

WESTTOWN TOWNSHIP

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AGENDA

Westtown Township Board of Supervisors Regular Meeting

Monday, August 19, 2024 – 7:30 PM
Westtown Township Municipal Building
1039 Wilmington Pike, Westtown

- I. Call to Order & Pledge of Allegiance
- II. Summary of Board of Supervisors Workshop – August 19, 2024
- III. Approval of Board of Supervisors Meeting Minutes – August 05, 2024
- IV. Departmental Reports
 - A. Westtown-East Goshen Police Department – Chief Bernot
 - B. Planning Commission – Jack Embick
 - C. Fire Marshal – Gerry DiNunzio
 - D. Finance Department – Cindi King
- V. Public Comment (Non-Agenda Items)
- VI. Old Business - None
- VII. New Business
 - A. Authorize advertisement of Ordinance 2024-06, Amending Chapter 170, Zoning, Article VII, R-3 Residence-Office District Regulations and Article XVII, Off-Street Parking and Loading, regarding a Visual Arts Center Use
- VIII. Announcements
 - A. Director of Zoning and Code Enforcement Vacancy
 - B. Parks & Recreation Commission and Historical Commission Vacancies
 - C. Zoning Hearing Board Alternate Member Vacancy
 - D. P&R Photo Contest
 - E. Nominations for Good Stewardship Award
 - F. Office Closure – Monday, September 2
 - G. History Lecture – Saturday, September 7
 - H. Yard Waste Collection – Saturday September 14
 - I. E-Waste Event – Saturday, September 14
 - J. Westtown Day – Sunday, October 6
- IX. Public Comment (All Topics)
- X. Payment of Bills
- XII. Adjournment

How to Engage in the Public Comment Sections of a Township Meeting

Public Comment is heard at three (3) different points during the meeting:

1. BEFORE OLD BUSINESS - The public is permitted to make public comment on any matter not on the agenda. This comment period is subject to the time constraint in (d) below
2. PRIOR TO any action on a motion on an Agenda item. Public Comment at this stage is limited to the item under discussion (e.g. it is not appropriate to initiate a discussion on police services if the body is acting upon a sewer issue).
3. AFTER NEW BUSINESS. - Public Comment is open to any legitimate item of business which can be considered by that Township Board/Commission (e.g. Planning Commission can discuss issues having to do with plan reviews, but cannot discuss why the Township does not plow your street sooner. Supervisors can discuss nearly every issue).

How to make a comment to any Township Board/Commission:

- a. The Chair will announce that the Board/Commission will now hear public comment, either on a specific issue or generally.
- b. You must then obtain recognition from the Chair prior to speaking.
- c. Once you have the floor, state your name and address for the record.
- d. You may then make your comment or ask your question. You will have three (3) minutes to make your statement, unless the Chair has announced otherwise, so please come prepared!

WESTTOWN TOWNSHIP BOARD OF SUPERVISORS REGULAR MEETING
Westtown Township Municipal Building, 1039 Wilmington Pike, Westtown
Monday, August 5, 2024 at 7:30 PM

Present: Chair Tom Foster, Vice Chair Ed Yost, Police Commissioner Dick Pomerantz, Township Manager and Director of Planning and Zoning Mila Carter, Director of Public Works Mark Gross, and Robert Jefferson, Esq. on behalf of Township Solicitor Patrick McKenna.

I. Pledge of Allegiance & Call to Order

Mr. Foster called the meeting to order at 7:30 PM. He stated that the meeting was being recorded on Zoom, and with a slight delay on YouTube.

II. Summary of Board of Supervisors Workshop, August 5, 2024

Mr. Foster reported that the Board met in Executive session prior to tonight's meeting to discuss a legal matter. In the workshop, the Board received an update from Natural Lands on fundraising plans for the Crebilly open space acquisition, reviewed capital projects financing plan for said acquisition presented by the bond counsel, and had a preliminary discussion of the Township's 2025 budget.

III. Approval of Meeting Minutes from July 15, 2024

Mr. Yost made a motion to approve the meeting minutes from July 15. Mr. Pomerantz seconded. There was no public comment and the motion passed 3-0.

IV. Departmental Reports

A. Public Works Department – Mark Gross

Mr. Gross reported that the month of July started out with some heavy rain storms that resulted in downed trees, two of which were in Oakbourne Park. He noted that downed power lines knocked out the power to the Township treatment plant. Public Works spent four days cleaning up after the storms. Accumulated tree debris had to be hauled out to a composting facility in 30 yard dumpsters. He also reported that Public Works did a lot of roadside mowing and vegetation clearing at intersections to increase visibility and completed a stormwater inlet repair. Mr. Gross reminded that the annual road marking of intersections and long lines began in July and will continue in September.

