



February 12, 2020

Mr. Will Ethridge, AICP, Director of Planning and Zoning
Westtown Township
1039 Wilmington Pike
West Chester, PA 19382

**RE: Crebilly II - The Robinson Tract Proposed Development
Conditional Use Application – Conditions of Approval Review (Plans Dated 01-30-2020)
Address: West Chester Pike and West Street Road, West Chester, PA 19382
Record Owner: Crebilly Farm Family Associates, LP
Applicant: Toll PA XVIII, L.P.
Zoning: Agricultural/Cluster Residential (A/C) and Residential District (R-1)
TPN/UPI: 67-4-30, 67-4-31, 67-4-32, 67-4-33, 67-4-33.1, 67-4-134, 67-4-29, 67-4-29.1,
67-4-29.2, 67-4-29.3, and 67-4-29.4
MT No.: 5675.44**

Dear Mr. Ethridge:

We are in receipt of the following information submitted on behalf of the applicant, Toll PA XVIII, L.P.:

- 1) *Conditional Use Subdivision Application and Plan for The Robinson Tract/ Proposed Development Concept Plan*, 1 Sheet, prepared by ESE Consultants, Inc., dated January 30, 2020;
- 2) *Response Letter to Township Planning Commission Recommendations for Toll PA XVIII, L.P. Second Conditional Use Application*, prepared by ESE Consultants, Inc., dated January 31, 2020; and
- 3) *Conditional Use Subdivision Application Waiver List*, prepared by ESE Consultants, Inc., dated January 31, 2020.

PROJECT OVERVIEW

The applicant is proposing as revised to consolidate eleven (11) parcels, approximately 322.36 acres, and construct 317 homes with two (2) existing homes to remain (172 single-family and 145 carriage) in the Agricultural/Cluster Residential (A/C) and Residential (R-1) Districts. Associated improvements area also proposed with this proposal. The development will be accessible by three (3) proposed accesses from West Pleasant Grove Road and Street Road (S.R. 926), and one (1) emergency access from South New Street.

PURPOSE

The purpose of this review is to determine if this application addresses the requirements for Conditional Use approval as outlined in the Westtown Township Zoning Ordinance – Chapter 170, including but not limited to **§170-502 (Agricultural/Cluster Residential District)**, **§170-602 (R-1 Residential District)**, **§170-900 (Flexible Development Procedure)**, and **§170-2009 (Conditional Uses)**.

WAIVERS REQUESTED

The applicant has requested a waiver from the following sections of the code:

1. **Section 149-602.B(10) Features on plans – Preliminary Plans** - Location and ownership of all existing sewer lines, water lines, fire hydrants, utility transmission lines, culverts, bridges, railroads, watercourses, trees, wetlands (or certification that none are present), soils, easements, rights-of-way and other significant man-made or natural features within the proposed subdivision and within 50 feet from the boundaries of the proposed subdivision. Applicant is requesting relief from showing the wetlands and easements within 50’ of the project boundaries. **We have no objection to this waiver request with the exception of easements on Parcel 67-4-29.4A. We recommend that the applicant provide the easement information on this parcel to allow an appropriate evaluation of the feasibility of the “future access proposed by others” and confirm there are no conflicts with any existing easements on Parcel 67-4-29.4A.**
2. **Section 149-602.C(1)(e)[1] Street Profiles – Preliminary Plans**- Include existing (natural) profile along both right-of-way edges and along the center line of each street. Applicant is requesting relief to eliminate both right-of way edge profiles and only provide a centerline profile. **We have no objection to this waiver request.**
3. **Section 149-602.C(1)(f)[1] Cartway Edge Data – Preliminary Plans** – Include the length (in feet and hundredths of a foot) of all straight lines and of the radius and the arc (or chord) of all curved lines (including curved lot lines). **We have no objection to this waiver request.**
4. **Section 149-702.B(10) Features on plans – Final Plans** – Include location and ownership of all existing sewer lines, water lines, fire hydrants, utility transmission lines, culverts, bridges, railroads, watercourses, trees, wetlands (or certification that none are present), soils, easements, rights-of-way and other significant man-made or natural features within the proposed subdivision and within 50 feet from the boundaries of the proposed subdivision. We have no objection to this waiver request with the exception of easements on Parcel 67-4-29.4A. **We have no objection to this waiver request with the exception of easements on Parcel 67-4-29.4A. We recommend that the applicant provide the easement information on this parcel to allow an appropriate evaluation of the feasibility of the “future access proposed by others” and confirm there are no conflicts with any existing easements on Parcel 67-4-29.4A.**
5. **Section 149-702.B(18)(e)[1] Street Profiles – Final Plans** – Include existing (natural) profile along both right-of-way edges and along the center line of each street. **We have no objection to this waiver request.**
6. **Section 149-702.B(18)(f)[1] Cartway Edge Data – Final Plans** – Include the length (in feet and hundredths of a foot) of all straight lines and of the radius and the arc (or chord) of all curved lines (including curved lot lines). **We have no objection to this waiver request.**
7. **Section 149-801.C Features on plans – Final Plans** – Include location and ownership of all existing watercourses, floodplain areas, wetlands, tree masses, specimen trees, soil types and other significant natural or man-made features within the proposed subdivision and within 50 feet of the boundaries of the proposed subdivision. **We have no objection to this waiver request.**
8. **Section 149-803.B(3)(b) Storm Sewer Material** - Storm sewers shall be reinforced concrete when constructed within rights-of-way of streets. Applicant has requested the relief to allow

