

WESTTOWN TOWNSHIP
PLANNING COMMISSION MEETING AGENDA
Wednesday, April 3, 2024 – 7:00 pm

Stokes Assembly Hall – Township Administration Building
1039 Wilmington Pike, West Chester, PA

For general inquiries or questions about any of the items on this agenda, please contact the Township office either by phone (610) 692-1930 or via e-mail at administration@westtown.org.

Call to Order and Pledge of Allegiance

Adoption of Agenda

Approval of Minutes

Planning Commission Meeting March 20, 2024

Announcements

Public Comment – Non-Agenda Items

New Business

1. ZHB Application – 1056 S New Street

The applicant, Bournelyf Special Camp, has submitted a ZHB application to request special exception to allow the newly acquired parcel at 1056 S New Street to be used in conjunction with the day camp operations that have been granted via special exception for adjacent parcel at 1070 S New Street. Section 170-601.B(2) of the Township Zoning Code permits day camp via special exception. The ZHB hearing date is April 25, 2024.

2. Official Map – Effective Planning Tool

One of the high priority recommendations in the Westtown Comprehensive Plan (2019) is to consider development and adoption of the “Official Map” tool with a focus on open space preservation, parkland, desired trail and sidewalk connections and other future improvements. Authorized by Article IV of the Pennsylvania Municipalities Planning Code (MPC), it allows municipalities to adopt official maps designating areas of interest. The Township staff will provide an overview of the tool and discuss opportunities for developing trail connections to parks and open spaces.

Old Business

Public Comment

Reports

1. Board of Supervisors Meeting April 1, 2024 – Tom Sennett/Jim Lees
2. Environmental Advisory Council March 26, 2024 – Russ Hatton

Adjournment

Next PC Meeting:

- **April 17, 2024, 7:00 PM**

PC Representative at next Board of Supervisors Meeting:

- **Monday April 15, 2024, 7:30 PM** – Joe Frisco/Kevin Flynn

WESTTOWN TOWNSHIP PLANNING COMMISSION MEETING MINUTES

Stokes Assembly Hall, 1039 Wilmington Pike
Wednesday, March 20, 2024 – 7:00 PM

Present

Commissioners – Russ Hatton (RH), Jack Embick (JE), Jim Lees (JL), Tom Sennett (TS), Brian Knaub (BK) and Kevin Flynn (KF) were present. Joseph Frisco (JF) was absent. Also present was Director of Planning & Zoning Mila Carter.

Call to Order and Pledge of Allegiance

Mr. Embick called the meeting to order at 7:04 PM.

Adoption of Agenda (TS/JL) 6-0

Mr. Sennett made a motion to adopt the agenda. Mr. Lees seconded. All were in favor of the motion.

Approval of Minutes (TS/JL) 5-0

Mr. Sennett made a motion to adopt the meeting minutes from March 6, 2024. Mr. Lees seconded. Mr. Flynn abstained. All were in favor of the motion.

Announcements

1. Ms. Carter announced that the Township received a Zoning Hearing Board (ZHB) application for the Bournelyf Special Camp for special exception to allow the use of day camp on the newly acquired property.
2. Ms. Carter further announced that the ZHB request for 629 S. Chester Road for special exception to expand the nonconforming use was on hold until the applicant consults with his legal counsel.

Public Comment – Non Agenda Items

None

New Business

1. Chester County Planning Commission – Inventory of Open Space

Mr. Embick referred to the materials provided by the Chester County Planning Commission about how the County approached the preservation of open space and farmland, information pertaining to open space inventory within Westtown, and recommendations on open space opportunities. He listed the opportunities noted by the County, including that Westtown has an Agricultural Security Area Advisory Committee, conservation design ordinance also known as flexible development, and open space tax. He was curious why the County did not also note that the Township has an Open Space, Parks, and Recreation Plan.

Mr. Embick asked for the members' feedback on provided materials. Mr. Sennett asked about the methodology for determining the number of residents within a 10-minute walk to outdoor recreation. He expressed his opinion that one could walk 10 minutes in Westtown and not be near any recreation areas. Mr. Sennett also wondered whether it was a safe walk, and did not believe the Township had many areas that would be considered usable for outdoor recreation. Mr. Embick thought that residents within the central part of the Township might live within a 10 minute walk of a park, but doubted that was true for residents living in the eastern portion of Westtown. Mr. Sennett agreed and pointed out that the residents living in the western portion of Westtown did not have access to any outdoor recreation facilities within a 10-minute walk. Ms. Carter suggested that the County has utilized a geospatial tool to

determine the number of people who live within 10-minute walk to Westtown's parks and open spaces. She suggested contacting the County to verify the methodology. Mr. Sennett expressed skepticism over the numbers provided in the analysis and their accuracy. Mr. Flynn agreed and noted that the names of open spaces and parks were inaccurate. Ms. Carter agreed that there were some inconsistencies with the provided map.

Mr. Embick raised a question about stream designations noted on the map, as well as the important bird core conservation area encompassing residential development on the eastern side of the Township. Mr. Embick asked whether the map demonstrates significant opportunities for open space preservation. Ms. Carter recapped that the Commission reviewed the map of protected and unprotected lands that depicts a number of parcels that are suitable for land development and have unprotected status at its previous meeting. Mr. Embick asked for thoughts on an Official Map. Ms. Carter believed that it is a great tool for open space preservation and dedicating areas for future public improvements, including pedestrian connections to parks and recreational areas. Mr. Flynn did not think that the transfer of development rights is applicable to Westtown. Mr. Embick questioned the reasoning behind that suggestion. Mr. Sennett pointed out that in the letter, the County provides an opportunity to discuss these findings with municipalities and suggested to invite someone from the County to explain the methodology and answer the PC's questions. Ms. Carter noted that it could be arranged.

2. Recent Zoning/Land Development Court Cases

Mr. Embick explained that he wanted to bring to the PC's attention the most recent court cases that he thought were interesting and relevant to the Commission. He summarized the Zoning Hearing Board appeals process, the role of the Court of Common Pleas, establishment and duties of the Commonwealth Court of Pennsylvania and the Supreme Court. Mr. Embick highlighted three cases with panel decisions that are precedential: RDM Group and Zom Construction Company v. Pittston Township, Soland v. ZHB of East Bradford Township, and ZHB and Pittston Borough vs. the ZHB of the Borough of Plum.

Mr. Embick summarized the RDM case where the applicant requested a use variance with justification that the neighborhood character no longer supported the assignment of the property in R-1 residential zoning district, which was approved by the Commonwealth Court. He found it interesting that there was an emphasis on what the ZHB has to do in order to validate its decisions when they are dealing with variances and special exceptions. He recapped that the ZHB is supposed to issue opinions that have findings of fact and conclusions of law, so that the Courts can review the grounds for the decision. Mr. Embick believed this case would be applicable if someone submitted a request for use variance because the area surrounding the property is no longer suitable for the use assigned by zoning regulations.

Mr. Embick further summarized the Soland case in East Bradford Township, where the Commonwealth Court determined that use variances are subject to the de minimus variance rule, which he thought would be appealed to the Supreme Court. He explained that East Bradford zoning only allows bed and breakfast in Class 1 historic properties, thus the applicant requested a variance from that provision due to the property not being a Class 1 property. Ms. Carter thought it was something of interest for the discussion on additional uses for historic properties in Westtown proposed by the Historical Commission. Mr. Embick wondered what East Bradford's motivation was to limit such use to a specific class.

Mr. Embick also summarized the Borough of Plum case where a gas well company had an injection well, which was a preexisting nonconforming use. They proposed to add another well, arguing that it was a natural expansion of preexisting use. Mr. Embick noted that the court agreed that it was an expansion of preexisting use and some expansion is permitted,

but the ZHB did not determine whether the expansion was necessary. He drew parallel with the pending application for an expansion of nonconforming use at 629 S. Chester Road where the existing store is a preexisting nonconforming use, with the proposal to utilize the entire premises for that or other nonconforming use. Mr. Hatton commented that the decisions are not easy to comprehend. Mr. Embick agreed that it is challenging to digest with various citations and nuances getting in the way. Mr. Sennett pointed out the components of the RDM case that he found interesting, specifically the functions of the ZHB, the dispute on evidence, and the decision's applicability to every administrative body.

Old Business

1. ZHB Application – 1115 S. Concord Road

Mr. Embick recused himself from the discussion on the ZHB application due to a potential conflict of interest.

