

WESTTOWN TOWNSHIP PLANNING COMMISSION MEETING MINUTES

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

Present

All Commissioners were present (7-0). Also present were Township Planning Director Will Ethridge and Township Solicitor Tony Verwey

Call to Order and Pledge of Allegiance

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

Adoption of Agenda (JL/EA) 7-0

One amendment was made. The PC added New Business item #2: *Cheyney University's Plans*

Approval of Minutes

Planning Commission Meeting minutes for 02/06/2019 were approved. **(JL/SR) 6-0** (Elaine Adler was absent on 02/06/19)

Announcements

Mr. Pomerantz welcomed Township Solicitor Tony Verwey.

Public Comment – Non Agenda Items

None

Old Business

Malvern School Preliminary/Final Development Plans - Lou Colagreco, Helene Swartz, Deb Jackson, and Andy Eberwein were present at the meeting regarding the Malvern School Preliminary/Final Development Plans. Mr. Colagreco acknowledged that there were several issues raised concerning the final development plans. The first issue was an additional waiver request to permit shrubs and trees closer than 10 feet from any side and rear property lines that was previously granted by the BOS. The other issue was to request a waiver from regulations that require curbing along Pleasant Grove Rd. Mr. Pomerantz also brought up the concerns regarding the need of bollards or a guardrail near the school and need for overflow parking. Mr. Eberwein explained that the the plan was designed to avoid the need for bollards. He noted that if the township felt strongly about placement of bollards, they were willing to install those. Mr. Pomerantz asked the PC to vote on the issue, and the PC agreed that it would be safer to have those in place. Mr. Eberwein explained the reason for the waiver request of curbing requirements. Mr. Pomerantz asked if the township consulting engineer had any objections to the waiver, and he didn't. Mr. Colagreco noted that they reached out to St. Max and have worked out a grading easement with them to avoid a retaining wall. He pointed out that even though they didn't hear back yet, he strongly believed that it was something that could be worked out. He also noted that they offered a reciprocal arrangement to the church to use Malvern School's parking at busy times if needed. Mr. Lees asked whether or not there were plans to put some sort of walkway or

steps and lighting at night from overflow parking. Mr. Colagreco responded that the church wanted to keep this arrangement informal, and if there was a need to utilize that parking at night, shuttle accommodations might be provided. Mr. Rodia raised a question on how often the school was planning to use the overflow parking. Mr. Colagreco responded that the use would highly depend on the number of events. **Motion to approve the plan for Malvern School last revised 01/28/2019, with safety bollards to be placed at the front of the building, along two waivers where one was already granted and one mentioned in EB Walsh letter on January 30, 2019. (EA/JL) 7-0**

Sign Code Ordinance revision - Mr. Verwey recapped that the Sign Code Ordinance was previously finalized, but there was a question raised regarding the digital signs regulations at the previous PC meeting resulted in the request to review the ordinance again. Mr. Verwey offered several options to address the concerns. One of the options would be to leave the ordinance as it was, but potentially open to legal challenge. He noted that unlike other prior instances with regard to challenges on billboard signs, the new compliant ordinances didn't define signs by their content, which meant that there was no such thing as an off premise sign anymore. He made a point that any business theoretically could advertise some business somewhere else, because there was no control over the content. Mr. Verwey offered another option of including additional allowable area for signs, such as in the C-1 district, which would provide locations for signs along Route 3 that runs through the northeastern portion of the township, and on the southern side of the township on Route 202 at 926. He offered the third option of decreasing the distance between signs, which would provide more opportunities in the C-2 zoning district. Mr. Verwey also made a point that the ordinances he drafted before were probably more restrictive than Westtown's, and that it wasn't the intention of this regulation to eliminate signs, but it was designed to restrict them to a particular area along the Route 202 corridor. Mr. Embick brought up a concern that if there was really no place allotted in the C-2 one could place a sign in, it would be a problem. Mr. Verwey responded that there were lots where you could theoretically place another billboard, but he was unsure regarding how PennDOT measures the proximity to the interchange and whether that would preclude putting a sign there. Ms. Adler asked what was the best option was. Mr. Verwey responded that either the option of decreasing the distance, which would open up more areas in C-2 for signs, or opening up C-1 areas. He also asked if any digital billboard was subject to being a conditional use. After discussion, the PC decided against the idea of adding it as a conditional use. Mr. Pomerantz also noted that there were some inconsistencies across the ordinance that Elaine Adler brought up before. Ms. Adler recapped those including the use of the language residential district versus residential use. **After the discussion on the best options for revisions, Mr. Pomerantz asked Mr. Verwey to make changes to the sign ordinance and send it to the PC for review and approval.**

New Business

1. Mr. Ethridge presented Steven Italiano's application for a variance to allow a front yard fence to remain on his property. Mr. Italiano was not present. Mr. Ethridge provided some history on the lack of permit information on the fence citing that Mr. Italiano insisted that he was in contact with the township regarding the permit and was told that a permit was not required. Will Ethridge confirmed that Mr. Italiano previously stated that he contacted the township in 2014 and was told that he didn't have to apply for a permit; however, the Township doesn't have any record of that. Will Ethridge also noted that the previous Director, Chris Patriarca, kept a full log of everyone he spoke to, and Mr. Ethridge could check that log to see if there was any note of Mr. Italiano's fence permit question. He also pointed out that Ms. Adler confirmed that at that time there was a regulation in place that required a permit for fence. Mr. Ethridge noted that the fence

may be higher than allowed and doesn't comply with the setback requirements. Mr. Pomerantz noted that the PC had three options in that case: follow up with the applicant and request him to attend the next meeting to answer some questions regarding the history, provide recommendation to the Zoning Hearing Board for approval, or let the Zoning Hearing Board know that there were some problems with the application. **PC members chose to request the applicant to provide a more accurate drawing of the site and attend the meeting on March 20. PC intends on making a recommendation to the Zoning Hearing Board following March 20th meeting.**

2. Mr. Pomerantz recited the article in Daily Local concerning Cheyney University's plans to bolster the school by partnering with several private industry partners. The plan involves local company, the Epcot Crenshaw, which focuses on the environmental impact of food production, to relocate its headquarters to the university campus and to convert an existing university building into research labs, greenhouses and a new aquaponics facility. Another partner, Thomas Jefferson University, plans to construct a medical facility on the campus. In addition, Cheyney intends on building a hotel, conference center, and multipurpose buildings for large university gatherings. Mr. Pomerantz expressed his concerns on how much traffic and other long-term implications that effort would generate. He proposed to encourage the BOS to take a proactive role by reaching out to the adjacent municipality to let them know that Westtown would be interested in participating on a committee if one exists.

Lastly Mr. Flynn raised the subject matter of an article he had read that indicated other Townships in the state are requiring the installation of early warning systems to warn the community of a potential pipeline problem. This resulted in a discussion among PC members as to what, if any, plan Westtown Township has in place to address a potential pipeline problem.

Public Comment

None

Reports

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

Adjournment (KF/JL) 7-0

Meeting was adjourned at 9:19 pm.

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

PC Representative at next Board of Supervisors Meeting: March 18, 2019 – Jack Embick (primary) or Dick Pomerantz (alternate)

Respectfully submitted,
William Ethridge, Planning Commission Secretary