for the use of HDPE storm pipe in the right-of-way of streets. **We recommend that storm sewers be reinforced concrete pipe within the right-of-way, but have no objection to HDPE pipes outside of the right-of-way.**

9. **Section 149-803.B(4)(c) Basin Bottom Slope** - The bottom of the basin shall have a minimum slope of 2% and any channel shall have a minimum slope of 0.5%. Applicant has requested relief to allow for the basin bottom of infiltration facilities to be flat. **We defer to the Township Stormwater Engineer to respond to this waiver request.**
10. **Section 149-901.F Cul-De-Sac Length** - The length of a cul-de-sac shall be a minimum of 350 feet and a maximum of 1,500 feet. Any proposed cul-de-sac longer than 1,500 feet must be approved by the Board upon recommendation of the Township Engineer. In no case shall any cul-de-sac street serve more than 25 dwelling units. Cul-de-sac length shall be measured from the radius of the cul-de-sac turnaround to the edge of paving/curbline of the closest through street. The applicant is proposing 29 dwellings on Road C, and 45 dwellings on Road M (with the removal of Road N). **The removal of road N causes Road M to become a cul-de-sac road with 45 dwelling units. It is our recommendation that the current Road N remain to eliminate this waiver request at Road M or the Township consider requiring the applicant to provide an emergency access at the location of Road N. The approximate length of the culdesac at Road C is 1,250' which is less than the maximum of 1,500' and the proposed dwelling units are Townhomes. As such, we have no objection to this waiver request for Road C.**
11. **Section 149-905.B(1) Cul-De-Sac Length - B.** To ensure adequate sight distance, minimum center-line radii for horizontal curves shall be as follows:
 1. Minor streets: 150 feet.

Applicant requests relief to allow for a minimum 50' radius to allow for the layout from the sketch plan. **We require additional data and calculations from the applicant to verify that adequate site distance is provided at lots 50, 52 and 134 based on the layout from the sketch plan. Alternatively, reconfiguration of lots 50, 52 and 134 may be required.**
12. **Section 149-907.E Intersection Approach Grade** - Where the grade of any street at the approach of an intersection exceeds 4%, a leveling area of at least 75 feet measured from the curbline of the street being intersected shall be provided. The grade of this area shall not exceed 2%. Applicant is requesting relief to allow the through street of the intersection to be greater than the 4% approach and 2% through the intersection. **We require additional data and calculations from the applicant for each affected intersection to evaluate grading impacts.**
13. **Section 149-907.G - Radii** - Curb and right-of-way radii shall have the same center point of origin. Applicant is requesting relief to not have the same centerpoint of origina for curb and right-of-way radii where the two roads intersecting are of different widths. **We require additional data and calculations to evaluate the impacts of this waiver request.**
14. **Section 149-910.C - Cartway Subgrade** - The subgrade within the limits of the proposed cartway shall be shaped to conform to the line, grade and cross-section of the proposed cartway and shall be thoroughly compacted as per PennDOT Publication 408 as last revised. Subgrade shall be sloped to correspond to the slope of the finished road surface. Before placing the base course, the subgrade shall be dressed with one inch of fine aggregate. Applicant is requesting relief to eliminate the placement of 1" of fine agregate prior to the placement of base course. **We have no objection to this waiver request.**