Mr. Nagle, legal counsel for the applicant, recapped that Mr. Brown has appeared in front of the Commission previously with the request for special exception to construct an accessory dwelling unit (ADU) on his property at 1115 S. Concord Road for his in-laws, and for associated variance to encroach into the mandated side yard setback. He was under the impression that the PC was going to provide a favorable recommendation pertaining to an ADU, but had expressed some concerns towards the variance request. Mr. Nagle explained that he met with the applicant and his engineer to review the placement of proposed building that will include the garage and ADU. He provided two site plans with one labeled Alternative 2 and the other Alternative 3. Mr. Nagle further clarified that Alternative Plan 2 was the earlier attempt at placing the building and after taking additional measurements, Alternative Plan 3 was drafted. He argued that the latest plan justified the minimal relief that will allow the applicant to proceed with the project and reasonable use of the property. Mr. Nagle felt that the applicant moved the building as far as possible under the circumstances. He described that the size of garage has been reduced and only a corner of the building was encroaching into the setback. Mr. Nagle noted that the adjacent neighbor along the property line where garage was to be placed is supportive of the application. He argued that the size of a lot was suitable for additional building and that one can't build a garage in random locations and it has to line it up with the house and have an access from the driveway. Mr. Nagle believed that sliding garage further into the yard was not acceptable, because it increased the amount of impervious surface needed for additional driveway which adds to stormwater management issues and construction costs. He believed that the revised plan meets variance standards and asked for a favorable recommendation.

Mr. Flynn asked to clarify the amount of encroachment. Mr. Nagle explained that originally the entire building was encroaching, but with a revised plan, only a southwestern corner was in the side yard setback area. Mr. Sennett asked about the reasoning of not placing the garage behind the house. Mr. Nagle argued that in this context one would not build a garage at the back of the house, especially when the driveway does not extend there. He did not believe it was a reasonable request in the context of existing layout of the lot. Mr. Sennett asked whether there were other physical circumstances or just a personal preference. Mr. Nagle argued that it depends on the context of the development, and also pointed out that there is a sewer line across the yard towards the septic system. Mr. Sennett agreed that the revised plan was less impactful than the original one.

Mr. Sennett made a motion to recommend approval of request for special exception to construct an ADU and associated variance to encroach into the mandated side yard setback as depicted on the Alternative Plan 3. Mr. Lees seconded. All were in favor of the motion. Mr. Embick abstained. TS/JL (5-0-1)

Reports

1. Mr. Flynn made the BOS report from the March 18 meeting.

Adjournment (TS/JL) 6-0

The meeting was adjourned at 8:15 PM.

Respectfully submitted,
Mila Carter
Planning Commission Secretary

DRAFT

ZONING HEARING BOARD APPLICATION SUMMARY

ZHB Case: #2024-03
Date: March 26, 2024
From: Liudmila Carter, Director of Planning & Zoning

APPLICANT: Bournelyf Special Camp
ADDRESS: 1056 S New Street, West Chester, PA 19382
UPI: 67-4-3.6
HEARING DATE: April 25, 2024

REQUEST

The applicant is seeking a special exception to allow the newly acquired parcel at 1056 S New Street (UPI. 67-4-3.6), which was previously owned by the Church of the Loving Shepherd, to be used in conjunction with the day camp operations that have been granted via special exception for adjacent parcel at 1070 S New Street (UPI. 67-4-3).

To provide some background, in 2000, the Church submitted an application to construct, use, and operate a swimming pool at 1070 S New Street to be used for campers attending the Bournelyf Special Camp. The Zoning Officer recognized that the Camp had never been formally approved as a permitted use on the property despite operating there since 1980s. The Church has subsequently applied for and was granted a special exception with conditions to operate a day camp as an accessory use to the principal religious use and to construct a swimming pool, including that landscape screening be installed along the west side property line consisting of 350 feet of hardwoods and evergreens, the same along the south property line consisting of 300 feet, and that any future lighting plan for the pool or parking lot be oriented so as not to cause any glare upon adjacent properties or any public road. In 2019, the Camp has acquired said property from the Church and subsequently applied for and was granted a special exception to utilize the premises for a day camp as a principal use. In 2022, the Camp has acquired the adjacent property from the Church with the intent to use it for day camp operations.

LOCATION AND DESCRIPTION OF SITE

The subject property is a one acre parcel with an UPI. 67-4-3.6 landlocked with the driveway access to S New Street, and is in the R-1 Residential Zoning District. The property address is 1056 S New Street and the mailing address per County records is 1066 S New Street, West Chester, PA 19382. The property is wedged between the parcel owned and operated by the Bournelyf Special Camp on the western side and the parcel owned by the Church on the eastern side. The Camp has two 25-foot wide easements from the Church to access their properties. The property is improved with a single-family detached dwelling and a shed. The property is serviced by water well and on-lot sewage management system. The parking (40 spaces) located on the Church's property at 1066 S New Street (UPI. 67-4-3.2) is shared by the Camp and the Church.

APPLICATION

The applicant submitted application on March 15, 2024 for a special exception to allow the use of day-camp on a newly acquired property. The request is for special exception pertaining to the following Sections:

1. Section 170-601.B(2) Use regulations to allow day camp, riding academy, swimming club, athletic field, golf course (excluding golf driving range and miniature golf course), provided the Board concludes that there is sufficient acreage available for such uses. Area and bulk regulations contained in § 170-702E(2) through E(10) shall apply.

ZONING RELIEF STANDARDS

General standards for the granting of special exceptions are contained within 170-2107 of the Township Zoning Code and are attached to this report as Attachment A (page 3).

Area and bulk regulations as noted above are contained within 170-702.E of the Township Zoning Code and are attached to this report as Attachment B (page 5).

PLANNING COMMISSION RECOMMENDATION

The Planning Commission will review this application at their meeting on April 3, 2024.

Attachment A.

§ 170-2108 Special exceptions.

[Amended 3-3-2003 by Ord. No. 2003-2]

Where this chapter has stated special exceptions to be granted or denied by the Board pursuant to express standards and criteria, the Board shall hear and decide requests for such special exceptions in accordance with such standards and criteria. In granting a special exception, the Board may attach such reasonable conditions and safeguards, in addition to those expressed in the chapter, as it may deem necessary to implement the purposes of this chapter. The procedures for acting on a special exception request shall be the same as those specified for variances under § **170-2107**, except that the findings contained in Subsections **A(5)(a)** through (e) of § **170-2107** shall not be applicable. Where any use or any applicable design criteria subject to conditional use approval also is a part of an overall land development plan subject to application for approval of a special exception, such use or design criteria may be considered for approval by the Zoning Hearing Board as part of the applicable special exception application in lieu of separate submission of an application for conditional use approval. Similarly, where any use or any applicable design criteria subject to special exception approval also is a part of an overall land development plan subject to application for conditional use approval, such use or design criteria may be considered for approval by the Board of Supervisors as part of the applicable conditional use application in lieu of separate submission of an application for approval of a special exception.

- A. Application shall be made in writing, indicating the section of this chapter under which an exception is sought. The application shall include a reasonably exact, dimensional sketch showing the placement and use of the proposed buildings and details of parking, loading, lighting, utility systems, sidewalks, and other pedestrian areas, including those within 250 feet of adjoining properties or structures.
- B. Further, a description of the uses proposed shall be included in sufficient detail so that potentially detrimental impacts, if any, can be determined.
- C. The Board shall hear and decide all requests for special exceptions, as identified within this chapter, in accordance with the following standards and criteria:
 - (1) Relationship to the Comprehensive Plan. Consideration of the size, scope, extent, and character of the proposed special exception and assurance that such proposal is consistent with the purposes and objectives of the Westtown Township Comprehensive Plan, including protection and promotion of the public health, safety, and welfare.
 - (2) Suitability of the tract. Consideration of the suitability of the proposed tract including, as applicable, environmental conditions, highway access, and availability of sewer and water service, and of the extent to which the proposed use is susceptible to regulatory restriction through the imposition of appropriate conditions.
 - (3) Impact on existing neighborhood character. Consideration of the extent to which the proposed special exception will alter unduly the character of the existing neighborhood and adjacent tracts, and the effectiveness of proposed or potential mitigation measures; consideration of the character and type of development in the area surrounding the location of the proposed special exception, and a determination that the proposal, if approved, will constitute an appropriate use in the area.
 - (4) Impact on circulation. Consideration of the effects the proposed special exception may have on traffic patterns and volumes, access, and parking.
 - (5) Economic impact. Consideration of the character and type of development proposed in terms of

generating revenue for the Township and imposing demands on municipal services.

