban Residential District, where single-family detached dwellings are provided: 40%.
- (3) R-1 Rural-Suburban Residential District, where twin dwellings are provided: 50%.
- (4) R-1 Rural-Suburban Residential District, where permitted multifamily dwellings are provided: 60%. Where more than one dwelling unit type is provided in the R-1 District, the minimum open space shall be calculated proportionally to the relative proportion of each unit type, as provided in Subsection C(3), (4) and/or (5) above. Additional open space also may be required as a condition of approval of applicable bonus densities.

SECTION 9. Article IX, Flexible Development Procedure, §170-904, Density Standards, Subsection E, Standards applicable to housing sites within a flexible development, Subpart (1)(d), shall be amended to read as follows:

(d) The acreage set aside for common open space, wastewater management facilities, and rights-of-way of public or private streets shall not be used for computation of net residential density for any residential use. No area used to comply with net density requirements for any particular residential dwelling unit type shall also be used to comply with net density requirements for any other residential dwelling unit type or toward area and bulk requirements for any other permitted use.

SECTION 10. Article IX, Flexible Development Procedure, §170-904, Density Standards, Subsection E, Standards applicable to housing sites within a flexible development, Subparts (2) and (3), are deleted in their entirety, and amended to read as follows:

- (2) Permitted multifamily dwellings shall be designed and constructed in accordance with the following standards:
 - (a) Maximum dimensions. No row of townhouses or single structure containing single-family attached dwellings shall exceed 120 feet in any dimension, nor shall exceed five dwellings in a single structure or continuous row. No other structure containing permitted multifamily dwellings shall exceed 100 feet in any dimension.
 - (b) All buildings within an integrated townhouse development shall be set back from the right-of-way line of any street the development abuts a distance of not less than 100 feet.

- (3) Design standards for all flexible development:
 - (a) Maximum impervious coverage. Not more than 25% of the gross area of the tract shall be covered by impervious surfaces. At the time of Conditional Use application, the applicant shall demonstrate that compliance with 25% maximum impervious coverage is feasible, including all residential buildings, common area buildings, roads, parking and access means and any other facilities or impervious surfaces, and in addition demonstrating that included within the 25% tract maximum, are allowances for future accessory structures or other impervious surfaces (patios, pools, etc.) which may be permitted on any individual residential building lot.
 - (b) Streets within the flexible development shall be designed in accordance with the terms of Chapter 149, Subdivision and Land Development; provisions for the maintenance of any private streets shall be an essential part of the plan for development. The Township may, but is not required to, accept dedication of the streets within the flexible development for public use. It may require the posting of security in an amount and form satisfactory to it for the construction of such streets, as set forth in Chapter 149, Subdivision and Land Development.
 - (c) Parking requirements.
 - [1] Except where part of a shared parking arrangement authorized under the terms of Article XVII, all required off-street parking shall be developed within the boundaries of the flexible development tract.
 - [2] Except where individual garages are provided, parking for each dwelling unit shall be provided either at the rear of the unit or shall be grouped into one or more parking areas serving a number of dwelling units. Individual curb cuts shall be permitted only for access to garages attached to individual dwelling units. Other front yard parking and individual curb cuts at the street line for access to parking shall not be permitted except where approved as a condition of Conditional Use approval at the discretion of the Board of Supervisors.
 - [3] Provisions for pedestrian circulation paths from parking areas to the residential dwellings and other buildings they serve shall be provided. These paths shall be constructed of an all-weather surface.
 - [4] No parking space shall be more than 250 feet from an entrance to the residential dwelling or other building it serves.
 - (d) Landscaping: As required by §170-1507 of this chapter.