15. **Section 149-911.A - Curb Type** - All materials entering into the construction of curbs and the method of construction and installation shall be in accordance with PennDOT Specifications Publication 408, as amended. The applicant is requesting that Belgian Block Curb be provided in lieu of concrete curbing. **The disposition of the dedication of roadways must be considered. If the roadways are to be dedicated, Belgian Block Curb will require additional long term care and maintenance by the Township. If the roadways are not dedicated, adequate consideration for the long term care and maintenance of the Belgian Block Curb shall be the responsibility of the HOA.**
16. **Section 149-911.B - Curb Type** - Vertical curbs meeting the dimensional requirements for plain cement concrete curb contained in the PennDOT Standards for Roadway Construction (RC-64) shall be required on all streets. The applicant is requesting that Belgian Block curb be provided in lieu of concrete curbing. **The disposition of the dedication of roadways must be considered. If the roadways are to be dedicated, Belgian Block Curb will require additional long term care and maintenance by the Township. If the roadways are not dedicated, adequate consideration for the long term care and maintenance of the Belgian Block Curb shall be the responsibility of the HOA.**
17. **Section 149-912.A - Street Names** - Proposed streets which are obviously in alignment with others already existing and named shall bear the names of the existing streets. Applicant is requesting relief to provide alternative names for the Collector Road and Road L. **We have no objection to this waiver request, but defer to the Township.**
18. **Section 149-913.B - Block Length** - Blocks shall have a minimum block length of 500 feet. The applicant is proposing a block length of 390 feet at Road O. **There are no dwelling units entering from Road O and as such we have no objection to this waiver request.**
19. **Section 149-914.G - Lot Area** - For any new lot intended for the construction of a principal building, a contiguous and uninterrupted area equal to 75% of the minimum lot area required by the Zoning Chapter shall be provided which is unencumbered by any of the following: wetlands, one-hundred-year floodplains, steep slopes and/or stormwater detention basins. The contiguous area shall be provided for construction of buildings and customary accessory uses without intruding into these features. The applicant is proposing two (2) lots with less than 75% contiguous and uninterrupted area (steep slopes). **We require additional data and calculations from the applicant to evaluate this waiver request. Based on the sketch plan, Lots 159 and 160 appear to have considerable steep slopes which may significantly impact development of these lots.**
20. **Section 149-915.D - Driveway Location** - Private driveways in commercial, industrial and business park zoning districts and for townhouse, mobile home parks and apartments shall be located at least 100 feet from the point of intersection of the nearest street right-of-way lines and at least 10 feet from every property line. Applicant is requesting relief to provide townhouse driveways located less than 100' from the point of intersection of the nearest street right-of-way line. **We require additional data and clarification to evaluate this waiver request and the specific impacts for the affected lots. Consideration should be given as the dwelling units are townhomes.**
21. **Section 149-915.K(2) - Driveway Turnarounds** - Width of driveway within the legal right-of-way of the public road shall be at least 10 feet, and shall be nine feet within the property line. Adequate turnaround surface shall be provided on the property so egress to the street is in a forward direction. Where the grade of the driveway exceeds 10%, at least one level



parking space shall be provided just within the property line for emergency parking. Applicant is requesting relief to allow cars to back onto street and not provide an adequate turn around surface on the property. **We require additional data and calculations to evaluate this waiver request and the specific impact for the affected lots. This request should be further evaluated with consideration of Section 149-905.B(1) for lots 50, 52 and 134.**

- 22. Section 149-924.D(10) - Existing Trees** - Each tree, six inches or greater, to be removed or transplanted shall be clearly marked. Applicant requests relief to not show all six inch or greater trees to be removed. **We require additional data and information to evaluate this waiver request. Applicant should provide justification and specific considerations for this request.**

PURPOSE

The purpose of this review is to determine if this application addresses the requirements for Conditional Use approval as outlined in the Westtown Township Zoning Ordinance – Chapter 170, including but not limited to **§170-502 (Agricultural/Cluster Residential District), §170-602 (R-1 Residential District), §170-900 (Flexible Development Procedure), and §170-2009 (Conditional Uses).**

The comments given by Toll PA XVIII, L.P. are *italicized*, and our responses based on this submission are contained below in **bold**.

The following comments are offered for your consideration:

GENERAL COMMENTS

- 1. The Plans shall be revised to add additional landscaping at the intersection of Road N and the Collector Road to buffer headlights from vehicles facing eastbound on Road N.*

McCormick Taylor Response (02-13-2020): The applicant has stated they will comply.

- 2. The Collector Road shall be offered for dedication to the Township and shall be designed to adequately accommodate heavy equipment and truck traffic. Appropriate weight limitations for the Collector Road shall be determined during land development.*

McCormick Taylor Response (02-13-2020): The applicant has stated that they will design and construct the Collector Road in accordance with Township road specifications. It is the recommendation of the Township Engineer that the applicant designs the Collector Road utilizing the Type II Base Course, as specified in §149-910.D.(3).