- D. Persons with disabilities. After the Zoning Officer receives a complete written application, the Zoning Hearing Board shall grant a special exception allowing modifications to specific requirements of this chapter that the applicant proves to the satisfaction of the Zoning Hearing Board are required under applicable federal law to provide a reasonable accommodation to serve persons who the applicant proves have disabilities as defined in and protected by such laws.
- (1) Such reasonable accommodations shall be requested in accordance with the U.S. Fair Housing Act Amendments and/or the Americans with Disabilities Act, as amended.
 - (2) If the applicant is requesting a reasonable accommodation under the United States Fair Housing Amendments Act of 1988 or the Americans with Disabilities Act, the applicant shall identify the disability which is protected by such statutes, the extent of the modification of the provisions of this chapter necessary for a reasonable accommodation, and the manner by which the reasonable accommodation requested may be removed when such person(s) with a protected disability no longer will be present on the property.
 - (3) Any modification approved under this section may be limited to the time period during which the persons with disabilities occupy or utilize the premises.

Attachment B.

§ 170-702 Area and bulk regulations.

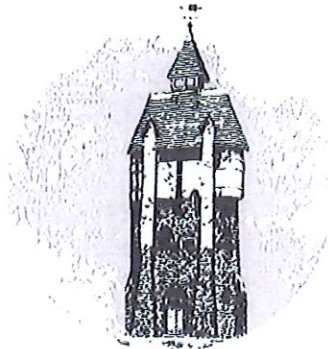
The following regulations shall apply:

- A. The maximum density of use on any tract within the R-2 District shall be as determined by § **170-1519B** of this chapter.
- B. Single-family detached dwelling.
 - (1) With on-site sewage and on-site water service: [**Amended 3-3-2003 by Ord. No. 2003-2**]
 - (a) Lot area: one acre minimum.
 - (b) Lot width at building: 150 feet minimum setback line.
 - (c) Impervious coverage: 20% maximum.
 - (2) With on-site sewage and off-site water service, or public off-site sewage and on-site water service: [**Amended 3-3-2003 by Ord. No. 2003-2**]
 - (a) Lot area: one acre minimum.
 - (b) Lot width at building: 125 feet minimum setback line.
 - (c) Impervious coverage: 20% maximum.
 - (3) With both public off-site sewage and water service:
 - (a) Lot area: 22,000 square feet minimum.
 - (b) Lot width at building: 100 feet minimum setback line.
 - (c) Impervious coverage: 25% maximum.
 - (4) All single-family detached dwellings:
 - (a) Lot width at street line: 50 feet minimum, except 250 feet minimum at the future right-of-way line of Routes 202, 3, 352 or 926, if the property would have direct access onto any of these routes.
 - (b) Building setback line: 40 feet minimum, except:
 - [1] No structure shall be located within 100 feet of the future right-of-way line of Route 202 or Route 3. The land within the required setback may be accepted as part of the requirements for open space of this chapter or Chapter **149**, Subdivision and Land Development.
 - [2] Sixty feet minimum from the future right-of-way line of Route 926 or Route 352.
 - (c) Side yards: 10 feet minimum for each, with 25 feet total for both yards.
 - (d) Rear yard: 30 feet minimum.
 - (e) Maximum building height: three stories, not to exceed 38 feet. [**Amended 5-1-1995 by Ord. No. 95-2**]
- C. Agricultural uses: As required by the standards in § **170-1609** of this chapter.
- D. Accessory uses: Accessory uses may be located in side and rear yards, but only in conformance with the standards of § **170-1502** of this chapter.
- E. Nonresidential uses permitted by special exception, specifically excluding major home occupations

which are considered accessory to a residential use: [Amended 12-5-1994 by Ord. No. 94-6; 5-1-1995 by Ord. No. 95-2; 3-3-2003 by Ord. No. 2003-2; 5-2-2005 by Ord. No. 2005-4]

- (1) Minimum lot area: two acres.
 - (2) Minimum lot width at building setback: 200 feet.
 - (3) Side yard minimum width:
 - (a) One: 50 feet.
 - (b) Both: 100 feet.
 - (4) Minimum rear yard: 50 feet.
 - (5) Maximum building coverage (all uses): 20%.
 - (6) Maximum total impervious coverage: 40%.
 - (7) Minimum front yard: 50 feet, except that, for uses in the vicinity of major roads, as noted below:
 - (a) One hundred feet minimum from the future right-of-way line of Route 202 or Route 3.
 - (b) Sixty feet minimum from the future right-of-way line of Route 926 or Route 352.
 - (8) Minimum lot width at street line: 50 feet minimum, except 250 feet minimum at the future right-of-way line of Routes 202, 3, 352, or 926, if the use would have direct access onto any of these routes.
 - (9) Maximum building height: three stories, not to exceed 38 feet.
 - (10) Buffer requirements. In addition to the requirements of § **170-1508** of this chapter, there shall be a fifty-foot buffer strip maintained on the property containing a use permitted by special exception when such use abuts any A/C, R-1, R-2, or R-3 District. Such buffer strip shall be in addition to any and all applicable area and bulk regulations, including setback regulations. The buffer strip shall be planted and shall not include any paved area.
- F. Conditional uses: Residential conditional uses shall, as applicable, conform to the standards for single-family detached dwellings in § **170-702B** above. Nonresidential conditional uses shall conform to the standards for nonresidential uses in § **170-702E** above.

EXHIBIT #4



WESTTOWN TOWNSHIP

1081 Wilmington Pike
West Chester, PA 19382
610-692-1930

Post Office Box 79
Westtown, PA 19395
FAX 610-692-9651

May 12, 2000

Zoning decision on camp
and pool

Rev. John Woodcock
Church of the Loving Shepherd
1066 S. New Street
West Chester, Pa 19382

In re: **Application of Church of the Loving Shepherd**

Dear Rev. Woodcock:

Enclosed herewith is a true and correct copy of the Opinion of the Westtown Township Zoning Hearing Board rendered this date with reference to the above-captioned matter.

Very Sincerely Yours,

Ronald C. Nagle
(HRG)

Ronald C. Nagle
Chairman, Zoning Hearing Board

cc: Fred Fromhold, Esquire (w/encl.)

enclosure

**CERTIFIED MAIL NO. Z 272 583 533
RETURN RECEIPT REQUESTED**

Wt/loving shepherd.2000-3

IN RE: THE APPLICATION OF : BEFORE THE ZONING HEARING BOARD
CHURCH OF THE LOVING : OF WESTTOWN TOWNSHIP
SHEPHERD : WT-ZHB-3-2000

OPINION

This is an application by the Church of the Loving Shepherd, legal and equitable owner of a tract of land containing 13.3 acres, more or less, situate at 1066 South New Street Road, this Township. The premises is designated on the Tax Maps of the Assessor of Chester County as Tax Parcels 67-04-03 and 67-04-03.5. The Owner is a duly constituted church and religious institution as contemplated in the Zoning Ordinance of Westtown Township and maintains and conducts as the primary use of the premises a religious use. The premises is located in an R-1 Residential District where the use is permitted as a special exception. In addition to the principal use as a religious institution and as a use accessory thereto, the Applicant has for some time been operating a summer day camp to serve the needs of physically and/or mentally handicapped children. Although this use would in like manner be permitted in the zoning district by special exception, no application has ever been made or permit issued with respect to the day camp operation. The Applicant also desires to construct on the premises a swimming pool for use, primarily, in conjunction with the day camp operation.

Pursuant to the application filed, a hearing was scheduled and held on the Applicant's application commencing on Wednesday, April 5, 2000 at 7:00 P.M. at the Oakbourne Building, 1014 South Concord Road, this Township.

The hearing was duly advertised according to law by publication in the Daily Local News, a newspaper of general circulation in the Township, on March 28 and April 3, 2000. In addition,

notices were sent to the Applicant, the Township and to persons whose names are on file with the Township to receive such notices and to adjacent property owners. The property was also posted.

At the hearing, there appeared Ronald C. Nagle, Esquire, Chairman of the Zoning Hearing Board, and Dr. Robert Garrett, a member of the Board, constituting a quorum of the Zoning Hearing Board. Also appearing were Ronald M. Agulnick, Esquire, Solicitor for the Board and Fred Fromhold, Esquire, Attorney for the Applicant.