Mr. Gross summarized activities at Oakbourne Park where security cameras were installed at the athletic core as well as electronic locks on the restroom that can be programmed and controlled remotely. He expected the park improvement project to be wrapped up in August, with staining of the gravity walls, court painting and installation of the nets, installation of the fence gates, and final punch list items. He added that Public Works assisted the Friends of Oakbourne with the installation of two dedicated park benches.

Mr. Gross further reported that the contract documents for the Pleasant Grove Force Main Reconstruction have been signed and that the notice to proceed will be sent this week. He stated that the contractor has 120 days to complete the project. Mr. Gross further added that a pump is down at both the Pleasant Grove and Kirkwood Pump Stations, and they have been sent out for repair. He reported that the main sewer line on Wickerton Drive has been sliplined, and the next step is to line the laterals to every house, which will

take about two weeks. He added that the Township's sewer engineer is working on the design of the Pleasant Grove Pump Station, which he hopes to receive in the next month.

Mr. Gross was happy to report that a new F550 crane utility truck that was ordered in November of 2022 was finally delivered. He also stated that a 23 year old backhoe with major oil and coolant leak was repaired, hopefully giving it a few more years in operation.

He provided that the Thorne Drive Basin Retrofit is progressing and expected to be completed in late September. Mr. Pomerantz asked about the potential effect of hurricane Debby that is expected at the end of the week. Mr. Gross believed that the basin will fill up, but he did not think any of the projects will be dramatically affected by the rain.

B. Planning Commission – Joe Frisco

Mr. Frisco was not available to provide a report.

C. Historical Commission – Dan Campbell

Dan Campbell was not in attendance to provide a report.

D. Environmental Advisory Council (EAC) – Bob Yeats

Mr. Yeats reported that the Township received two Bird Town signs to install and asked for the Board's input on potential locations. He provided they were \$60 apiece and suggested purchasing more signs. Mr. Pomerantz advocated for two additional ones. There was a discussion on potential location of the signs with suggestions to install in the parks, near trails, or along major roadways. Mr. Yeats expressed concern over "sign pollution" and thought placing them with the existing Welcome to Westtown Township signs was a good idea. Mr. Gross agreed with Mr. Yeats and explained that the Township signs have already been permitted in the PennDOT's right-of-way, so there would be no complications. He explained that the Township may run into this issue with other roadways.

Mr. Yeats revisited the subject of roadside trash cleanups and asked the Board's feedback. Mr. Yost believed there was a lot of trash along S. Concord Road across from Oakbourne Park. Mr. Gross noted that Public Works cleans that stretch of roadway every time they mow. Mr. Yost suggested for the EAC to monitor areas that need to be cleaned up in the future.

Mr. Yeats also reported that the Plumly Open Space buffer restoration project continues. He stated that Red Tail Restoration completed some work pulling and weed whacking invasive plants. Mr. Yost suggested evaluating the area in the Pleasant Grove neighborhood near Blenheim Road where tree planting by the Chester Ridley Crum Watersheds Association (CRC) took place last year. Ms. Carter noted that the stream restoration project in that area was on the capital projects list. Mr. Foster believed that this project would be more in line with the Township's Municipal Separate Storm Sewer System (MS4) permit requirements than the Plumly open space project.

E. Township Solicitor – Patrick McKenna

Robert Jefferson, Esq. stated that he was present on behalf of Mr. McKenna who asked him to table the Township Solicitor's report until the next meeting.

F. Township Manager – Mila Carter

Ms. Carter reported that the Township is working on the 2025 budget and potential changes to the permit fee schedule. She added that she continues to investigate various municipal software packages. Ms. Carter also reported that the Township received a land development application for the construction of a bank at the Westtown Marketplace shopping center, which triggered more than 600 notification letters to adjacent property owners. She stated that the application is scheduled to be presented to the Planning Commission this week.

V. Public Comment (Non-Agenda Items)

Raman Patel, 811 E Sage Road, summarized the number of steps he has taken so far in his request to retain an unpermitted eight foot fence. He recapped the most recent Planning Commission's meeting and questioned their decision to form a subcommittee to discuss changes to the fence ordinance and their suggestion to hire a professional planner for assistance. He felt that it was a waste of time and money and it was not a rocket science. Mr. Patel wanted a definite answer to his request and was frustrated at the constant delay.

VI. Old Business

There was none.

