

WESTTOWN TOWNSHIP PLANNING COMMISSION MEETING MINUTES

VIRTUAL MEETING (via Zoom Platform)
Wednesday, January 6, 2021 – 7:30PM

Present

Commissioners – Russ Hatton (RH), Jack Embick (JE), Steve Rodia (SR), Tom Sennett (TS), Kevin Flynn (KF), Jim Lees (JL) were present. Also, present were Township Manager Jon Altshul, Township Planner and Interim Zoning Officer Mila Robinson, Township Planning Consultant John Snook, Township traffic engineer, Al Federico, Township sewer engineer, Bill Malin, and Township civil engineer, Bob Flinchbaugh.

Call to Order and Pledge of Allegiance

Mr. Hatton called the meeting to order at 7:31 PM.

Adoption of Agenda (JE/SR) 6-0-1

No changes were made.

Election of Officers

Nomination for Commission Chairman – Russ Hatton **(JE/SR) 7-0**

Nomination for Commission Vice-Chairman – Jack Embick **(SR/KF) 7-0**

Nomination for Commission Secretary – Mila Robinson **(RH/JE) 7-0**

Approval of Minutes (JE/KF) 6-0-1

The 12/23/20 meeting minutes were approved.

Announcements

- Mila Robinson announced the next Toll Bros./Crebilly CU Hearing on Jan. 26, 2021.
- Mila Robinson announced that Elaine Adler (EA) had been reappointed by the BOS on January 4, 2021 to serve on the PC.

Public Comment – Non Agenda Items

None

Old Business

1. 2020-02 WCASD Westtown-Thornbury Elementary School Expansion

Justin Brewer, project engineer with D.L. Howell, summarized the revised plan. He acknowledged that additional review letters were received prior to this meeting and that the remaining items to address were housekeeping items in relevance to signature blocks, operation and maintenance agreements, cost estimates, financial securities, and minor engineering fixes. Mr. Brewer pointed out that the most significant changes in the revised plan were the rain garden located at the end of the building addition, which was expanded to meet the township engineers' comments and concerns related to stormwater management, and additional ADA parking. In response to Mr. Embick's question regarding runoff discharges, Mr. Brewer pointed out that the basins reduced the rate and volume of runoff.

Mr. Embick reiterated that the neighbors at 734 Westbourne Road had complained about the stormwater discharge off the school property. Mr. Brewer believed that there would be an improvement, explaining that there was no stormwater management facility currently on the west side of the property and there would be one more for the parking lot expansion. He expected the proposed facilities would reduce the runoff to less than what it currently was.

Mr. Flinchbaugh reminded that the applicant was previously asked to redesign some of the grading and stormwater management facilities, which involved not only the treatment of the area of the building expansion and the parking lot, but also all disturbed areas. He further noted that the applicant was also requested to install an additional meadow restoration BMP, which the school district would be responsible for maintaining, and riparian buffer easements that would be restricted from any type of development or encroachment, which were now shown on the plan. Mr. Flinchbaugh believed that the applicant had addressed the concerns pertaining to both water rate control and water quality.

Mr. Embick asked if there were any provisions for dealing with problems that might arise after project completion. Mr. Flinchbaugh replied that there were, including a project escrow, and an 18-month maintenance bond held from the time the final escrow release would be made. He believed that there would be continual observation in place to ensure that these facilities were functioning properly.

Mr. Sennett asked about the lifecycle of the proposed spreader system. Mr. Brewer explained that if it was maintained, the life cycle should run with the stormwater basin itself. Mr. Sennett asked about maintenance provisions for that. Mr. Brewer responded that there were maintenance requirements listed on the plan for each BMP that would be included in the Operation and Maintenance (O&M) agreement that the school district would enter in with the Township.

Mr. Hatton asked who inspects BMPs. Kevin Campbell, WCASD Facilities & Operations Director, confirmed that the school district was doing that annually.

Mr. Hatton was concerned about crossing the area of infiltration beds during the construction and post-construction restoration of those areas. Mr. Brewer explained that the BMPs were below existing grade where vehicles would be traversing the property and in the proposed construction sequence, the applicant would do an additional infiltration testing to confirm that the infiltration rates meet the design. He added that the bottom of the rain garden would be filled up and the infiltration surface area loosened up to allow infiltration.

Mr. Flynn asked who was enforcing the annual repairs. Mila Robinson responded that the O&M agreement would specify responsibility. She noted that the Township stormwater engineer inspected all post-construction stormwater management facilities in 2020, and has been following up to bring those non-compliant into the compliance.