From the testimony adduced and exhibits presented the Board makes the following:

I. FINDINGS OF FACT

1. The Applicant is the legal and equitable owner of the subject tract of land and, pursuant to a special exception previously granted, has constructed a facility for the conduct of religious services. The premises is used for that purpose and the Applicant regularly conducts a program of religious services before an established congregation. Its use in this regard and the lawfulness thereof is not questioned.

2. At some point in time, the Applicant, recognizing the serious absence of facilities to enrich the life of children with physical and mental handicaps, undertook to provide day camp facilities for these challenged children. Unfortunately, the Applicant assumed that it was not required that any application needed to be filed with the Township under its land use regulations.

3. The program has been most successful and fills a basic need in the community and at the same time is clearly a type of outreach program that is typically sponsored and administered by religious institutions.

4. Except for scheduled field trips and swimming activities, the use is conducted on the same lot as is the Applicant's religious activities and is clearly subordinate to the use of the premises as a church.

5. The Applicant desires to construct a specially designed pool to permit the swim program to be conducted at the church facility thereby avoiding transporting the children to other locations and to permit better use of the time and assets supporting the program.

6. The proposed location is relatively close to two residences and while neither of the owners of these properties has voiced any objection to the day camp activity or the installation of the swimming pool, some evergreen screening along two property lines will mitigate any potential interference with the residential uses thereon.

7. The areas where screening is required are as follows:

a. Along the westerly property line of lands now or late of Bailey as shown on Exhibit A-3, extending from the south westerly corner thereof to the northerly point of land 349.43 feet more or less. This screening shall consist of a mixture of hard wood and evergreen trees planted not further apart than 6 feet on center.

b. Along the southerly property line of lands now or late of Chojnacki-Utradt as shown on Exhibit A-3, extending from the northwesterly corner of Applicant's land along the common lot line a distance easterly of 298.98 feet. There presently exists some screening along this lot line and the Applicant need only fill in substantial gaps in the existing screening with a similar planting scheme to that required along the Bailey lot line.

8. The Applicant has not proposed any specific lighting plan for the pool and its parking lot but any such lighting must be so oriented as not to cause any glare on adjacent lands of others or upon any public road.

9. The pool will not be used as a commercial venture but its use will be limited to persons being members or invited guests of the Applicant and of organizations sponsored by the Applicant. Provided, however, sponsorship shall not be deemed to include outside organizations or entities

seeking to use the pool merely for fund raising activities or recreational purposes. By way of example, and not limitation, a Boy Scout Troop regularly sponsored by the Applicant and meeting at the church on a regular basis would be permitted use of the pool facility, but a hospital seeking to use the premises for a fund raising dinner party could not.

10. The use of the premises as a day camp including the pool facility as so limited would not be contrary to the public health, safety, morals or welfare nor would such use be violative of any objective standards set forth in the applicable ordinance.

11. By reason of the foregoing, the swimming pool facility to be constructed is a structure accessory to the church facility and the day camp is an accessory use to the religious use, the principal use upon the property.

From the foregoing, we enter the following

ORDER

AND NOW, this day of May, 2000, upon consideration of the testimony received and exhibits presented, it is ordered:

1. The special exception sought to operate the day camp facility for handicapped children upon the premises as an accessory use to the principal religious use extant upon the premises shall be and hereby is granted in and only in accordance with the testimony given and representations made by Applicant at the hearing in this matter and not otherwise.

2. Permission to construct, use and operate the swimming pool facility as presented in the testimony shall be and hereby is granted in and only in accordance with the testimony given and representations made by Applicant at the hearing in this matter and not otherwise. The permission granted is subject to Applicant's initial and continuing compliance with the conditions

set forth as findings of fact numbers 7, 8 and 9 which are incorporated herein by reference as fully as if set forth at length.

Upon presentation of proper applications, payment of all proper fees and performance by Applicant of all conditions precedent thereto, the Zoning Officer is authorized and directed to issue the proper permits for the construction, use and occupancy of the Day Camp and Swimming Pool Facility as prayed for in and only in accordance with the applicable provisions of all applicable ordinances and in and only in conformity with the terms of this Order and the conditions included herein and not otherwise.

WESTTOWN ZONING HEARING BOARD

Rebecca Garrett
Erica Clark

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

BEFORE THE ZONING HEARING BOARD
OF THE TOWNSHIP OF WESTTOWN
CHESTER COUNTY, PENNSYLVANIA

DECISION

IN RE: APPLICATION OF **CHURCH OF THE LOVING
SHEPHERD, 1066 South New Street
CASE NO. 2019-08**

Hearing was held at the Township
Municipal Building, Stokes Assembly Hall,
1039 Wilmington Pike, West Chester,
Pennsylvania, on Thursday, September 19,
2019, beginning at 6:30 o'clock, p.m.

BEFORE: DAVID J. SCAGGS, Chair
LAURA M. SCANLON, Vice Chair
JEFFREY R. HOUSE

ALSO PRESENT:

WILLIAM ETHRIDGE,
Director of Planning & Zoning

APPEARANCES:

RONALD M. AGULNICK, Esquire
on behalf of the Zoning Hearing Board

ELEANOR J. SCHWANDT, RMR
COURT REPORTER

1 MR. AGULNICK: AND NOW, this
2 19th day of September, 2019, upon
3 consideration of the testimony adduced and
4 exhibits presented, the special exception
5 sought shall be and hereby is granted to
6 utilize the premises designated as Tax
7 Parcel 67-4-3 as a principal use as a day
8 camp.

9 The special exception sought
10 pertains to that parcel only and not to the
11 remaining portion which continues to be
12 used as a principal use as a church.

13 THE CHAIR: The other parcel.
14 Not the one here.

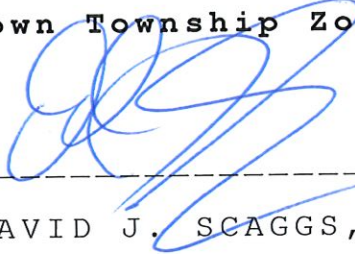
15 MR. AGULNICK: Correct. Upon
16 payment of proper fees and presentation of
17 proper applications, the Zoning Officer is
18 authorized and directed to issue a
19 certificate of occupancy for the use as set
20 forth in and only in accordance with the
21 testimony and exhibits presented, and not
22 otherwise.

23

24

Westtown Township Zoning Hearing Board:

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24



DAVID J. SCAGGS, Chair



LAURA M. SCANLON, Vice Chair



JEFFREY R. HOUSE

Westtown Township

Zoning Hearing Board Application

PO Box 79
Westtown, PA 19395



P: 610.692.1930
F: 610.692.9651
www.westtownpa.org

Township Use Only	
Date Received: <u>March 15, 2024</u>	Project No.: <u>2024-03</u>
Parcel ID: <u>67-4-3.6</u>	Zoning Dist: <u>R-1</u>
Date Paid: <u>March 15, 2024</u>	PC Date: <u>April 3, 2024</u>
Hearing Date: _____	Property Posted: _____
Dates Advertised: _____	
Reviewed by: <u>Mila Carter</u>	

RECEIVED
MAR 15 2024
BY: _____

Applicant & Owner Information

Applicant <u>Bournelyf Special Camp</u>	Phone <u>610-692-9027</u>
Property Address <u>1070 S. New St.</u>	City <u>West Chester</u> Zip <u>19382</u>
E-mail <u>1056 S. New St.</u>	
Property Owner <u>SAME AS APPLICANT</u>	Phone _____
(if different from Applicant)	
Mailing Address _____	City _____ Zip _____
(if different from Property Address)	
E-mail <u>CZIMMERMAN@BSCNC.ORG</u>	

Request

Please select all that apply and provide a brief description of the requested relief or approvals sought.
i.e. 6 ft encroachment into rear yard, or Special Exception for construction of ADU.

<input type="checkbox"/>	Section 2104: Appeals from the Zoning Officer _____
<input type="checkbox"/>	Section 2105: Challenge to the validity of the Zoning Ordinance or Map _____
<input type="checkbox"/>	Section 2106: Challenge to the Flexible Development Procedure _____
<input type="checkbox"/>	Section 2107: Variances _____
<input checked="" type="checkbox"/>	Section 2108: Special Exceptions <u>Day camp</u>

Please provide a narrative of your request in an attachment that includes all required information and any other supporting documentation.