VII. New Business

A. Consider Adoption of Ordinance 2024-05, Amending Chapter 144 (Stormwater) of the Westtown Township Code

Mr. Foster provided that it has been brought to the Township's attention that several exhibits need to be added to the Stormwater Management Ordinance that was adopted in 2022. He added that these exhibits include Exhibit E, Operation and Maintenance Agreement, and Exhibit F, Release Rate Map for the Chester Creek Watershed Act 167 Study. Mr. Yost made a motion to consider Adoption of Ordinance 2024-05, Amending Chapter 144 (Stormwater) of the Westtown Township Code. Mr. Pomerantz seconded. There was no public comment, and the motion passed 3-0.

B. Authorize Refund of Local Real Estate Transfer Tax

Mr. Foster explained that the Township has received a request from the Pennsylvania Department of Revenue to refund the local real estate transfer tax to Sangho E. Back and Flora Leigh Back, the property owners at 828 Sharon Circle, pursuant to Section 1111-D of the Tax Reform Code (72 P.S. Section 8111-D). He pointed out that the Department of Revenues does not issue refunds of local real estate transfer tax and that the refund is in the amount of \$2,576.93. Mr. Yost made a motion to authorize the refund of real estate transfer tax for 828 Sharon Circle in the amount of \$2,576.93. Mr. Pomerantz seconded. There was no public comment, and the motion passed 3-0.

C. Consider Payment Request #15 from MECO Constructors, Inc.

Mr. Foster provided that the Township's consultant overseeing the project, Pennoni, recommends approval of payment request #15 reflecting \$143,830.75 in improvements to the Oakbourne Park Athletic Complex, less retainage of \$14,383.08. He added that a significant amount of this payment reflects fencing for the basketball and tennis courts and stormwater basin work. Mr. Yost made a motion to approve payment request #15 to

MECO Constructors, Inc. in the amount of \$129,447.67. Mr. Pomerantz seconded. There was no public comment, and the motion passed 3-0.

VIII. Announcements

Mr. Foster made the following announcements:

- A. The Township is seeking applicants for the Director of Zoning and Code Enforcement** - The full job description can be found on the Township website. Interested applicants should send their resume and letter of interest to the Township Manager. Westtown Township offers a competitive salary and benefits package.
- B. The Township is seeking applicants for the Parks & Recreation Commission and the Historical Commission** - Information on what each of these commissions do can be found on the Township website. Interested residents should submit a resume or brief statement of interest to the Township Manager. Applicants must be current in all municipal obligations.
- C. The Township is seeking applicants for the Zoning Hearing Board alternate** - Information on the responsibilities of the ZHB can be found on the Township website. Interested residents should submit a resume or brief statement of interest to the Township Manager. Applicants must be current in all municipal obligations.
- D. P&R Amateur Photo Contest** – You must be a Westtown resident and photos must be taken in Westtown Township. Full contest rules can be found on the P&R page of the Township website. The winners will be announced at Westtown Day on Sunday, October 6.
- E. Nominations for Good Stewardship Award** - Do you know someone in the Township who has been a good steward of their historic property? Someone who has made efforts to maintain, repair, or restore their historic home? The Historical Commission is soliciting nominations for the Good Stewardship Award. The winner will be announced at Westtown day and awarded a plaque, which can be mounted on the outside of the property. Please send your nomination, including the property owner's name and address, to historical@westtown.org.
- F. Yard Waste Pick-Up – Saturday, August 10-** Yard waste must be in biodegradable paper bags or containers that can be dumped. Plastic bags are not accepted. Branches under 3" in diameter must be cut approximately 3' in length, bundled, and tied, and placed at the curb by 7:00 AM on collection day. No rocks, logs, stumps, dirt, or ashes will be taken.
- G. Historical Commission Lecture - Saturday, September 7 at 10AM** – Author and historian Bruce Mowday will present "General Lafayette at the Battle of Brandywine." The young Lafayette got his first taste of battle, and a wound, at the Battle of Brandywine, Sept. 11, 1777 in nearby Thornbury Township. Learn how the battle informed Lafayette's character and usefulness to General George Washington and contributed to his heroic status in the fight for American Independence. This event is free and no registration is required.
- H. Westtown Day – Sunday, October 6** - The Township welcomes all residents and visitors to this annual event. If you are interested in volunteering, please consider joining our Parks and Recreation Commission or email parkrec@westtown.org to learn about involvement opportunities.

IX. Public Comment (All Topics)

There was none.

X. Payment of Bills

Mr. Yost made a motion to approve the General Fund bills in the amount of \$575,725.69, Enterprise Fund bills of \$198,746.72, and Capital Project Fund bills of \$8,175.00, for a grand total of \$782,647.41. Mr. Pomerantz seconded. There was no public comment, and the motion passed 3-0.

