

# WESTTOWN TOWNSHIP PLANNING COMMISSION MEETING MINUTES

VIRTUAL MEETING (via Zoom Platform)

Wednesday, June 3, 2020 – 7:30PM

## **Present**

Commissioners – All Planning Commission (PC) members were present. Also, present were Mike DiBartolomeo and Mike DiBartolomeo Sr., Bob Flinchbaugh, Township engineer, and Planning Director Will Ethridge and Planner, Mila Robinson.

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

Mr. Hatton called the meeting to order at 7:31 PM and led those present in the Pledge of Allegiance.

## **Adoption of Agenda (SR/TS) 7-0**

No changes were made.

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

No changes were made.

## **Announcements**

- Mr. Ethridge recapped that the Crebilly CU Application Hearing was tentatively set for June 24 at the Uptown Theater in West Chester.

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

None

## **New Business**

### **1. 2019-09 DiBartolomeo Accessory Dwelling Unit application – 1078 Powderhorn Dr, Glen Mills**

Mike DiBartolomeo summarized that he applied to construct an accessory dwelling unit (approximately 1,130 sq. ft.) on his property at 1078 Powderhorn Drive for his parents. He explained that the existing garage would be expanded, and above it, a raised ranch would be built. The entrance to the unit would be through the garage via elevator and a separate exterior entrance with stairs. The proposal also included a swimming pool in the backyard and a fence surrounding the perimeter. Mr. Ethridge noted that the applicant submitted an application last fall and since then made several improvements to that to move forward with the approval process.

Mr. Rodia asked whether any variances were required for the application. Mr. Ethridge explained that the applicant had to apply for a special exception to construct an accessory dwelling unit, which would be reviewed by the Zoning Hearing Board (ZHB). He did not believe any variances were needed due to setbacks.

Mr. Flynn raised a question about the need for the stormwater management plan to address an increase in impervious cover. Mr. DiBartolomeo clarified that it would be provided once the PC was satisfied with the design plan and no additional changes were required. Mr. Flynn asked the applicant about the septic system's capacity to accommodate the additional living space. Mr. DiBartolomeo recapped that he had received a permit from the CCHD to install an additional drainfield.

Mr. Embick requested to see a plan on how the drainfields will be utilized and maintained. The applicant noted that the property was in compliance with the township's On-lot Sewage Management Program (SMP) for inspections and pumping requirements. Mr. Embick wanted a clarification on any requirements that might be associated with the new drainfield and assurance that those would be followed if there were any.

Mr. Flynn asked if there were any setback requirements from the septic system to the edge of the pool. Ms. Robinson responded that the CCHD required 10-15 feet of setbacks from septic system. Mr. DiBartolomeo noted that their septic contractor told him 10 feet setback from the drainfield, and they adjusted pool placement, which he believed would be about 12 feet away from septic.

Mr. Sennett raised a question regarding the existing and new impervious cover on the property. Mr. Ethridge explained that the existing impervious coverage is 4,385 sq. ft. or 8.6% for the property and with additional impervious cover of 3,307 sq. ft. for a new total of 6,449 sq. ft. or 12.7%. He noted that some of the existing cover would be demolished and reclaimed in calculations. Mr. Ethridge added that proposed pool surface was a part of impervious cover.

Elaine Adler asked for more details regarding stormwater management on the property. Mr. DiBartolomeo recapped that he was aware that they had to install BMPs but he did not prepare the plan in case the PC would ask for alterations to the proposed design plan. He noted that the contractor proposed to install a pit at the back of the property with pipes running to that. He could not say what kind of a system that would be.

PC raised some concerns regarding constraints of the site due to topography to accommodate the stormwater management facility and additional drainfield.

Mr. Hatton recommended for the applicant to include a narrative with details on what was being proposed. He also requested to have plans and maps to be printed in a larger font to make it easier to read.