1. *Property information*

Setbacks of existing primary or accessory structure(s)

Lot Size: 1 acre Front: _____ Side (R): _____ Side (L): _____ Rear: _____

Existing property use: _____

Existing structure(s): single-family dwelling and shed

2. Description of all proposed improvements, additions and/or change of use. The application shall include a reasonably exact, dimensional sketch showing the placement and use of the proposed buildings and details of parking, loading, lighting, utility systems, and sidewalks, including those within 250 feet of adjoining properties or structures. For physical changes to the lot or structures, indicate the size of all proposed improvements, setbacks to property lines, materials to be used and general construction to be carried out.

3. For **VARIANCES**, provide a response to each of the following hardship standards:

- A. That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property and that the unnecessary hardship is due to such conditions, and not the circumstances or conditions generally created by the provisions of the Zoning Ordinance in the neighborhood or district in which the property is located.
- B. That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the area and bulk regulations or design standards of the Zoning Ordinance, and that the authorization of a variance is therefore necessary to enable the reasonable use of the property, but shall not allow a change in use to one not permitted by right in that district.
- C. That such unnecessary hardship has not been created by the applicant.
- D. That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, not substantially or permanently impair the appropriate use or development of adjacent property, and not be detrimental to the public welfare.
- E. That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.

4. For **SPECIAL EXCEPTIONS**, provide a response to how the proposed use impacts each of the following:

- A. Relationship to the Comprehensive Plan. Consideration that the size, scope, extent, and character of the proposed use will be consistent with the purposes and objectives of the Westtown Township Comprehensive Plan, including protection and promotion of the public health, safety, and welfare.
- B. Suitability of the tract. Consideration of the suitability of the proposed tract including, as applicable, environmental conditions, highway access, and availability of sewer and water service, and of the extent to which the proposed use is susceptible to regulatory restriction through the imposition of appropriate conditions.
- C. Impact on existing neighborhood character. Consideration of the extent to which the proposed special exception will alter unduly the character of the existing neighborhood and adjacent tracts, and the effectiveness of proposed or potential mitigation measures; consideration of the character and type of development in the area surrounding the location of the proposed special exception, and a determination that the proposal, if approved, will constitute an appropriate use in the area.
- D. Impact on circulation. Consideration of the effects the proposed special exception may have on traffic patterns and volumes, access, and parking.
- E. Economic impact. Consideration of the character and type of development proposed in terms of generating revenue for the Township and imposing demands on municipal services.

Applicant shall deposit with the Township a fee deemed sufficient to pay the Hearing expenses. These costs may include compensation for the secretary and members of the Zoning Hearing Board, notice and advertising costs, and necessary administrative overhead connected with the Hearing. Funds deposited in excess of the actual cost of the requested hearing shall be returned to the applicant upon completion of the proceedings.

FEE SCHEDULE
Variance, Special Exception — \$1,000
Appeal from the Zoning Officer, Challenge to the Flex Development Procedure — \$1,000
Challenge to the Zoning Ordinance/Map — \$2,500

———— **CERTIFICATION** ————

Please review and certify the following information.

In the event that the costs of the hearing exceed the funds deposited, the Applicant shall pay to the Township funds equal to such excess costs within thirty (30) days of the Township's request. Failure to deposit the additional funds shall be just reasons for terminating the proceedings.

I agree to pay additional funds (if necessary) as requested by the Township.

The Zoning Officer and Zoning Hearing Board may request additional information and documentation to prepare for said hearing.

By checking this box, I certify that the information presented in this application and all attachments is true and correct.

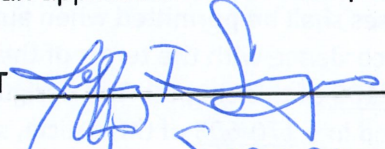
Please ensure the following documents have been included in your application packet:

- Completed and signed application form
- Check in the amount of the applicable application fee
- Narrative responding to all applicable prompts
- Proof of property ownership (Copy of Deed or Agreement of Sale)
- Six (6) copies of plans or sketch of the proposed improvements

Plan drawings are preferred, but not required, to be prepared by a registered engineer, architect, or surveyor. Any measurements/setbacks should be accurate and clearly depicted on provided plot plans or elevations. If the applicant's plans are larger than 11" x 17", the applicant must submit one set of plans reduced to no larger than 11" x 17". Digital copies of plan sets shall be submitted if available.

Any additional photos or supporting documentation (optional)

Applications may be submitted in person, mailed, or electronically as a PDF. The application fee must be submitted before an application can be accepted for review.

Signature of APPLICANT 

Date 3-15-24

Print Name Jeffrey T. Seagraves

Signature of OWNER _____
(If different from applicant)

Date _____

DESCRIPTION OF REQUEST

Bournelyf Special Camp (BSC) is located at 1070 S. New Street and is the equitable owner of two tracts of land containing approximately 6.5 acres in total. 1070 S. New St (Parcel 67-4-3) is 5.5 acres and 1056 S. New St. (Parcel 67-4-3.6) is 1.0 acre. Both are in the R-1 zoning district.

The first is parcel 67-4-3, a 5.5-acre tract, which was purchased from the Church of The Loving Shepherd (CLS) in 2019. Upon purchase of this parcel, BSC applied for and was granted a Special Exception from Westtown Township to continue the operation of a day camp/swim club. This parcel hosts most of the camp activities which include a swimming pool, pool house, and outdoor exercise area.

BSC recently acquired the second parcel, 1056 S. New St. (parcel 67-4-3.6) from CLS. This parcel is approximately one acre and is directly adjacent to the parcel acquired in 2019. The newly acquired parcel contains a structure which formerly served as a tenant house to The Church of the Loving Shepherd. Bournelyf is seeking a special exception to allow that parcel and structure to become part of the operations of the day camp. Photos of the building and the existing floor plan are attached. (see Exhibit-4)

Bournelyf Special Camp and The Church of the Loving Shepherd have long enjoyed a symbiotic relationship. Since BSC's inception in 1980, all the camp's activities have occurred on what was the church's original 21-acre campus. As previously mentioned, most of the camp functions, the pool, pool house, and outdoor exercise area have been located on the 5.5 acre parcel. Other needs have been met by using other parcels owned by CLS. The Church has allowed BSC to utilize the barn/church for indoor gathering space and another building for office space. Each of those areas share an adequate parking area.

Bournelyf is seeking a special exception to allow the structure on parcel 67-4-3.6 to be used in conjunction with the day camp operations. There is no expansion of operations contemplated at this time. The camp intends to operate as a summer camp for individuals with disabilities during the summer months and will continue to host monthly events for those individuals.

This use is permitted by special exception according to the Westtown Township code of Ordinances Article VI Chapter 170 Zoning.

Specifically, Chapter 170-601 B. (2) states.

B.

Uses by special exception. The following uses shall be permitted when authorized by the Zoning Hearing Board as a special exception, in accordance with the terms of this article and the standards and criteria contained in § 170-2108 of this chapter. The design standards for uses permitted by special exception, as contained in § 170-603 of this article, shall apply to all uses permitted by special exception in the R-1 District.

[Amended 9-15-1997 by Ord. No. 97-3; 3-3-2003 by Ord. No. 2003-2]

(2)

Day camp, riding academy, swimming club, athletic field, golf course (excluding golf driving range and miniature golf course), provided the Board concludes that there is sufficient acreage available for such uses. Area and bulk regulations contained in § 170-702E(2) through E(10) shall apply.

Bournelyf Special Camp intends to address each of the following Code sections as required by Westtown Ordinance Chapter 170-601 B in order for the Westtown Zoning Hearing Board to consider this application: Specifically, § 170-2108, § 170-603, and § 170-702E(2) through E(10), below:

§ 170-2108

A.

Application shall be made in writing, indicating the section of this chapter under which an exception is sought. The application shall include a reasonably exact, dimensional sketch showing the placement and use of the proposed buildings and details of parking, loading, lighting, utility systems, sidewalks, and other pedestrian areas, including those within 250 feet of adjoining properties or structures.

RESPONSE: Application is in writing. As the above description indicates that there are to be no major changes to the operation of the camp's mission or function. Attached is a copy of the 5.5 acre parcel (Parcel 67-04-03) as well as drawings indicating the location of the existing pool and exercise area. This exhibit also shows the newly acquired 1-acre parcel (Parcel 67-4-3.6). (See Exhibit-1)

BSC may seek to add an additional building in the future for office and meeting space, but the exact location, size, lighting, and parking for that building have not been determined. Included is an easement plan that shows the areas intended to be eased by CLS in favor of BSC to allow for adequate parking as the camp currently operates. There are currently approximately 40 parking spots as well as two means of ingress and egress. (See Exhibit-3)

B.