XI. Adjournment

There being no further business, Mr. Foster made a motion to adjourn the meeting at 8:26 PM.

Respectfully submitted,
Liudmila Carter
Township Manager

DRAFT

WESTTOWN TOWNSHIP PLANNING COMMISSION MEETING MINUTES

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

Present

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

Call to Order and Pledge of Allegiance

Mr. Hatton called the meeting to order at 7:02 PM.

Adoption of Agenda (TS/JF) 4-0

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

Approval of Minutes (TS/BK) 4-0

Mr. Sennett made a motion to adopt the meeting minutes from July 17, 2024. Mr. Knaub seconded. All were in favor of the motion.

Announcements

None.

Public Comment – Non Agenda Items

None.

New Business

1. Land Development Application – 1502 West Chester Pike

Mr. Hatton stated that the applicant, Westtown AM West TIC, LLC, has submitted a land development application for construction of a 3,294 square foot bank with drive-thru, parking, lighting, landscaping, and other improvements at the Westtown Marketplace shopping center. He further provided that the property is located in the C-1 Neighborhood and Highway Commercial Zoning District and consists of 18.45 acres. Mr. Hatton noted that the property is improved with a 1-story building with grocery store, retail stores, restaurants, shops for personal service, a 1-story freestanding masonry building, parking areas, and stormwater management facility. He pointed out that banks and similar financial institutions are permitted by right in the C-1 Zoning District.

Gregg Adelman, the applicant's attorney, recapped that the Commission has seen this application in various forms over the past year. He stated that the applicant submitted an application to the Zoning Hearing Board (ZHB) to seek variances, some of which were granted, and others were denied. Mr. Adelman explained that the applicant provided a parking analysis to the ZHB for the overall shopping center to receive a relief from the number of parking space requirements, but that was denied. He noted that subsequently, the Township modified the off-street parking ordinance to address various parking related issues, including the permitted reduction of the required amount of parking spaces for existing shopping centers, which allowed for this land development application to move forward.

Mr. Adelman summarized the overall site plan for a drive-thru bank to be located in front of the Giant grocery store in the northeastern corner of the property. He described the overall movements around the proposed building, which were previously discussed with the Commission, and noted that the plan was modified to create a one-way circulation coming

out of the drive thru, as opposed to originally proposed two-way circulation. Mr. Adelman further pointed out that the ZHB denied the variance request for trash container in terms of setback from side property line; therefore, the applicant proposes to store trash indoors until scheduled pick up. He referred to the site plan that displayed two drive thru lanes at the rear of the building, required amount of parking spaces, ADA complaint parking and access, and subsurface stormwater basin. Mr. Adelman noted that preliminary infiltration testing has not been done yet, but he intended for the proposed stormwater facility to be compliant with the Township ordinances. He described proposed landscaping and lighting around the property. He anticipated the applicant might need several waivers pertaining to landscaping requirements. He provided an example of the requirement for planting tall trees at the entrance, which for security reasons and to maintain a clear line of sight were not desirable by the bank. Mr. Adelman further noted that the applicant is not proposing any trees along West Chester Pike, which is required by the ordinance. He argued that due to grade differential, planting trees will not create the street tree effect that the Township might be looking for and reasoned there were no plantings along West Chester Pike anywhere in the shopping center.

Mr. Adelman added that the applicant intends on requesting a waiver to review preliminary and final land development applications simultaneously and that a traffic impact study was in the works. He explained that the applicant's engineer has been in contact with the Township traffic consultant to receive feedback whether such study is really necessary for this project and whether there was anything specific that the applicant should be looking at from traffic standpoint. He provided one suggestion to optimize the signal timing for traffic exiting the shopping center and traveling west on Route 3, which would require analysis of traffic counts to determine the total green time and the queue study. Mr. Adelman recapped that the applicant submitted an overall parking trip generation study that demonstrated parking availability on the site which was as expected. He acknowledged that the applicant received review letters from the Township consultants, and wanted the Commission's feedback on a discussion involving the existing bus stop at the shopping center.