Mr. Federico noted that he was satisfied with what was presented regarding the parking. He recommended a condition that if the Township determined that the provisions made by the applicant were inadequate and the queuing became hazardous, the school district would be required to put police in place until additional measures could be implemented. The PC agreed with that condition.

Mr. Flinchbaugh also that Cedarville noted in the letter dated January 6, 2021 identified minor plan items that need to be addressed, and he asked the PC to consider those as a condition of approval. The PC agreed with that condition.

Motion to recommend approval of the Preliminary/Final Land Development Plan for Westtown-Thornbury Elementary School Building Expansion as presented by the West Chester Area School District on the plan dated December 22, 2020 with the comments as presented in the letter by the Township traffic engineer, Al Federico, dated January 6, 2021 and as presented in the letter by the Township consultant engineer, Bob Flinchbaugh, dated January 6, 2021. JE/SR (7-0)

New Business

1. 2020-04 Sawmill Court Subdivision and Land Development Application

Joel Comanda, project manager with Inland Design, summarized the application to construct a 20-lot twin home development at 914 - 924 S. Concord Road. He reminded that a sketch plan was previously presented to the PC. He noted that Megill Homes, Inc. had met with the surrounding owners, resulting in the proposed trail around the property boundary to be relocated further from the rear property line. Mr. Comanda pointed out that the applicant was in the process of obtaining an easement to allow the sewer line to run through the property, located to the southeast, rather than through the existing easement on the rear of the properties that front on Trellis Lane.

Mr. Comanda acknowledged that the plans would be revised to address review letters from the Township consultants. He focused the discussion on four requested waivers that the Township Engineer, Cedarville, indicated they did not support. Mr. Comanda noted that the first waiver was to allow the infiltration BMPs to be located within 100 feet of structures down slope that have subgrade elements. He explained that that requirement coupled with the requirement of a significantly sized BMP for the site, became difficult to balance between trying to control all of the runoff and to have BMPs set back so far from the property boundary. He was concerned that there was not enough area to make modifications to both BMP #1 and #2 to maximize the distance between them and the downhill dwellings.

Mr. Hatton pointed out when the Bowers Drive development was built, the property owners adjacent to that development had immense water problems. He cautioned the PC to do whatever possible to avoid repeating that situation. Mr. Comanda explained that most of the runoff from the site was already collected at the low end piped out to Trellis Lane. He noted that the site would be tying into those existing facilities, and he believed that the runoff from the site would be reduced by 50%.

Mr. Embick believed that it was possible to maintain the 100 feet with some rejiggering of the layout. He expressed concerns regarding stormwater runoff and the ability of those BMPs to accommodate additional stormwater flow.

John Snook raised a question regarding the location of BMP #2 with potential of the water infiltrating at the top of the slope, which would create a water table situation that could be problematic for the neighbors to the south-west. He asked whether there was a better way to test infiltration on site. Mr. Comanda responded that they did not have a good way of testing that in the field and the proposed location of BMPs were in the area where the infiltration rates were the most favorable while trying to meet the requirements for infiltration volume. Mr. Embick raised concern that BMPs #1 and #2 might cause mounding, and suggested the applicant consider some sort of alternative to the infiltration requirement or a different design. Mr. Comanda agreed to look into that and discuss with Mr. Flinchbaugh.

Mr. Comanda pointed out the 50-foot perimeter setback requirement that the applicant had to meet while locating and sizing the stormwater management facilities. John Snook suggested that if the applicant needed a waiver for the stormwater facility to be closer to the houses and it was not located where it would perform well, then it was worth trading the waiver of the 50-foot perimeter setback. Mr. Megill confirmed that it was something to consider.

Mr. Embick asked if residents would be able to install swimming pools. Mr. Megill responded that the intention was to either restrict that through the HOA documents or on the plan. Mr. Snook reminded the PC that the current zoning regulations would not allow for that due to a minimum setback of 25 feet from any property line to the water's edge, which those properties would not be able to meet.

Mr. Comanda reiterated that the other waiver was to allow rolled curb instead of upright curb. Mr. Hatton referred to a memo from Mark Gross, Public Works Director, who felt strongly that having an upright curb made the road easier to plow, and that residents tended to fill the rolled curb swale with asphalt, which created more problems and exacerbated stormwater issues by blocking flow. Mr. Comanda said they did not mind changing that.

Mr. Comanda asked whether there was any indication from the BOS to eventually accept dedication of the public improvements. Mr. Hatton responded that it had not been discussed yet.