Further, a description of the uses proposed shall be included in sufficient detail so that potentially detrimental impacts, if any, can be determined.

RESPONSE: BSC will continue to operate as a six (6) to eight (8) week summer camp for individuals with intellectual and developmental disabilities. The camp incorporates the use of the existing pool and exercise area to challenge campers physically and to teach aquatic skills. The flow of camp arrivals and departures will not be altered from existing practices since there is adequate existing driveway and parking space for both the camp and the church. Additional space for staff and camper use is the proposed use for the newly acquired parcel. All permits and approvals required by Westtown Township will be sought to comply with the proposed use of the existing building on parcel 67-4-3.6. Included are photos of the existing building on this parcel. (See Exhibit-4)

C.

The Board shall hear and decide all requests for special exceptions, as identified within this chapter, in accordance with the following standards and criteria:

(1)

Relationship to the Comprehensive Plan. Consideration of the size, scope, extent, and character of the proposed special exception and assurance that such proposal is consistent with the purposes and objectives of the Westtown Township Comprehensive Plan, including protection and promotion of the public health, safety, and welfare.

RESPONSE: The Westtown Township Comprehensive Plan, adopted March 18, 2019, promotes the conservation and enhancement of community character while embracing a diverse and livable community. BSC submits that while there are some structures on the 5.5 acre parcel it inhabits, most of the space is open. The 1 acre parcel has an existing building which if approved as a special exception will be used for staff and special camper needs. Some campers need occasional "Quiet time". The camp does not seek any additional external improvements on that parcel. With approval both will remain largely open and uninhabited for a major portion of each year. Additionally, BSC would encourage consideration of trails that would connect to or through both parcels for the use by our campers. While the comprehensive plan does not specifically address existing "day camps" it does promote supporting existing businesses and provide incentives for additional "Mixed Use". BSC and CLS both submit that approval of this Special Exception could be considered a mixed use with virtually no change realized by the residents of Westtown Township.

(2)

Suitability of the tract. Consideration of the suitability of the proposed tract including, as applicable, environmental conditions, highway access, and availability of sewer and water service, and of the extent to which the proposed use is susceptible to regulatory restriction through the imposition of appropriate conditions.

RESPONSE: The 5.5 acre parcel owned by BSC has operated successfully and without incident with respect to environment, highway access, and sewer and water service. There is a separate septic system that serves the pool house located on the 5.5 acre parcel. The system is fully operational and has met the requirements of the Westtown Township On-Lot Sewage Management Program. The 1-acre parcel has a functioning septic system which is adequate for the use proposed.

(3)

Impact on existing neighborhood character. Consideration of the extent to which the proposed special exception will alter unduly the character of the existing neighborhood and adjacent tracts, and the effectiveness of proposed or potential mitigation measures; consideration of the character and type of development in the area surrounding the location of the proposed special exception, and a determination that the proposal, if approved, will constitute an appropriate use in the area.

RESPONSE: As stated previously, there is no impact to be considered by the granting of this special exception. BSC intends to run as it has for the past 43 years. The camp has typically run three (3) two (2) week sessions each with a maximum of 32 campers in each session. There are typically 17 staff which includes counselors, counselors in training, lifeguards, and directors. The relatively large number of staff

is required to meet the needs of our campers. The ratio is between 2 to 3 staff for each camper, some campers require one to one staffing. The use of the 1-acre parcel will move a nurses station closer to the pool and recreation area. It will allow for the staff to be more accessible to activities at the pool. Some campers require "quiet" areas during camp and the use of the building would accommodate those needs.

(4)

Impact on circulation. Consideration of the effects the proposed special exception may have on traffic patterns and volumes, access, and parking.

RESPONSE: There will be no increased flow of traffic from existing conditions.

(5)

Economic impact. Consideration of the character and type of development proposed in terms of generating revenue for the Township and imposing demands on municipal services.

RESPONSE: BSC operates as a 501 c (3) so they are tax exempt.

§ 170-603

§ 170-603 Design standards.

[Amended 3-3-2003 by Ord. No. 2003-2]

A.

The following standards, as applicable, shall govern all uses permitted by right, special exception and conditional use in the R-1 District:

(1)

Screening: As required by § 170-1508.

RESPONSE: At this time, there are no proposed changes to the operation of the existing camp. There is an existing visual barrier that was placed between the existing pool and neighboring residents as a condition of the Special Exception approval of the pool in 2000. (See Exhibit-2)

(2)

Storage: As required by § 170-1509.

RESPONSE: There are no current storage issues, nor have there been any citations in the previous 43 years of operation.

(3)

Landscaping: As required by § 170-1507.

RESPONSE: There are no proposed additions to parking at this time. However, if building codes require additional parking closer to the existing structure on Parcel 67-4-3.6 then the camp agrees to comply.

(4)

Access and traffic control: As required by § 170-1510.

RESPONSE: Parking and Interior circulation have been adequate and given there are no changes at this time, no problems are anticipated.

(5)

Interior circulation: As required by § 170-1513.

RESPONSE: Parking and Interior circulation have been adequate and given there are no changes other than where the nurse will be stationed and a change in staff location, no problems are anticipated. (See Exhibit #3)

(6)

Parking: As required by Article XVII.

RESPONSE: Parking and Interior circulation have been adequate and given there are no changes at this time, no problems are anticipated. There are currently 40 spaces for parking which is shared by BSC and CLS. The church and camp work schedules so that events which require parking do not occur simultaneously. (See Exhibit #3)

(7)

Lighting: As required by § 170-1514.

RESPONSE: BSC is primarily a daytime operation, except for a "Camp Show" which is held once per year. During that event, which starts during daylight hours but ends after sunset, portable lights are rented to ensure safe dismissal of participants and guests. In the event there are changes to any structure in the future, BSC will comply with the necessary requirements of the township building codes.

(8)

Signs: As required by Article XVIII.

RESPONSE: No new signs are requested at this time. If future signs are proposed, they will meet all requirements of Article XVIII

§ 170-702E(2)-(10)

E.

Nonresidential uses permitted by special exception, specifically excluding major home occupations which are considered accessory to a residential use:

[Amended 12-5-1994 by Ord. No. 94-6; 5-1-1995 by Ord. No. 95-2; 3-3-2003 by Ord. No. 2003-2; 5-2-2005 by Ord. No. 2005-4]

(2)

Minimum lot width at building setback: 200 feet.

RESPONSE: The parcel is approximately 1 acre and while it is irregular in shape, measures 254 feet in width.

(3)

Side yard minimum width:

(a)

One: 50 feet.

RESPONSE: Current structures meet the minimum requirement of 50 feet from the property line. Any future structures would meet the minimum setbacks as well.

(b)

Both: 100 feet.

RESPONSE: The current setbacks are in excess of 100 feet aggregate.

(4)

Minimum rear yard: 50 feet.

RESPONSE: Current structure meets the minimum requirement of 50 feet from the property line.

(5)

Maximum building coverage (all uses): 20%.

RESPONSE: The parcel is approximately 1 acre, which calculates to 43,560. The current building coverage is less than 2000 square feet, which calculates to less than 5% building coverage.

(6)

Maximum total impervious coverage: 40%.

RESPONSE: see above. If additional parking is required by building codes, there is adequate space to allow the parcel to comply.

(7)

Minimum front yard: 50 feet, except that, for uses in the vicinity of major roads, as noted below:

RESPONSE: Current structures meet the minimum requirement of 50 feet from the property line. Any future structures would meet the minimum setbacks as well. The property does not border on the roads noted in 7 (a) and (b), below.

(a)

One hundred feet minimum from the future right-of-way line of Route 202 or Route 3.