Mr. Adelman referred to the site plan that showed a bus stop on the other side of the center, which has no impact on the proposed bank. He noted that there were no pedestrian facilities from the subject bus stop to cross to West Chester Pike, where another bus stop is located. He acknowledged that the Township would like the applicant to create pedestrian connection from the center to the bus stop, and pointed out the existing pedestrian facilities on the site along the frontage of the building and the lack of those across the parking lot areas. Mr. Adelman believed that the applicant was open to evaluating a connection between the edge of the parking lot and the bus stop. Mr. Adelman asked Ms. Carter to bring up Google street view of the shopping center. He indicated the grade differential between West Chester Pike, the bus stop, and the edge of parking area, and a lack of sidewalks within and adjacent to the center. He felt that some sort of a switchback might be possible to provide the ability for people to at least walk from the shopping center right up to the bus stop. The Commission members brainstormed various ideas. Mr. Sennett commented that a lot of people use the bus stop to get into the center and he has observed a lot of pedestrian traffic all over the parking lot, and felt that any improvement, like a walkway or stairs, would be beneficial. Mr. Adelman noted that stairs would trigger an ADA analysis, thus, a ramp might be more doable. He agreed to have the applicant look into potential options.

Mr. Sennett asked whether the applicant had any concerns over the review letters. Tom Newman, the applicant's engineer, provided that he was working with the Township's engineer on addressing the outstanding items. Mr. Adelman added that based on the infiltration testing results, the stormwater facility might be revised and relocated in another area of the center.

Mr. Frisco suggested that the applicant consider some sort of landscaping along West Chester Pike for aesthetic purposes. Mr. Adelman agreed to consider it.

Mr. Hatton asked about the sanitary sewer connection. Mr. Adelman referred to the site plan that shows a sanitary sewer line running under the parking lot all the way behind the Giant.

Mr. Hatton suggested to consider some sort of markings from Giant to the area of the parking lot where the new building is proposed. Mr. Adelman suggested to potentially add a crosswalk and maybe look into creating a pedestrian plan, but suspected that the only option was to utilize the landscaping islands. Mr. Sennett noted that the existing islands are not very wide. The Commission discussed that the addition of pedestrian facilities across parking areas might require taking down trees and further reducing parking spaces. Mr. Knaub felt that it might be a waste of money to implement some of these pedestrian connectivity ideas.

Mr. Hatton asked about signage. Mr. Adelman believed there would be a wall sign, some directional signage, and one on the shared freestanding sign for the center. He stated that the applicant intends to come back before the Commission when outstanding items as per review letters and tonight's discussion have been addressed.

Old Business

None.

Public Comment

None.

Reports

1. Ms. Carter gave the report from the August 5 BOS meeting.

Adjournment (TS/JF) 4-0

The meeting was adjourned at 7:50 PM.

Next PC Meeting:

- **August 21, 2024, 7:00 PM**

PC Representative at next Board of Supervisors Meeting:

- **Monday August 19, 2024, 7:30 PM** - Jack Embick/Tom Sennett

Respectfully submitted,
Mila Carter
Planning Commission Secretary



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August 8, 2024

Westtown Township incident report for July 2024

For July, there were calls 77 for service in Westtown (Fire and EMS). Thirty-four incidents were in the West Chester Fire Department district and 43 in the Goshen Fire Company district. Year to date, there have been 617 calls for service.

The peak time for incidents in June was between 9am and 4pm.

The West Chester Fire Department responded to 10 calls for service, and the Goshen Fire Company responded to five calls for service.

The remaining 62 calls for service were medical responses handled by Good Fellowship EMS and Goshen Fire Company EMS.

I handled one notification in June for a fire alarm issue at Westtown Thornbury Elementary School and there was a reported building fire at Sunrise at Westtown but was that was determined to be an electrical issue.

And I attended a three-day Emergency Management training class at the Chester County Public Safety Training Center.