- (e) Screening: As required by §170-1508 of this chapter.
- (f) Storage: As required by §170-1509 of this chapter.
- (g) Access and traffic control. Routes for vehicular and pedestrian access and parking shall be designed and situated so as to create no nuisances or detractions from privacy. Design of the site shall comply further with the standards in §§170-1510, 170-1511, 170-1512, and 170-1513 of this chapter. Townhouse structures shall be arranged so as to reduce the amount of roads required to serve the development and to provide for an adequate open space design.
- (h) The developer shall make adequate provision for the maintenance of buildings and land within yard areas set aside for condominium development by the organization of a condominium corporation with the responsibility for collection of sufficient levies or fees to pay the cost of such maintenance. Such maintenance may be conducted in conjunction with the requirements of §170-908, where a condominium corporation owns and maintains common open space. Any such terms and provisions shall be consistent with the requirements of the Uniform Condominium Act of 1980.
- (i) All housing shall be designed with regard to topography and natural features of the site in conjunction with the requirements of §170-905.A. The effects of prevailing winds, seasonal temperatures, and hours of sunlight on the physical layout and form of the proposed land use and buildings shall be taken into account.
- (j) To create architectural interest in the layout and character of housing fronting streets, variations in building line shall be encouraged.
- (k) All housing should be sited so as to provide privacy and to ensure natural light in all principal rooms.
- (l) Building height shall be limited to three stories not to exceed 38 feet.
- (m) Routes for vehicular and pedestrian access and parking areas shall be convenient without creating nuisances or detracting from privacy.
- (n) The approximate location and arrangement of buildings and open spaces must be shown on tentative plans so that the Board may review the intensity of land use and serve the public interest by protecting neighboring land uses.
- (o) The following requirements shall apply, except where more stringent criteria apply:
 - [1] No structure shall be within 30 feet of the curb of access roads.

- [2] No single-family detached dwelling or twin dwelling may be erected within 30 feet of any other structure.
- [3] The distance between buildings containing multi-family dwellings shall be determined in accordance with the requirements of §170-802.B(7).
- [4] At its sole discretion, and for purposes of promoting innovative and preferred design of dwellings and structures, the Board may vary the terms of this §170-904.E(3)(o) where deemed appropriate as a condition of Conditional Use approval.
- (p) Single-family detached dwellings, and uses accessory thereto, shall be a minimum of 50 feet, and all other structures shall be a minimum of 100 feet, from the property lines of the tract. Where proposed structures other than single-family detached dwellings will abut tracts containing similar uses, this distance may be reduced to 50 feet. Landscaping shall be required in these boundaries, regardless of the use being proposed. In cases where a one-hundred-foot setback from the tract boundary is required, including where twin dwellings are provided, at least 50 feet shall be a planted buffer conforming to the requirements of §170-1508 and containing no paving.
- (q) Where permitted, apartment dwellings shall comply with the minimum floor area provisions set forth in §170-802.B(3).

SECTION 11. Article IX, Flexible Development Procedure, §170-905, Design Standards, shall be amended to add new Subsections J and K to read as follows:

- J. Article IX, Flexible Development Procedure, §170-904.
 - (1) Historical landscapes and scenic views within or across any tract subject to flexible development shall be protected to the greatest extent practicable. As a condition of conditional use approval, the Board may reduce or waive landscape buffering requirements in order to minimize impacts to scenic views otherwise visually accessible to the public.
 - (2) Introduced landscaping, utilizing predominantly native vegetation and replicating landscape features characteristic to Westtown and its environs, shall be used to mitigate scenic impacts of development from public roads and neighboring residential properties where such views shall be altered by proposed development, grading, or other improvements necessary to accommodate proposed development. For purposes of this subsection, mitigation shall not require a complete visual screen, where the Township agrees that a filtered or diffuse screen is augmented by other landscaping or site conditions to deflect prominent lines of sight from development impacts or otherwise minimize the visual impacts of development.