(b)

Sixty feet minimum from the future right-of-way line of Route 926 or Route 352. **(8)**

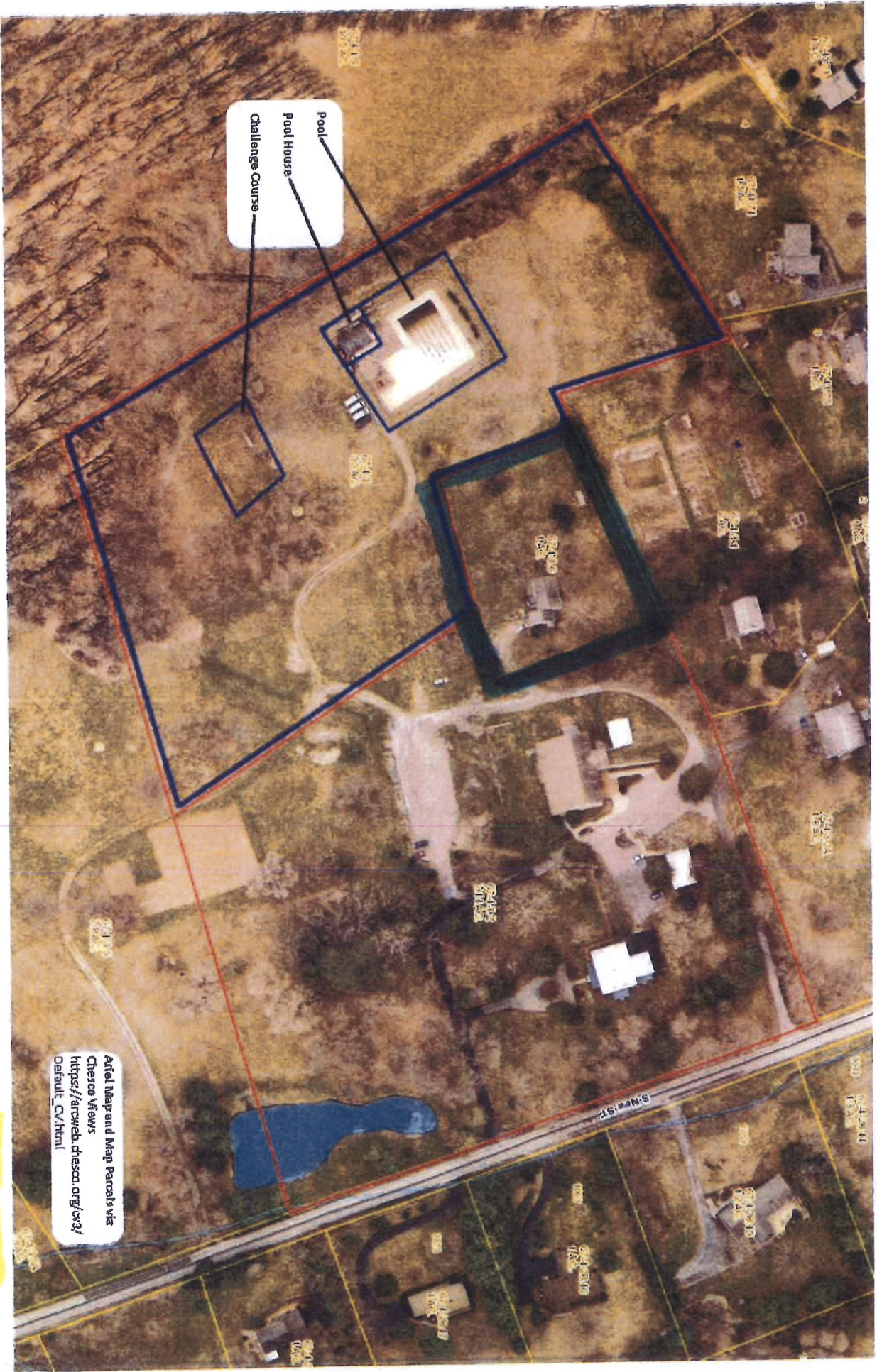
Minimum lot width at street line: 50 feet minimum, except 250 feet minimum at the future right-of-way line of Routes 202, 3, 352, or 926, if the use would have direct access onto any of these routes.

RESPONSE: BSC has an easement from CLS that allows for two (2) Twenty-five (25) foot easements that allow for ingress and egress to the property.

(9)

Maximum building height: three stories, not to exceed 38 feet.

RESPONSE: There are currently no structures on the parcel that exceed the height limit. Any future structures will comply with township requirements.



Pool
Pool House
Challenge Course

Aerial Map and Map Parcels via
Oregon Views
<https://aroweb.dre.ca.gov/v3/>
Default_07.html