Respectfully submitted,

Gerald R. DiNunzio, Jr
Fire Marshal
Emergency Management Coordinator

**WESTTOWN TOWNSHIP
TREASURER'S REPORT
JULY 2024**

ACCT#	DESCRIPTION	7/1/2024 BALANCE	JULY RECEIPTS	JULY EXPENDITURES	7/31/2024 BALANCE
GENERAL FUND		\$8,797,144.66	\$682,119.66	-\$1,039,202.63	\$8,440,061.69
01-100-015	Univest General Fund	\$744,584.13	\$504,159.03	(\$746,077.22)	\$502,665.94
01-100-100	PLGIT P-Card Prime	\$525,130.43	\$1,769.14	(\$143,049.13)	\$383,850.44
01-100-110	PLGIT P-Card Class	\$290.62	\$143,169.86	(\$143,049.13)	\$411.35
01-106-000	PLGIT Prime	\$2,220,761.78	\$10,729.72	(\$7,027.15)	\$2,224,464.35
01-106-100	PLGIT Class	\$585.40	\$2.53	\$0.00	\$587.93
01-106-115	Univest GF Savings	\$4,307,237.83	\$20,065.13	\$0.00	\$4,327,302.96
01-107-000	KBCM Investments	\$998,153.31	\$2,212.00	\$0.00	\$1,000,365.31
01-110-000	Petty Cash	\$401.16	\$12.25	\$0.00	\$413.41
OPEN SPACE FUND		\$413,732.05	\$68,166.74	-\$83,376.17	\$398,522.62
04-106-000	Open Space - PLGIT Prime	\$340,091.59	\$8,589.78	(\$576.17)	\$348,105.20
04-106-100	Open Space - PLGIT Class	\$73,640.46	\$59,576.96	(\$82,800.00)	\$50,417.42
SEWER FUND		\$3,525,235.19	\$266,798.46	-\$337,624.82	\$3,454,408.83
08-100-015	Univest Enterprise Checking	\$641,076.88	\$248,029.58	(\$337,624.82)	\$551,481.64
08-100-115	Univest Prepaid UB Cash	\$6,673.09	\$3,210.05	\$0.00	\$9,883.14
08-106-000	PLGIT Prime	\$2,100,201.94	\$9,608.65	\$0.00	\$2,109,810.59
08-106-015	Univest WW MM	\$777,283.28	\$5,950.18	\$0.00	\$783,233.46
REFUSE FUND		\$756,457.52	\$143,203.48	-\$117,183.91	\$782,477.09
09-100-015	Univest CASH - REFUSE FUND	\$256,457.52	\$143,203.48	(\$117,183.91)	\$282,477.09
09-106-015	Univest Refuse MM	\$500,000.00	\$0.00	\$0.00	\$500,000.00
CAPITAL PROJECT FUNDS		\$554,333.72	\$595,262.06	-\$16,400.28	\$1,133,195.50
18-100-015	Univest Capital Projects Checking	\$12,709.29	\$9,500.81	(\$8,225.28)	\$13,984.82
18-100-105	Univest CP Oakbourne Park Master	\$11,838.87	\$585,392.00	(\$8,175.00)	\$589,055.87
18-100-115	Univest CP Special Projects	\$16,192.90	\$0.00	\$0.00	\$16,192.90
18-100-125	Univest Thorne Drive Basin	\$63,608.84	\$0.00	\$0.00	\$63,608.84
18-100-205	Univest Credit Card Rewards	\$151,213.79	\$0.00	\$0.00	\$151,213.79
18-100-605	Univest 926/Shady Grove Signal	\$52,285.00	\$0.00	\$0.00	\$52,285.00
18-100-805	Univest CP Sewer	\$246,485.03	\$369.25	\$0.00	\$246,854.28
ARPA FUND		\$763,500.22	\$3,492.97	\$0.00	\$766,993.19
19-100-000	ARPA FUND - PLGIT PRIME	\$763,004.51	\$3,490.83	\$0.00	\$766,495.34
19-100-100	ARPA FUND - PLGIT CLASS	\$495.71	\$2.14	\$0.00	\$497.85
DEBT SERVICE FUNDS		\$1,234,853.03	\$156,984.92	\$0.00	\$1,391,837.95
23-100-105	Univest 2022 DS (Oakbourne Park)	\$254,948.52	\$22,655.18	\$0.00	\$277,603.70
23-100-115	Open Space DS	\$0.00	\$41,497.94	\$0.00	\$41,497.94
23-100-805	Univest 2021 DS (05/12)	\$301,345.37	\$24,500.00	\$0.00	\$325,845.37
23-100-815	Univest 2021 DS (SE06)	\$678,559.14	\$68,331.80	\$0.00	\$746,890.94
CAPITAL RESERVE FUNDS		\$6,928,316.64	\$77,363.26	\$0.00	\$7,005,679.90
30-122-000	GF Univest MM Capital Rsv (U)	\$3,105,450.35	\$29,482.05	\$0.00	\$3,134,932.40
30-122-001	GF Univest MM Capital Rsv (D)	\$2,116,552.30	\$9,822.95	\$0.00	\$2,126,375.25
30-122-200	WW Univest MM Capital Rsv (D)	\$1,706,313.99	\$38,058.26	\$0.00	\$1,744,372.25
LIQUID FUEL FUNDS		\$384,897.88	\$978.02	\$0.00	\$385,875.90
35-100-105	Liquid Fuel Ckng - Univest	\$384,897.88	\$978.02	\$0.00	\$385,875.90
BILLBOARD ESCROW FUND		\$2,450,941.42	\$6,227.80	\$0.00	\$2,457,169.22
40-100-015	Univest Landscapes Escrow	\$23,676.75	\$60.16	\$0.00	\$23,736.91
40-100-025	Univest Flintlock (Rustin Res)Escro	\$5,377.10	\$13.66	\$0.00	\$5,390.76
40-100-035	Univest 1594 W Chester Realty Esc	\$17,750.01	\$45.10	\$0.00	\$17,795.11
40-100-045	Univest WT School -Athletic Fid Es	\$2,404,137.56	\$6,108.88	\$0.00	\$2,410,246.44
GRAND TOTAL - ALL FUNDS		\$25,809,412.33	\$2,000,597.37	(\$1,593,787.81)	\$26,216,221.89
	Key Bank Totals	\$998,153.31	\$2,212.00	\$0.00	\$1,000,365.31
	PLGIT Totals	\$6,024,202.44	\$236,939.61	(\$376,501.58)	\$5,884,640.47
	Univest Totals	\$18,786,655.42	\$1,761,433.51	(\$1,217,286.23)	\$19,330,802.70
	Petty Cash	\$401.16	\$12.25	\$0.00	\$413.41