- K. Stormwater management.
 - (1) Stormwater management facilities shall be designed to optimize the capture of stormwater at the sources of generation, maximize recharge to the subsurface groundwater system and minimize discharge to surface water flow. Guidance for stormwater management shall use the most current Best Management Practices (BMPs) such as those promulgated by the Pennsylvania Department of Environmental Protection.
 - (2) Collectively, in addition to compliance with the design criteria for stormwater management set forth in Chapter 144 and 149 of the Code of the Township of Westtown, the design of stormwater management facilities across the tract subject to flexible development shall result in groundwater infiltration of stormwater equal in volume to the incremental increase of the two-year storm, pre-development to post-development. For purposes of calculating the pre-development volume of the two-year storm, pre-development land cover conditions shall be assumed to be woodland-good for any area predominantly under cover of trees and meadow-good for any other area, regardless of actual cover conditions. The applicant shall be required to submit soil percolation test results and other credible evidence including a maintenance program satisfactory to demonstrate long-term feasibility of required groundwater infiltration. Where groundwater infiltration of the full incremental volume of the twoyear storm is not practicable, the Township may require employment of other means to mitigate potential groundwater impacts.

SECTION 12. Article IX, Flexible Development Procedure, §170-907, Open Space Standards, Subsection A, Use and Design Standards, Subpart 5(e), shall be amended to read as follows:

(e) Areas used for subsurface infiltration or land application (irrigation) of stormwater and/or treated wastewater, including open storage or settling ponds accessory to infiltration facilities. All such stormwater and wastewater facilities may be physically located in open space areas but shall be excluded from measurement of the minimum required open space as provided in §170-907.A(6) below.

SECTION 13. Article IX, Flexible Development Procedure, §170-907, Open Space Standards, Subsection A, Use and Design Standards, Subpart 6, shall be amended to read as follows:

(6) All open space used incrementally toward calculation of minimum required open space, as set forth in §170-904.C shall, in addition to full compliance with all other applicable standards herein, fully exclude any existing or proposed impervious surfaces, stormwater management facilities, wastewater treatment and disposal facilities, wetlands, water bodies, watercourses, 50% of any area of prohibitive slope (including created slopes exceeding 25%), and 50% of any lands subject to floodplain regulations.

SECTION 14. Article IX, Flexible Development Procedure, §170-907, Open Space Standards, Subsection A, Use and Design Standards, Subpart 7(a), shall be amended to read as follows:

(a) Not less than 75 feet in width at any point and not less than 1/2 acre of contiguous area where used toward calculation of minimum required open space. These dimensional standards may be modified by the Board of Supervisors as a condition of Conditional Use approval where the Board is satisfied that the result of such modification is preferable open space design.

SECTION 15. Article XV, General Regulations, S 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, and shall not exceed applicable impervious cover limitations. The side and rear yard setbacks for such structures shall be no less than the height of the accessory structure, irrespective of any otherwise applicable yard requirement of the district. Any wheels attached to a mobile structure must be removed prior to the issuance of any permits.

SECTION 16. Article XV, General Regulations, §170-1519, Standards for Minimum Tract and Lot Area; Maximum Density of Tract Usage, Subsection B, Maximum Density of use on any Tract within a Particular Zoning District, Subparts (2)(a), (b), (c) and (e) shall be amended to read as follows (Subpart (2)(d) remains unchanged):

- (a) A/C District.
 - [1] Standard single-family detached dwelling subdivision: tract area multiplied by 0.5.
 - [2] Flexible development: tract area multiplied by 0.7.
 - [3] Adult community development: tract area multiplied by 1.0.
- (b) R-1 District.
 - [1] Standard single-family detached dwelling subdivision: tract area multiplied by 1.0.
 - [2] Flexible development: tract area multiplied by 1.1.
- (c) R-2 District:
 - [1] Standard single-family detached dwelling subdivision, served by:

- [a] On-site sewage and on-site water: tract area multiplied by 1.0.
- [b] On-site sewage and off-site water, or public off-site sewage and on-site water: tract area multiplied by 1.45.
- [c] Public off-site sewage and off-site water: tract area multiplied by 1.98.
- [2] Single-family semidetached or two-family detached dwellings: tract area multiplied by 2.9.
- (e) M-U District.
 - [1] Residential uses authorized in the R-1, R-2, or R-3 Districts: as specified in Subsections B(2)(d)[1][b], [c], and [d] above.
 - [2] Mobile home park: tract area multiplied by four.