- 3. Applicant shall eliminate the access from Road M and W. Pleasant Grove Road in order to minimize external conflict points, promote internal connectivity, reduce the number of cul-de-sacs and enhance overall safety along W. Pleasant Grove Road. This will also require the Plan to be revised to connect Roads L and N. If Applicant requires waivers from any provisions of the Township's Subdivision and Land Development Ordinance in order to make this Plan modification, the Planning Commission would support such waiver being granted by the Board.*

McCormick Taylor Response (02-13-2020): The applicant has stated they will comply with the removal of Road N, as shown on the Alternate Plan. The removal of road N causes Road M to become a cul-de-sac road with 45 dwelling units. Per §149-901.F, in no case shall any cul-de-sac street serve more than 25 units, and the applicant is



requesting a waiver from this section. It is our recommendation that the current Road N remain to eliminate this waiver request at Road M or the Township consider requiring the applicant to provide an emergency access at the location of Road N.

4. *The flexible development shall be serviced by public water.*

McCormick Taylor Response (02-13-2020): The applicant has stated they will comply.

5. *Applicant shall revise the Plan to provide public sewer to the development. The Planning Commission recognizes that the Board will have to amend the Township's Act 537 Plan to include the Property in the public sewer service area. The Planning Commission supports this Act 537 Plan Update. As part of its land development application, Applicant shall prepare planning modules for land development that provide all wastewater facilities necessary to connect the Property to the public sewer system and any and all upgrades to the existing public sewer which are necessary to provide sufficient capacity for the proposed development. Applicant shall construct the necessary upgrades to the Township's public sewer system which are necessary to provide sufficient capacity for the proposed development.*

McCormick Taylor Response (02-13-2020): The applicant has stated that they are willing to pursue public sewer provided the Township adds the property to the public sewer service area under its Act 537 Plan and PADEP approves the amendment to the Act 537 Plan and the planning module. It should be noted that the Effluent Disposal Areas have been removed, and dwelling units have been proposed in the southeast portion of the property, formerly an Effluent Disposal Area.

6. *Applicant shall preserve existing trees along the Property boundary with Parcel 67-4- 34 and shall extend as necessary, a landscaped berm along the length of the dwelling on Parcel 67-4-34 to provide additional screening for this dwelling.*

McCormick Taylor Response (02-13-2020): The applicant has stated they will comply.

7. *Applicant shall address the comments in the Township Engineer's review letter dated October 3, 2019 to the satisfaction of the Engineer and Board during land development approval.*

McCormick Taylor Response (02-13-2020): The applicant has stated they will comply.

8. *The Plan shall be revised to add a note which restricts the total impervious cover that can be constructed on each individual lot, including the two existing lots that shall be retained by the current legal owner. The total square footage of impervious coverage per lot shall be determined by the Township Engineer to be necessary to mitigate stormwater runoff from the individual lots, as determined at the land development phase . Applicant shall include in the homeowner association declaration or deeds to the individual lots a note that advises the lot owners the total amount of impervious cover in square feet that may be built on such lot.*

McCormick Taylor Response (02-13-2020): The applicant will comply with restricting impervious coverage on individual lots in consultation with the Township Engineer.

9. *Applicant shall minimize impervious surfaces throughout the site, using green storm water management technology as applicable.*

McCormick Taylor Response (02-13-2020): The applicant has stated they will minimize impervious surfaces and will meet stormwater ordinance requirements. It should be noted that green storm water management practices should be utilized where

applicable.

10. *Applicant shall make every effort to balance the cut and fill within the development to avoid unnecessary import or export of soils during construction.*

McCormick Taylor Response (02-13-2020): The applicant has stated they will comply.

11. *Applicant shall investigate if in the design of its stormwater management facilities or road improvements it is able to make improvements to mitigate the existing flooding conditions that occur during heavy rain events on properties located to the south of the Property. If it is feasible to mitigate such flooding conditions, Applicant shall implement such improvements as approved by the Township Engineer and Board as part of land development.*

McCormick Taylor Response (02-13-2020): The applicant has stated that this is not required. Toll's stormwater management facilities will be designed to meet Township and PaDEP standards.

12. *As a part of land development, Applicant shall study the existing condition and hydraulic capacity of the S. New Street Bridge over Radley Run. If the Township Engineer determines that the existing condition and/ or function of the bridge is not sufficient to support the impacts from the proposed development of the Property, Applicant shall improve the condition and/ or function of the bridge to mitigate the impacts of construction of the development on the Property. The Township Engineer shall determine what improvements must be made to the bridge to support the proposed development.*

McCormick Taylor Response (02-13-2020): The applicant has stated that this is not required. Toll's stormwater management facilities will be designed to meet Township and PaDEP standards. The applicant should confirm that based on their stormwater management design, the bridge will not be impacted by any additional flow. The applicant should also confirm that proper Erosion and Sediment controls will be provided and maintained to prevent debris and silt accumulation at the bridge.