ORDINANCE 2024 - 06

**WESTTOWN TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA**

AN ORDINANCE OF WESTTOWN TOWNSHIP, CHESTER COUNTY, PENNSYLVANIA, AMENDING CHAPTER 170, ZONING, ARTICLE VIII, R-3 RESIDENCE-OFFICE DISTRICT REGULATIONS AND ARTICLE XVII, OFF-STREET PARKING AND LOADING, OF THE CODE OF WESTTOWN TOWNSHIP REGARDING A VISUAL ARTS CENTER USE AND SHARED PARKING.

BE IT ENACTED AND ORDAINED by the Board of Supervisors of Westtown Township, Chester County, Pennsylvania, that Chapter 170, Zoning, of the Code of Westtown Township, as amended, be amended as follows:

SECTION 1. Amends Article II, Definitions, §170-201, Definitions, to delete the following terms and their accompanying definitions: Visual Arts Center (VAC) and Visual Communication Technology (VCT).

SECTION 2. Amends Article VIII, R-3 Residence-Office District, §170-800, Statement of Intent, Subparagraph A, to read as follows:

- A. In addition to the goals presented in the general purpose and the community development objectives sections of this chapter, the purpose of this district is to make specific provisions for appropriate multifamily residential and limited office uses in selected locations, particularly along major highways, which can serve as logical transitional districts between single-family residential development and areas of heavier traffic, and which produce fewer hazards and less interference with highway traffic than conventional commercial areas by:

SECTION 3. Amends Article VIII, R-3 Residence-Office District, §170-800, Statement of Intent, Subparagraph A, to delete Subpart (6) regarding Visual Arts Center (VAC) use.

SECTION 4. Amends Article VIII, R-3 Residence-Office District, §170-801, Use Regulations, Subparagraph B, Conditional Uses, to delete Subpart (10), Visual Arts Center (VAC).

SECTION 5. Amends Article VIII, R-3 Residence-Office District, §170-802, Area and Bulk Regulations, to delete Subparagraph G, Visual Arts Center (VAC).

SECTION 6. Amends Article XVII, Off-Street Parking and Loading, §170-1706, Shared Parking, Subparagraph A, to read as follows:

- A. Up to 50% of the parking spaces required for a theater or other place of primarily evening entertainment, for a church, for multifamily dwelling

units, or for a school may be provided and used jointly by banks, offices, certain retail stores, repair shops, service establishments, and similar uses which are not normally open, used or operated during evening hours (beyond normal business hours of 8:00 a.m. to 5:00 p.m.) if specifically approved by the Board.

SECTION 7. Amends Article XVII, Off-Street Parking and Loading, §170-1706, Shared Parking, Subparagraph D, to read as follows:

- D. Upon approval of the Board, as prescribed in Subsection B above, two or more uses may satisfy their individual parking requirements in a common parking lot, provided that the number of parking spaces in the lot equals the sum of the parking spaces required for each use. Parking spaces shall be located so that no space is greater than 500 feet from the building or use it is intended to serve.

SECTION 8. If any sentence, clause or section or part of this ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or validity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this ordinance. It is hereby declared as the intent of the Board of Supervisors that this ordinance would have been adopted had such unconstitutional, illegal, invalid sentence, clause, section or part thereof not been included herein.

SECTION 9. All ordinances or parts of ordinances conflicting or inconsistent herewith are hereby repealed.

SECTION 10. This ordinance will be effective five (5) days after enactment.

ENACTED AND ORDAINED by the Board of Supervisors of Westtown Township, Chester County, Pennsylvania, this _____ day of _____, 2024.