SECTION 17. Article XV, General Regulations, §170-1519, Standards for Minimum Tract and Lot Area; Maximum Density of Tract Usage, Subsection B, Maximum Density of use on any Tract within a Particular Zoning District, Subparts (3)(a) and (c) shall be amended to read as follows (Subpart (3)(b) remains unchanged):

- (a) R-3 District.
 - [1] Professional or business office: tract area multiplied by 0.40 (square feet of floor area)
- (c) C-1 District.
 - [1] Total number of permitted, special exception, or conditional uses: tract area multiplied by 0.5.
 - [2] Total amount of square feet of floor area per use: lot area (as determined by § 170-1519C, below) multiplied by 0.40.

SECTION 18. Article XV, General Regulations, §170-1519, Standards for Minimum Tract and Lot Area; Maximum Density of Tract Usage, Subsection B, Maximum Density of use on any Tract within a Particular Zoning District, shall be amended to add new Subpart (5) to read as follows:

- (5) Bonus Density for Historic Preservation, subject to conditional use approval:
 - (a) Bonus dwelling units for preservation of historic sites and landscapes. One additional dwelling unit may be provided for each two acres comprising a lot (or open space parcel) which contains any Township-, state- or federally designated Historic Resource and where such acreage otherwise

meets all applicable criteria for open space. The use of this bonus shall be limited to no more than four bonus dwelling units for each distinct historic landscape preserved and shall be subject to the following criteria:

- [1] The Township shall approve the configuration of the lot and/or restricted open space created to accommodate preservation of the historic landscape, which shall include, at a minimum, those portions of the property that contain outbuildings or ruins associated with the historical use of the principal historic building(s) and/or those areas of greatest public visibility.
- [2] In order to be eligible for this bonus, the historical setting, including all acreage used to calculate bonus dwelling units, and the principal facades of any historical structures shall be preserved through establishment of a conservation easement acceptable to the Township. Such easement shall be recorded prior to or simultaneously with the recording of approved land development plans and prior to issuance of building permits, as applicable, for any situation where this bonus shall be utilized.
- [3] Land(s) utilized for calculation of this bonus also may be counted toward the calculation of required or bonus open space, where applicable open space, criteria are met.
- (b) Additional bonus dwelling units for historic restoration/rehabilitation. Where preservation of historic sites, as provided in §170-1519.B(5)(a) above, includes restoration or rehabilitation of historic structures approved by the Township, one additional dwelling unit may be provided for each 2,000 square feet, or portion thereof exceeding 1,000 square feet, of floor area on all floor levels in the historic sections of such structures which are restored or rehabilitated, subject to the following requirements:
 - [1] Eligible structures shall have been used historically as principal residential or agricultural structures or structures accessory to a principal residential use and shall be included or be eligible for inclusion as part of a Township-, state- or federally designated Historic Resource or historic district;
 - [2] The applicant shall demonstrate to the satisfaction of the Township, submitting copies of appropriate plans and other documentation as necessary, that such structures have been or shall be restored and/or rehabilitated in accordance with plans prepared by a qualified restoration architect and in general compliance with the U.S Department of the Interior Standards for Rehabilitation of Historic Structures;

- [3] All principal facades of eligible historic structures shall be preserved through establishment of conservation easement(s) acceptable to the Township;
- [4] This bonus shall not apply if the integrity and scale of eligible historic structures have been or will be altered by additions that overwhelm their historic integrity due to the size of such addition(s) or to the use of modern or inappropriately scaled or proportioned materials, including exterior skins, windows, doors, chimneys, porches, and other features.
- (c) Limitation to use of historic preservation bonus. An historic preservation bonus shall not be applicable if the owner, subdivision/land development applicant, or developer of the subject property shall or has, within three years of the development application period or during actual development, destroyed or demolished any Historic Resource as defined herein without the express approval of the Township.

