

# WESTTOWN TOWNSHIP PLANNING COMMISSION MEETING MINUTES

Stokes Assembly Hall  
1039 Wilmington Pike, Westtown Township  
Wednesday, December 4, 2019 – 7:30PM

## **Present**

Commissioners – All Planning Commission (PC) members were present. Also present were Planning Director, Will Ethridge, PC Solicitor, Kristin Camp, Esq., Township consultant, Al Federico, and Township Engineer, Sandy Martin.

## **Call to Order and Pledge of Allegiance**

Mr. Pomerantz called the meeting to order at 7:30 PM and asked Ms. Martin to lead those present in the Pledge of Allegiance.

## **Adoption of Agenda (JL/EA) 7-0**

No changes were made.

## **Approval of Minutes (EA/JL) 7-0**

Two revisions were made to the Planning Commission Meeting minutes of 11/20/2019:

- Change from “or” to “and” in the motion on page 2.
- Clarification added, “Sufficient parking might be needed for parents awaiting to drop their kids off to school bus” in place of “additional parking”.

## **Announcements**

- The Township’s Holiday Party is scheduled on December 12 at 6pm at Oakbourne Mansion. Mr. Ethridge asked members who had not already done so to please RSVP with Pam Coleman.

## **Public Comment – Non Agenda Items**

Mr. Pomerantz announced it was his last meeting as the Chair of the Planning Commission, and he would begin his new position as a Township supervisor on January 6, 2020. He recognized the extraordinary work done by the PC, credited them with professional guidance, and thanked all members and consultants for ongoing assistance and support. (Mr. Pomerantz’s full remarks can be viewed here: <https://youtu.be/wvBkyTCKgrY> 6:10-13:55)

## **New Business**

None

## **Old Business**

1. **Toll Bros. Crebilly Farm development application** – Kristin Camp summarized that at the previous meeting the PC reviewed the draft letter prepared by Ms. Camp to address concerns raised by the Township’s consultants and the public to impose specific conditions to the Toll Bros. application. She recapped that the PC unanimously concluded that the applicant had not demonstrated compliance with certain criteria in a zoning ordinance to be entitled to the conditional use, and they voted to recommend to the BOS denial of the conditional use on the following three bases:

- The traffic conditions were not addressed as set forth in §170-2009.D.(1).(h) in the Code.
- The various parts of the proposed plan were not consistent with the Township's Comprehensive Plan, which standing alone would not be a basis for denial, but the zoning ordinance had a provision that indicated that the flexible development plan must comply with the Comprehensive Plan.
- The applicant had failed to adequately demonstrate that the development did not unreasonably or significantly affect the values protected by Article I, Section 27 of the Pennsylvania Constitution, the Environmental Rights Amendment.

Ms. Camp stressed that the applicant's burden of proof would need to be met at the conditional use hearing where they would present the evidence to the BOS, which might differ from what was submitted to that day. She noted that Toll Bros. updated their traffic study and submitted that to the Township, however, Al Federico had not had enough time to review it prior to the PC meeting.

Ms. Camp presented the second draft letter that included comments from the previous PC meeting and additional feedback from the consultants to fine-tune the list of recommendations on behalf of the PC to the BOS in the event the Toll Bros. application would be approved with certain conditions. She went through new edits to confirm their validity with the PC. Those included but not limited to: recommendation to the applicant to engage with the Westminster Presbyterian church to redesign the connector road for direct access for the church; implementation of traffic calming measures to road B on the plan; implementation of an access and routing plan during construction; inclusion of pedestrian and bicycle amenities and the use of forest paving; execution and recording of façade conservation easements for all historic resources; specifics of the connection to public sewer; impervious cover limitations to lots retained by the Robinson family; details of the stormwater management facilities; improvements to the existing bridge if needed to mitigate the impacts of construction and development of the property; contractors parking during the construction; sufficient off street parking in areas where community facilities are located and locations of school bus pick up location and parents parking; redesign of the lots, roadways, stormwater and utility facilities due to snowplowing concerns, and restrictions to construction hours.

**Motion to recommend to the Board of Supervisors the denial of the conditional use application for flexible development by Toll Bros. due to the following: the applicant had not demonstrated compliance with §170-2009.D.(1).(h), the presented plan was not consistent with the Comprehensive Plan as further outlined in John Snook's memorandum of October 3 and October 17, and the applicant had not demonstrated that the development would not impact the protected values under the environmental rights amendment. (SR/JL) 7-0**

**Motion to recommend to the Board of Supervisors, the application of 58 conditions to the application in the event the Board approves the conditional use application for flexible development by Toll Bros (final list to be completed by Ms. Camp after tonight's meeting). (KC/JL) 7-0**

### **Public Comment**

The public brought up the following concerns in regards to Toll Bros. application to the PC to consider:

- Additional environmental issues, including adverse impact on the local ecosystem
- Preservation of existing trees
- Need of a deer management plan

- Equestrian access and bridal trail maintenance
- Documentation and preservation of historic artifacts
- Question of non-inclusion of scenic views conditions outlined by John Snook in the PC's recommendation letter to the BOS

**Reports**

Ms. Adler summarized her observations of the BOS meeting for 12/02/19.

**Adjournment (DP/RH) 7-0**

Meeting was adjourned at 9:41 pm.

Next PC Meeting:

January 8, 2020, 7:30 pm – Township Bldg

PC Representative at next Board of Supervisors Meeting:

December 16, 2019 – Kevin Flynn

Respectfully submitted,

William Ethridge, Planning Commission Secretary

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