

WESTTOWN TOWNSHIP PLANNING COMMISSION MEETING MINUTES

Stokes Assembly Hall
1039 Wilmington Pike, Westtown Township
Wednesday July 17, 2019 – 7:30PM

Present

Commissioners – Planning Commission (PC) members Richard Pomerantz, Steve Rodia and Kevin Flynn were absent, all others were present (4-3). Also present were Township Manager Rob Pingar and Planning Director Will Ethridge.

Call to Order and Pledge of Allegiance

Mr. Hatton called the meeting to order at 7:30 PM, John Snook led those present in the Pledge of Allegiance.

Adoption of Agenda (JL/EA) 4-0

No changes were made.

Approval of Minutes (JL/EA) 4-0

No changes were made.

Announcements

None

Public Comment – Non Agenda Items

None

New Business

- 1. 2019-06 - WCASD, Bayard Rustin HS ZHB application & Petition to Amend ZO -**
Ross Unruh, counsel for the applicant, West Chester Area School District (WCASD), attended in place of Kevin Campbell, who got into a car accident and could not be here to answer questions. Mr. Unruh presented the proposal for the zoning ordinance change and the proposed application to the ZHB for an amendment. He recapped to the PC that back in 2003, by special exception, the WCASD received an approval for Rustin High School (HS) where it specified that if there were any nighttime-lighted events, the district would have to come back before the ZHB for approval. In 2011, the WCASD was permitted by the ZHB to have 20 nighttime-lighted events, four of which were major sports events. Subsequently the Township made Outdoor Lighting a Conditional Use and permitted only 20 events, requiring approval by the Board of Supervisors. Today the WCASD is requesting to increase the number of events from 20 to 30 to accommodate the demand for sports, such as lacrosse and soccer in the evening time to provide more opportunities for parents to attend and participate. Mr. Unruh noted that the WCASD met with the Board of Supervisors who authorized the Act 247 review of their Zoning Ordinance Amendment by the Chester County Planning Commission (CCPC) of the proposed ordinance changes. The application was submitted to the ZHB, and the hearing is scheduled for August 29.

PC members raised several questions regarding the existing lights design (appropriate shielding), alignment, conditions and any plans for addressing those.

Mr. Unruh recapped that those lights were designed in 2011 and had appropriate amount of shielding to accommodate nearby neighbors. He noted that he would make a recommendation to the WCASD for the next budget year to consider lights' evaluation and potential upgrades. Mr. Hatton made recommendation to the WCASD to evaluate the conditions of existing lights as a part of the ZHB's approval for proposed amendment.

PC members raised a question regarding attendance and traffic impact. Mr. Unruh explained that those in attendance were mostly parents and friends of sports participants, approximately 20-30 people per event, which would not cause much traffic. Mr. Ethridge noted that the written estimate provided by Chris Lunardi, Rustin HS Assistant Principal, included 50 to 100 spectators per event.

PC members went through the original ZHB application to confirm the number of proposed additional nighttime-lighted events.

Mr. Hatton raised a question to the ZHB regarding whether or not the district was permitted to hold other schools' events at Rustin HS. After a short discussion and a brief review of the existing ordinance and special exception granted in 2011, the discrepancy was discovered that could be solved with adding clarification to the proposed ordinance amendment.

Motion to recommend approval of the proposed ordinance change to the ZHB with the conditions to check the alignment and conditions of the existing lights and to provide the information on the schedule to convert the existing lights to LED. (EA/JL) 3-1 (EA, JL, JE in favor, RH against)

2. **2019-07 – Gaudenzia, Inc. ZHB application** – Kristen Camp, Esq. and David Slinger, Director of Recreation, and Ted Gacomis, were in attendance regarding the application. Mrs. Camp provided some background information related to Gaudenzia's history and its current operations. Gaudenzia Inc. has been operating since 1970 at its 10.8-acre parcel at 1030 S Concord Rd. This is a rehabilitation facility for drug and alcohol abuse for approximately 100 patients, and consists of five buildings. The parcel was originally zoned to permit a rehabilitation facility in that district. Since the parcel was rezoned to R-1 (Residential), it became a legal non-conforming use in that district, which limited Gaudenzia's ability to potentially expand. Mrs. Camp emphasized that the intent of the ZHB application was not to expand, but to replace an existing underground facility/bunker that currently includes freezer/cooler and construct one above ground on the pad behind the main building. It was too cumbersome and cost prohibitive to repair the underground one.

The proposal included a 540 sq. ft. concrete pad and 325 sq. ft. freezer/cooler that would be added to the rear, concrete steps and a concrete walkway to be able to get to the freezer/cooler from the main building. Mr. Slinger brought to the PC's attention that the existing bunker was in bad condition and the Chester County Health Department (CCHD) recommended repairing the leaking roof. He noted that it was not feasible, especially considering the inconvenience of walking down the steps to get to the freezer/cooler. Therefore, the plan was to collapse the existing bunker and to relocate freezer/cooler behind "West Chester House", a two-story 13,000 sq. ft. building. It would be a prebuilt all-weather structure.

PC members raised a question regarding the noted zoning by the applicant. Rob Pingar confirmed that the parcel was zoned as R-1 (Residential) and not as T

(Township). However, the applicant would still need a special exception.

PC members asked about the dimensions of the structure, materials, its operation, any noise impact, screening and any lighting. The applicants notes that the noise would be minimum, considering its placement on the property and the distance from adjacent residential properties. The applicants noted that the structure would not be visible from the park, because there were trees all around the property that provided a natural screening. The concrete walkway would be lit to be usable in the evening hours.

Mr. Pingar requested the applicant to include an existing sanitary sewer main, any easements and any other underground utilities that exist on the property on the building permit plan. Mr. Ethridge confirmed that information was included in the application package to the ZHB, but not noted on the building permit plan.

Motion to recommend approval of the Gaudenzia Inc. application to the ZHB for a special exception to expand the non-conforming treatment center at 1030 S Concord Rd. (JE/JL) 4-0

Old Business

1. Ordinance 2019-05, Amendments to Township Code Chapter 170, Zoning –

John Snook recapped to the PC that he compiled a summary of all proposed changes discussed at the PC's previous meeting, revised the ordinance and sent a final version to the CCPC. He provided a final revised version to the PC members for review and approval, and went through all changes to confirm that they had been addressed. After a brief discussion, the PC recommended approval with the following conditions:

1. To include the minor non-substantive edits which Mr. Snook summarized at the meeting,
2. To include the changes suggested in the CCPC 7/3/2019 review letter, and
3. To acquire from CCPC, a graphic depicting the Brandywine Battlefield Swath.

Motion to recommend approval to the Board of Supervisors Amendments to Township Code Chapter 170, Zoning, as indicated in the Ordinance 2019-05, as resubmitted to the Chester County Planning Commission, with revisions discussed at PC's meeting on July 17, 2019, including recommendations of the Chester County Planning Commission to the extent feasible without causing the text to be resubmitted to the County again. (JE/JL) 4-0

Public Comment

None

Reports

Mrs. Adler summarized her observations of the BOS meeting for 07/01/2019

Mr. Embick summarized his observations of the BOS meeting for 07/15/2019

Adjournment (EA/JL) 4-0

Meeting was adjourned at 9:46 pm.

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

PC Representative at next Board of Supervisors Meeting: August 5, 2019 – Kevin Flynn / Steve Rodia

Respectfully submitted,
William Ethridge, Planning Commission Secretary

DRAFT