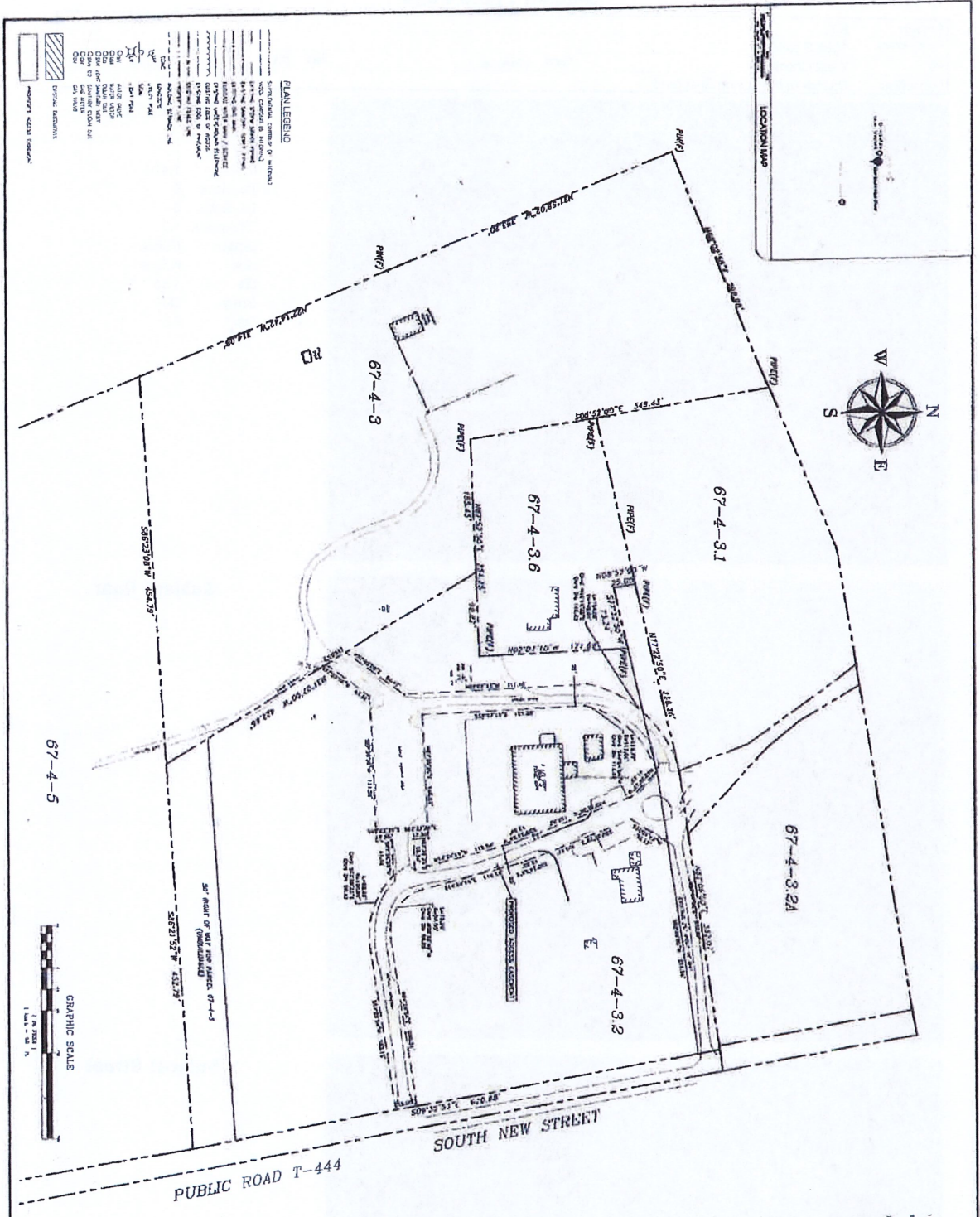
Exhibit 1



EXHIBIT # 2

EXHIBIT # 2





PLAN LEGEND

..... Surveyed corner or station
 --- Proposed center line
 --- Proposed right-of-way line
 --- Proposed easement line
 --- Proposed utility line
 --- Proposed driveway
 --- Proposed fence
 --- Proposed wall
 --- Proposed sidewalk
 --- Proposed curb
 --- Proposed gutter
 --- Proposed ditch
 --- Proposed stream
 --- Proposed road
 --- Proposed boundary
 --- Proposed structure
 --- Proposed lot
 --- Proposed acreage
 --- Proposed area
 --- Proposed volume
 --- Proposed weight
 --- Proposed length
 --- Proposed width
 --- Proposed height
 --- Proposed depth
 --- Proposed diameter
 --- Proposed radius
 --- Proposed angle
 --- Proposed distance
 --- Proposed direction
 --- Proposed location
 --- Proposed position
 --- Proposed orientation
 --- Proposed alignment
 --- Proposed configuration
 --- Proposed arrangement
 --- Proposed organization
 --- Proposed structure
 --- Proposed system
 --- Proposed method
 --- Proposed technique
 --- Proposed procedure
 --- Proposed process
 --- Proposed operation
 --- Proposed activity
 --- Proposed action
 --- Proposed measure
 --- Proposed quantity
 --- Proposed amount
 --- Proposed value
 --- Proposed cost
 --- Proposed price
 --- Proposed rate
 --- Proposed speed
 --- Proposed force
 --- Proposed power
 --- Proposed energy
 --- Proposed work
 --- Proposed effort
 --- Proposed time
 --- Proposed duration
 --- Proposed period
 --- Proposed interval
 --- Proposed frequency
 --- Proposed density
 --- Proposed concentration
 --- Proposed intensity
 --- Proposed magnitude
 --- Proposed scale
 --- Proposed ratio
 --- Proposed proportion
 --- Proposed fraction
 --- Proposed percentage
 --- Proposed decimal
 --- Proposed integer
 --- Proposed whole
 --- Proposed part
 --- Proposed piece
 --- Proposed portion
 --- Proposed share
 --- Proposed stake
 --- Proposed interest
 --- Proposed claim
 --- Proposed right
 --- Proposed privilege
 --- Proposed power
 --- Proposed authority
 --- Proposed jurisdiction
 --- Proposed control
 --- Proposed management
 --- Proposed administration
 --- Proposed supervision
 --- Proposed direction
 --- Proposed guidance
 --- Proposed instruction
 --- Proposed order
 --- Proposed command
 --- Proposed request
 --- Proposed demand
 --- Proposed requirement
 --- Proposed condition
 --- Proposed stipulation
 --- Proposed agreement
 --- Proposed contract
 --- Proposed covenant
 --- Proposed deed
 --- Proposed will
 --- Proposed trust
 --- Proposed estate
 --- Proposed interest
 --- Proposed right
 --- Proposed title
 --- Proposed ownership
 --- Proposed possession
 --- Proposed use
 --- Proposed occupancy
 --- Proposed enjoyment
 --- Proposed benefit
 --- Proposed advantage
 --- Proposed gain
 --- Proposed profit
 --- Proposed income
 --- Proposed revenue
 --- Proposed return
 --- Proposed yield
 --- Proposed output
 --- Proposed production
 --- Proposed result
 --- Proposed effect
 --- Proposed consequence
 --- Proposed impact
 --- Proposed influence
 --- Proposed effect
 --- Proposed action
 --- Proposed reaction
 --- Proposed response
 --- Proposed behavior
 --- Proposed conduct
 --- Proposed performance
 --- Proposed execution
 --- Proposed implementation
 --- Proposed completion
 --- Proposed fulfillment
 --- Proposed realization
 --- Proposed attainment
 --- Proposed achievement
 --- Proposed success
 --- Proposed accomplishment
 --- Proposed progress
 --- Proposed advancement
 --- Proposed development
 --- Proposed growth
 --- Proposed expansion
 --- Proposed extension
 --- Proposed continuation
 --- Proposed perpetuation
 --- Proposed maintenance
 --- Proposed preservation
 --- Proposed protection
 --- Proposed defense
 --- Proposed support
 --- Proposed assistance
 --- Proposed aid
 --- Proposed help
 --- Proposed service
 --- Proposed contribution
 --- Proposed donation
 --- Proposed gift
 --- Proposed offering
 --- Proposed sacrifice
 --- Proposed offering
 --- Proposed service
 --- Proposed devotion
 --- Proposed dedication
 --- Proposed commitment
 --- Proposed loyalty
 --- Proposed faithfulness
 --- Proposed honesty
 --- Proposed integrity
 --- Proposed sincerity
 --- Proposed genuineness
 --- Proposed authenticity
 --- Proposed originality
 --- Proposed uniqueness
 --- Proposed individuality
 --- Proposed distinctiveness
 --- Proposed specialness
 --- Proposed exclusivity
 --- Proposed rarity
 --- Proposed scarcity
 --- Proposed limitedness
 --- Proposed finiteness
 --- Proposed boundedness
 --- Proposed restrictiveness
 --- Proposed limitation
 --- Proposed restriction
 --- Proposed constraint
 --- Proposed hindrance
 --- Proposed obstacle
 --- Proposed barrier
 --- Proposed impediment
 --- Proposed obstruction
 --- Proposed interference
 --- Proposed disruption
 --- Proposed disturbance
 --- Proposed interruption
 --- Proposed cessation
 --- Proposed termination
 --- Proposed conclusion
 --- Proposed end
 --- Proposed finale
 --- Proposed close
 --- Proposed close
 --- Proposed close

GENERAL NOTES

1. THE PLANNING AND ENGINEERING WORK HAS BEEN DONE BY THE ENGINEER AND ARCHITECT AND IS NOT TO BE USED FOR ANY OTHER PURPOSE WITHOUT THE WRITTEN CONSENT OF THE ENGINEER AND ARCHITECT.

2. THE PLANNING AND ENGINEERING WORK IS BASED ON THE INFORMATION PROVIDED BY THE CLIENT AND IS NOT TO BE USED FOR ANY OTHER PURPOSE WITHOUT THE WRITTEN CONSENT OF THE ENGINEER AND ARCHITECT.

3. THE PLANNING AND ENGINEERING WORK IS NOT TO BE USED FOR ANY OTHER PURPOSE WITHOUT THE WRITTEN CONSENT OF THE ENGINEER AND ARCHITECT.

4. THE PLANNING AND ENGINEERING WORK IS NOT TO BE USED FOR ANY OTHER PURPOSE WITHOUT THE WRITTEN CONSENT OF THE ENGINEER AND ARCHITECT.

5. THE PLANNING AND ENGINEERING WORK IS NOT TO BE USED FOR ANY OTHER PURPOSE WITHOUT THE WRITTEN CONSENT OF THE ENGINEER AND ARCHITECT.

6. THE PLANNING AND ENGINEERING WORK IS NOT TO BE USED FOR ANY OTHER PURPOSE WITHOUT THE WRITTEN CONSENT OF THE ENGINEER AND ARCHITECT.

7. THE PLANNING AND ENGINEERING WORK IS NOT TO BE USED FOR ANY OTHER PURPOSE WITHOUT THE WRITTEN CONSENT OF THE ENGINEER AND ARCHITECT.

8. THE PLANNING AND ENGINEERING WORK IS NOT TO BE USED FOR ANY OTHER PURPOSE WITHOUT THE WRITTEN CONSENT OF THE ENGINEER AND ARCHITECT.

9. THE PLANNING AND ENGINEERING WORK IS NOT TO BE USED FOR ANY OTHER PURPOSE WITHOUT THE WRITTEN CONSENT OF THE ENGINEER AND ARCHITECT.

10. THE PLANNING AND ENGINEERING WORK IS NOT TO BE USED FOR ANY OTHER PURPOSE WITHOUT THE WRITTEN CONSENT OF THE ENGINEER AND ARCHITECT.

EASEMENT PLAN

SHEET 1 OF 1

JEFFERY P. TURNER, P.L.S.
 2011 CROSSING ROAD
 9 HANOVER PA 17033

CHURCH OF THE LOVING SHEPARD
 1808 S. NEW STREET
 WEST CHESTER PA 19380

EXHIBIT #3

Subject Photo Page

Borrower	N/A				
Property Address	1056 S New St				
City	West Chester	County	Chester	State	PA Zip Code 19382
Lender/Client	Church of the Loving Shepherd				



Subject Front
1056 S New St
Sales Price
G.L.A. 1,414
Tot. Rooms 6
Tot. Bedrms. 3
Tot. Bathms. 1.0
Location N;Res;
View N;Res;
Site 1 ac
Quality Q4
Age 72



Subject Rear



Subject Street