SECTION 19. Article XX, Administration, §170-2009, Conditional Uses, Subsection D, Standards for Conditional Use Approval, Subpart (1)(h), shall be amended to read as follows:

The burden of proof shall be upon the applicant, to prove to the satisfaction of the (h) Board of Supervisors by credible evidence, including a Traffic Impact Study addressing the requirements of $\S149-804$. A(1) – (11) and the Pennsylvania Department of Transportation, prepared by a licensed Professional Engineer, that the use will not result in a traffic hazard or traffic congestion within or along existing roads and road intersections adjacent to the tract proposed to be developed, or magnify any existing traffic hazard or traffic congestion within or along existing roads and road intersections adjacent to the tract proposed to be developed. The traffic generated by the development shall be accommodated in a safe and efficient manner on all roads and road intersections internal to the development site, and on all adjacent roads, accesses and road intersections external to the development site. This may include pedestrian and other travel modes as determined appropriate by the Board. The Traffic Impact Study shall identify any and all traffic capacity and traffic safety improvements within or along existing roads and road intersections adjacent to the tract proposed to be developed, and on all roads and road intersections internal to the development site, that are necessary to accommodate the traffic generated by the development. This includes vehicular and non-vehicular connections, as well as facilities to encourage and support non-automotive traffic. As a condition of approval, the Board shall require the applicant to complete and/or fund these traffic improvements, or provide surety for required improvements which may be completed by others.

SECTION 20. 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 21. All ordinances or parts of ordinances conflicting or inconsistent herewith are hereby repealed.

SECTION 22. This Ordinance will be effective five (5) days after enactment.

ENACTED AND ORDAINED thi	s, 2019.	
ATTEST:	WESTTOWN TOWNSHIP	
Secretary	Scott E. Yaw, Chair	
	Mike T. Di Domenico, Vice Chair	
	Carol R. De Wolf, Police Commissioner	

Westtown Township Tyson Park Phase II bid tab - July 8, 2019

Vendor	Bid Bond	Bid Amount	Bid Alternate*
Lechmanik, Inc.	Υ	\$162,108.00	\$160,108.00
Gessler Construction	Υ	\$203,500.00	\$201,000.00
Monster Paving, Inc.	Υ	\$213,312.00	\$208,802.00
*Decreasing trail width t	o 5ft		



40 Garden Alley Doylestown, Pennsylvania 18901-4386 Voice: 215 345 5053
Fax: 215 345 4324
Web: www.CVDA.com

July 9, 2019

Mr. Robert Pingar, Township Manager Westtown Township 1039 Wilmington Pike

West Chester, Pa. 19382

RE: Contract Award Recommendation Tyson Park-Phase 2 901 Oakbourne Road Westtown Township, Chester County, Pa.

Dear Rob:

Our office has reviewed the three (3) bids received by the Township for the construction of the Tyson Park Phase 2 improvements to provide accessibility under the provisions of the American with Disabilities Act. The three (3) Vendors and their bids are listed below;

- Gessler Construction-Bid- \$203,500.00 Bid Alternate-\$201,000.00 (Decreasing trail to 5' width)
- Lechmanik, Inc. -Bid-\$162,108.00 Bid Alternate-\$160,108.00
- Monster Paving, Inc.-Bid-\$213,312.00 Bid Alternate-\$208,802.00

Upon review of each Bidders' qualifications and completed projects we would recommend the contract be awarded to Lechmanik, Inc.

Should you have any questions, please do not hesitate to contact our office.

Sincerely,

Steven P. Burger, R.L.A, ASLA

Landscape Architect

Cc:

Bring a lawn chair or blanket and enjoy free summer movie nights at Oakbourne Park

(1014 S. Concord Road)



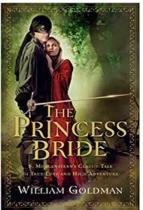
Friday, June 21 THE SANDLOT

Enjoy this classic funny coming of age adventure set in the 1960s about a group of neighborhood kids who remind us that playing baseball is not about winning.