Mr. Flynn raised concerns about what would happen with the ADU if the applicant was to sell his property. Mr. Ethridge clarified that by the most recently adopted ADU requirements, a new property owner would not be able to rent it out unless they went back to the ZHB for permission. Mr. Flynn then asked how it was enforced. Mr. Ethridge explained that there were various ways on how the Township would become aware of noncompliance, such as neighbors, and the U&O and assessment process. Mr. Flynn made a suggestion to make it a condition of approval that there would be a note in the parcel file regarding the limitations of the ADU. Mr. Ethridge noted he could add that into a recommendation letter to the ZHB.

Mr. Embick asked if the neighbors were aware of the proposal. Mr. DiBartolomeo confirmed that he spoke to adjacent neighbors and they were in favor of the ADU. Mr. Lees suggested for the applicant to have something in writing from the neighbors to supplement the application to the ZHB.

**PC made a motion to recommend approval of the ADU as presented with the PC comments to the ZHB. (RH/KF) 5-2 (JE/TS)**

Mr. Sennett voted "No" due to his concerns that the PC should have had some additional information from the applicant, which was not provided. He expressed his reservations regarding stormwater management, as in his opinion there was a significant increase in the

impermeable surface, (enlarged building footprint due to new building addition, enlarged driveway area, new swimming pool and pool deck) combined with a major change in the onsite sewage disposal arrangement. He felt there should have been a stormwater management plan before offering a recommendation.

Mr. Embick voted “No” for several reasons. In his opinion, the applicant was unable to produce or describe the stormwater management plan for the site (including the addition of possible BMPs) considering that the proposal included a substantial dwelling addition, a new in-ground swimming pool, and a new septic system disposal field. Mr. Embick noted that the property already contained the original septic system disposal and drainage system, as well as a replacement septic system drainage field. With the addition of a new subsurface sand trench system, the property would have three functioning systems. However, he was concerned that the applicant was not able to describe how these systems would be managed going forward, or if there were any additional maintenance or operational requirements for the new subsurface disposal system. Mr. Embick also raised a question about how the stormwater would be managed on the site (and how the storm water management system might interact with the sewage disposal facilities). He recommended that the applicant would respond to the questions posed by the PC related to septic system operation and maintenance, and submit a stormwater management plan for further review by the PC before proceeding to the ZHB.

## **2. Bob Flinchbaugh, Cedarville Engineering – 3/23/2020 email & SALDO Omnibus Amendment**

Mr. Ethridge recapped that several ordinance amendments were submitted to the BOS last year and there were few items that needed additional discussion. He noted that with Cedarville becoming a new Township engineer, Bob Flinchbaugh had reviewed an ordinance amending Chapters 144 Stormwater Management, 149 SALDO, and 170 Zoning regarding the deletion and correction of erroneous references and misspellings and provided his feedback. Mr. Flinchbaugh went through the list of items and explained his suggestions. Main highlights included:

- The size of nondisturbance buffer
- The use of reinforce concrete and limitations to use High Density Polyethylene Pipe (HDPE) for storm sewers
- Clarification on paving specifications

Mr. Embick raised a question for the PC to include recommendations for zoning changes that relate to public health issues. Mr. Ethridge provided an example where West Chester Borough had considered allowing for more outdoor dining by closing off some of the streets to traffic. Mr. Flynn suggested looking into requiring large commercial developments to have dedicated lanes for ride-sharing drop off.

### **Old Business**

None

### **Public Comment**

None

## **Reports**

Elaine Adler summarized her observations of the BOS virtual meeting for 06/01/20.

## **Adjournment (EA/KF) 7-0**

Meeting was adjourned at 8:43 pm.

Next PC Meeting:

June 17, 2020, 7:30 pm – Virtual (via Zoom)

PC Representative at next Board of Supervisors Meeting:

June 15, 2020 – Jack Embick / Kevin Flynn

Respectfully submitted,  
William Ethridge,  
Planning Commission Secretary

DRAFT