Mr. Flynn asked whether there would be any street parking. Mr. Comanda explained that there would be two garage parking spaces and two offsite driveway parking spaces for each unit. Mr. Megill noted that a 24-foot cartway was wide enough to manage any additional parking needs. He also suggested considering the snow removal area to be utilized as a community overflow parking during a non-snow events, and could be handled by the HOA covenants.

Mr. Comanda suggested a site visit with the Township representatives to have discussions about compensatory trees, pointing out that they were not in great health. After a brief discussion, the PC agreed to that approach.

Mr. Comanda brought to the discussion two other items: block length waiver request and lighting options. The PC agreed that the proposed layout of the loop road that required a waiver would be better than a cul-de-sac. Mr. Megill pointed out that the neighboring communities did not have streetlights. Mila Robinson asked the applicant to review lighting requirements to get an idea on illumination. The PC recommended the applicant work with the lighting consultant to determine the most suitable option.

Mr. Federico expressed a concern regarding a very sharp, horizontal curve with a very steep vertical curve of proposed Sawmill Court. He explained that as a matter of practice, one should not be mixing sharp curves, horizontal and vertical, as it relates to the safety of vehicles travelling from S. Concord Road down to the proposed loop road. Mr. Federico questioned whether the curve met the sight distance requirements and wanted to see justification on that. Mr. Snook asked whether the street lighting could help the sight distance issue. Mr. Federico believed that it probably would not, but acknowledged that he needed to see the plan to make that assessment. Mr. Embick sought confirmation that the loop road would be two-way and the speed limit. Mr. Comanda noted that it would be a two-way road with a suggested speed of 15 mph.

2. Sewage Facilities Planning Module for the Stokes Estate

Gregg Adelman, solicitor for Keystone Homes, explained the developer for the Stokes Estate, was trying to get the property included in the Township's public sewer system, but in order to do that, the Township has to revise its Act 537 Plan. He stated that the applicant drafted the sewage facilities planning module, which has been distributed to the Westtown PC, the Chester County Planning Commission (CCPC), and the Chester County Health Department (CCHD), and includes a concept plan for 68 lots under the flexible development procedure. He reassured the PC that by reviewing and completing the required sewage planning module component, the PC was neither approving that development nor passing any judgment on it. Mr. Adelman pointed out that the proposal was consistent with the Township's Zoning Ordinance. He noted that it was a requirement of the sewage facilities planning regulations to include a concept plan. He noted that the proposal was reviewed by Carroll Engineering, and then revised based on those comments.

Mr. Hatton asked what would happen if the applicant did not end up building on that property or something would be built that did not need a sewage planning module. Mr. Adelman replied

that the sewage planning could be changed. He explained that it just put a placeholder in the sewage plan, so the municipality has designated the property for that type of sewage facilities management. He reiterated that the applicant would have to go through the zoning process for approval to build and connect 68 units, which is the maximum number realistically feasible on the property as an approved use.

Mr. Embick asked how the surrounding properties were serviced. Mila Robinson responded that except for Rustin Walk, they all have on-lot sewage management systems.

Mr. Rodia asked if any major infrastructure upgrade would be required to accommodate those connections. Bill Malin responded that there would not be any required upgrades.

Mr. Hatton asked who designed this site plan for public sewer connection going along Shiloh Road to the Rustin Pump Station. Bill Malin explained that he had conversations with the applicant's consultant about going across Chester Creek directly to the treatment plant; however, the existing proposal is preferred because the Rustin Pump Station is currently underutilized for its design capacity.

Motion to recommend that the Township staff complete Component 4A of the Sewage Facilities Planning Module for the Stokes Estate. RH/JE 7-0

Public Comment

Andrew Holstein, 913 Shippen Lane, asked Mr. Adelman to clarify the number of homes being proposed on the Stokes Estate, as he noticed inconsistencies in numbers on the submitted forms. Mr. Adelman responded that there was not a firm number of homes yet and the conceptual rendering showed maximum of 68. Mr. Holstein asked when the land development plan would be submitted to the Township. Mr. Adelman explained that it would have to go through a conditional use procedure, which was flexible development procedure and that would be as soon as possible once the sewage planning process was complete. Mr. Holstein also asked whether it was Keystone Homes standard practice to engage with neighbors to understand their concerns in an effort to collaborate on solutions and to define a common resolution that works for everyone involved. Mr. Adelman responded that Keystone Homes certainly meets with neighbors to discuss the issues and tries to incorporate those issues into the plan as best as they can.

Reports

Mr. Flynn provided the report of Board of Supervisors Meeting 01/04/21.

Adjournment (JE/TS) 7-0

The meeting was adjourned at 9:37PM.

Respectfully submitted,
Mila Robinson,
Planner II/Interim Zoning Officer