Rated PG

Stars: Tom Guiry, Mike Vitar, Art LaFleur, Patrick Renna

Free Popcorn



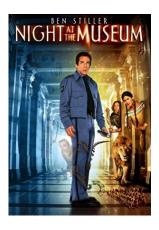
Friday, July 19 The Princess Bride

This is not your average fairy tale! A farm boy battles rodents of unusual size, fire swamps, and a band of outlaws to rescue his true love.

Rated PG

Stars: Robin Wright, Cary Elwes, Mandy Patinkin, Andre the Giant

Free popcorn



Friday, August 16 Night at the Museum

A new night security guard at the Museum of Natural History discovers an ancient curse that causes the exhibits to come to life.

Rated PG

Stars: Ben Stiller, Carla Gugino, Ricky Gervais, Dick Van Dyke

Free popcorn

Movies start at dusk. NO RAIN DATES.

Questions? Please call the Township office at 610-692-1930 or email: parkrec@westtown.org

Brought to you by the Westtown Township Parks & Recreation Commission



CITIZENS POLICE ACADEMY

APPLICATIONS NOW BEING ACCEPTED FOR THE 2019 WESTTOWN-EAST GOSHEN REGIONAL POLICE DEPARTMENT'S CITIZENS POLICE ACADEMY

The Citizens Police Academy is a revolutionary concept in law enforcement and community policing. As part of its continuing mission to provide the optimum in service, performance and dedication to the community, the Westtown-East Goshen Regional Police Department has designed a Citizens Police Academy that will enable citizens to have a better understanding of the operations of the Police Department and its Officers. In addition, citizens will develop a greater awareness and appreciation of the challenges and decisions faced by Westtown-East Goshen Police Officers on a daily basis. Class size is limited to 16 participants and will close once the first 16 applications are processed and approved. At the conclusion of the CPA, graduates of the academy will qualify to submit a request for our ride-along program.

Academy participants will attend one night a week (**Tuesday**) for approximately **three** hours per night for a period of 13 weeks. **The next Citizens Police Academy classes will begin on Tuesday**, **September 03**, 2019, at 6:30 P.M. at the Westtown-East Goshen Regional Police Department located at 1041 Wilmington Pike, West Chester, PA 19382.

Topics will include:

- Police Patrol Operations
- Criminal Investigations and Crime Scene Processing
- CPR and First Aid Certification
- The Court System and Mock Preliminary Hearing
- Traffic Enforcement/Accident Investigation and Reconstruction/Commercial Vehicles
- Community Policing, Safe Schools and Active Shooter overview
- 911 Operations Center
- Drug Law Enforcement and the Opioid Crisis

Requirements for participation and completion of the Citizens Police Academy:

- Applicants must be 18 years of age
- Applicants must submit an application
- Applicants will be subject to a complete background check (criminal history/driving history) and each application will be confidentially reviewed/approved by the Chief

A \$27.00 dollar non-refundable processing fee is due at the time the application is submitted to cover costs associated with the CPR/First Aid certification.

For more information or to receive an application contact the Westtown-East Goshen Regional Police Department at 610-692-9600 or by e-mail: cpa@wegopd.org

For more information or to download an application, visit our website at: https://chester.crimewatchpa.com/wegopd/53548/content/community-programs



Neighborhood University 2019 to Start September 12

The West Chester Area Council of Governments is proud to announce that another year of Neighborhood University is set to begin on September 12, 2019. This free program offers the opportunity to learn about local government, tour public facilities, and better understand available municipal services and resources. The goal is to provide area residents with the tools necessary to be better advocates for their community.

Neighborhood University of Greater West Chester is open to any resident or business owner, age 16 or older, from one of the participating communities: East Bradford Township, East Goshen Township, Thornbury Township (Chester County), West Chester Borough, West Goshen Township, West Whiteland Township, and Westtown Township.

Local officials will cover topics including the structure of local government in Pennsylvania, public safety, zoning and land development, multi-modal transportation, stormwater management, transportation, Public Works infrastructure, public finance, and fire and police services.