13. *Applicant shall provide a plan which identifies the location of off-street parking for all contractors who will be involved in construction on the Property. The parking plan shall ensure that parking for contractors occurs off of public roads in locations that do not create an adverse impact to the public health, safety and welfare. The parking plan should be approved by the Board during land development.*

McCormick Taylor Response (02-13-2020): The applicant has stated they will comply.

14. *Applicant shall coordinate with the West Chester Area School District to identify locations for appropriate and safe bus stops throughout the development. The bus stops shall be in locations that allows sufficient areas for vehicles to park while waiting at the bus stop for drop-off and pick-up.*

McCormick Taylor Response (02-13-2020): The applicant has stated they will comply.

15. *Applicant shall provide sufficient off-street parking in areas where community facilities are located. The exact number of off-street parking spaces that are provided shall be approved by the Board during land development.*

McCormick Taylor Response (02-13-2020): The applicant has stated they will comply. An off-street lot was provided along the eastern side of the Collector Road, however only 15 spaces are provided, and a more centralized location and capacity should be considered which could provide improved access and pedestrian safety.

16. Applicant shall revise the Plan to relocate the proposed carriage homes at the end of the cul-de-sacs which are highlighted in red on the attached map which was prepared by the Township's Public Works Director. The Plan shall provide open areas off of the cartway of the cul-de-sacs to allow for the deposit of snow that is shoveled from the road.

McCormick Taylor Response (02-13-2020): The applicant has stated they will comply. Snow disposal areas have been identified on the Alternate Plan.

17. Applicant shall revise the Plan to redesign the 90° bends in Road J and Road F which are highlighted in blue on the attached plan to eliminate difficult maneuvers by snowplow vehicles.

McCormick Taylor Response (02-13-2020): The applicant has stated this is not required as no ordinance provision prohibits the internal street design. This comment should be reconsidered as the design could be more efficient with less impervious coverage, and more practical for the navigation and effectiveness of snow removal operations.

18. The Plan shall be revised to add notes that restrict parking on certain roads if necessary, to facilitate access by emergency vehicles and snow plows.

McCormick Taylor Response (02-13-2020): The applicant has stated they will comply.

19. Driveway and mailbox locations, fire hydrants, public utility transformers, access panels, stormwater inlets, street trees and road signs should be designed and located in areas which allow for proper snow removal and snow disposal areas.

McCormick Taylor Response (02-13-2020): The applicant has stated they will comply.

20. Applicant shall deed restrict all of the proposed lots in the Development, including the 2 lots to be retained by the legal owner, against further subdivision.

McCormick Taylor Response (02-13-2020): The applicant has stated they will comply.

NEW COMMENTS

1. The Alternate Plan has proposed a cul-de-sac in the southeast quadrant of the tract. It should be noted that this cul-de-sac may traverse over another portion of the minor stream located on the tract requiring design considerations.
2. The applicant is proposing to relocate the former Westtown Inn. The proposed location indicated on the sketch plan does not meet the minimum building setback requirements of 100 feet. Per §170-904.E.(2).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. Additionally per §170-502.B.(5), minimum building setback line: 50 feet minimum, except no structure shall be located within 100 feet of the future right-of-way line of Route 202 or Route 3, regardless of lot lines. Since the Applicant is improving the location of an existing non-conformity for a listed historic resource, consideration to accept the proposed location is recommended.



3. **The applicant has stated they will comply with the removal of Road N, as shown on the Alternate Plan. The removal of this road causes Road M to become a cul-de-sac road with 45 units. Per §149-901.F, in no case shall any cul-de-sac street serve more than 25 units, and the applicant is requesting a waiver from this section. It is our recommendation that the current Road N remain for this waiver not be required at this location or the Township consider requiring the applicant to provide an emergency access at this location.**
4. **The updated plan introduces several intersections and access to the off-street gravel parking area within close proximity along the Collector Road. This should be further reviewed by the Traffic Engineer.**

I trust that the foregoing will assist Westtown Township in their evaluation of the Conditional Use Application for Crebilly Farms.

As always, feel free to contact me directly with questions or concerns by phone at 610-640-3500 or by email at sgmartin@mccormicktaylor.com.

Regards,

A handwritten signature in blue ink that reads 'Sally Martin'.

Sandra Gill Martin, P.E.

CC: Mr. Robert Pingar, P.E., Township Manager & Director of Engineering
Kristin Camp, Westtown Township Planning Commission Solicitor
Westtown Township Planning Commission