Registration has begun and class size is limited. Sessions will be held on Thursdays from 7:00 to 9:00 pm in various locations throughout the greater West Chester area. Once enrollment is confirmed the course schedule and session locations will be distributed to participants. More information can be found at www.nugwc.org.

CONTACT PERSON: Mimi Gleason, West Whiteland Township Manager (admin@westwhiteland.org) or call (610) 363-9525.

Check Register

Westtown Township

12-Jul-19 From: 02-Jul-19 To: 15-Jul-19

Check No	Check Date	VendorNo	Vendor	Check Amount	Status
Bank Acco	ount: 1 GE	NERAL FUN	ND		
15035	7/2/2019	7196	GreatAmerica Financial Svcs	\$46.00	0
15036	7/2/2019	405884	JHL Landscaping	\$174.90	0
15037	7/2/2019	810	Mark S Gross	\$104.75	0
15038	7/2/2019	23	Treasurer of Chester County	\$2,056.44	0
15039	7/2/2019	7229	William Ethridge	\$266.49	0
15041	7/9/2019	1009	Ann Marie Cassidy	\$680.00	0
15042	7/9/2019	6038	Cedarville Engineering Group	\$4,977.26	0
15043	7/9/2019	148	PIRMA	\$106,838.00	0
15044	7/9/2019	86	PRESTIGE MAILING SERVIC	\$415.00	0
15045	7/9/2019	6074	Robert Pingar	\$203.01	0
15046	7/9/2019	996	THE PROTECTION BUREAU	\$2,485.84	0
15047	7/11/2019	405890	B. Jeannie Kauffman	\$350.00	0
15048	7/11/2019	6171	C.V.D.A	\$954.36	0
15049	7/11/2019	1201	Charles A. Higgins & Sons, Inc	\$12,496.04	0
15050	7/11/2019	405889	Chris & Ines Amen	\$604.88	0
15051	7/11/2019	7191	Code Inspections Inc	\$8,099.80	0
15052	7/11/2019	1082	ELEANOR J. SCHWANDT, R	\$1,042.00	0
15053	7/11/2019	31	Gawthrop Greenwood, Attorn	\$8,104.46	0
15054	7/11/2019	624	Hanson Aggregates, Inc.	\$508.43	0
15055	7/11/2019	127	In-Fleet Truck Service	\$100.00	0
15056	7/11/2019	405820	John D. Snook	\$2,415.00	0
15057	7/11/2019	1074	LENNI ELECTRIC CORPORA	\$7,764.50	0
15058	7/11/2019	1061	McCormick Taylor	\$18,660.08	0
15059	7/11/2019	928	Mingis, Gutowski & Co,.LLP	\$13,766.00	0
15060	7/11/2019	1157	Nationwide Testing Associatio	\$92.75	0
15061	7/11/2019	5692	PT Equipment LLC	\$3,146.00	0
15062	7/11/2019	405888	Ronald & Christine Smith	\$346.81	0
15063	7/11/2019	405887	Thomas James Padula	\$182.41	0
15064	7/11/2019	405891	West Chester Agway	\$119.35	0
			Bank Total:	\$197,000.56	
Bank Acco	ount: 8 W	ASTEWATER			
3354	7/2/2019	6468	Carroll Engineering Corp	\$8,640.00	0
3355	7/2/2019	6468	Carroll Engineering Corp	\$5,094.60	0
3356	7/2/2019	6468	Carroll Engineering Corp	\$9,429.90	0
3357	7/12/2019	6468	Carroll Engineering Corp	\$3,515.00	0

Check Register Westtown Township

12-Jul-19 From: 02-Jul-19 To: 15-Jul-19

Check No	Check Date	VendorNo	Vendor	Check Amount	Status
3358	7/12/2019	5666	M&B Environmental, Inc.	\$3,452.91	0
3359	7/12/2019	7205	Timothy F. Sullivan	\$825.00	0
3360	7/12/2019	357	W. G. Malden	\$750.00	0
			Bank Total:	\$31,707.41	
			Total Of Checks:	\$228,707.97	