Attest:

**Westtown Township
Board of Supervisors**

Secretary

Thomas Foster, Chair

Edward Yost, Vice Chair

Richard Pomerantz,
Police Commissioner



THE COUNTY OF CHESTER



COMMISSIONERS
Josh Maxwell
Marian D. Moskowitz
Eric M. Roe

Brian N. O'Leary, AICP
Executive Director

PLANNING COMMISSION
Government Services Center, Suite 270
601 Westtown Road
P. O. Box 2747
West Chester, PA 19380-0990
(610) 344-6285 Fax (610) 344-6515

August 14, 2024

Liudmila Carter, Manager
Westtown Township
1039 Wilmington Pike
West Chester, PA 19382

Re: Zoning Ordinance Amendment - Visual Arts Center Use
Westtown Township – ZA-07-24-18166

Dear Ms. Carter:

The Chester County Planning Commission has reviewed the proposed Zoning Ordinance Amendment as submitted pursuant to the provisions of the Pennsylvania Municipalities Planning Code, Section 609(e). The referral for review was received by this office on July 16, 2024. We offer the following comments to assist in your review of the proposed amendment.

DESCRIPTION:

1. The Township proposes the following amendments to its Zoning Ordinance:
 - A. Delete the following definitions from Section 170-201: Visual Arts Center (VAC), and Visual Communication Technology (VCT);
 - B. Amend Subparagraph A of Section 170-800, the Statement of Intent of the R-3 Residence-Office District, by deleting the phrase “visual arts center uses” from this subparagraph;
 - C. Delete subsection (6) of Section 170-800.A, pertaining to visual arts center uses;
 - D. Delete Visual Arts Center Use from the list of uses permitted by conditional use in the R-3 District, along with deleting the area and bulk regulations for a visual arts center set forth in Section 170-802.G; and
 - E. Amend subsections A and D of Section 170-1706 – Shared Parking.

BACKGROUND:

2. The County Planning Commission previously reviewed a zoning amendment to allow a Visual Arts Center in the Township’s R-3 Residence-Office District by conditional use (CCPC# ZA-10-13-8818, dated November 25, 2013). According to the online copy of the Township Zoning Ordinance located at <https://ecode360.com/12396615>, this zoning amendment was adopted by the Township on December 16, 2013 (Township Ordinance No. 2013-6).

It is our understanding that the purpose of the zoning amendment adopted in 2013 was to allow for the construction of a visual art center use on a 3.8 acre parcel located at 1632 West Chester Pike. It is also our understanding that the conditional use application for the construction of a visual arts center on this site was recommended for denial by the Township Planning Commission on June 5, 2024, and that the conditional use application was subsequently withdrawn by the applicant.

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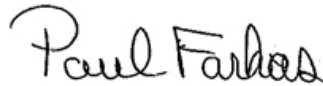
COMMENTS:

3. The proposed ordinance language, which would repeal the provisions adopted in 2013, appears to be appropriate.

RECOMMENDATION: The County Planning Commission supports the adoption of the proposed zoning ordinance amendment.

We request an official copy of the decision made by the Township Supervisors, as required by Section 609(g) of the Pennsylvania Municipalities Planning Code. This will allow us to maintain a current file copy of your ordinance.

Sincerely,



Paul Farkas
Senior Review Planner

Check Register

Westtown Township

12-Aug-24

From: 06-Aug-24 To: 19-Aug-24

Check No	Check Date	VendorNo	Vendor	Check Amount	Status
Bank Account: 1 General Fund - Univest					
18131	8/6/2024	1000347	Star Printing Inc.	\$1,145.05	O
18132	8/6/2024	1001161	The Back Family Living Trust	\$2,576.93	O
18133	8/6/2024	5921	West Chester Area SD (RE T	\$9,773.69	O
18134	8/6/2024	6052	ACE Hardware of West Chest	\$76.69	O
18135	8/6/2024	1009	Ann Marie Cassidy	\$1,365.00	O
18136	8/6/2024	1000951	Blue Mountain Mulch	\$1,444.00	O
18137	8/6/2024	6038	Cedarville Engineering Group	\$15,275.44	O
18138	8/6/2024	6038	Cedarville Engineering Group	\$20,031.89	O
18139	8/6/2024	1201	Charles A. Higgins & Sons, Inc	\$670.00	O
18140	8/6/2024	1000187	Eagle Power Turf and Tractor	\$342.81	O
18141	8/6/2024	1082	ELEANOR J. SCHWANDT, R	\$475.00	O
18142	8/6/2024	405581	Foley, Incorporated	\$295.53	O
18143	8/6/2024	7130	Frattura Landscape Service	\$640.00	O
18144	8/6/2024	1000074	NAPA AUTO PARTS	\$86.38	O
18145	8/6/2024	1000597	NetCarrier Telecom Inc.	\$486.56	O
18146	8/6/2024	1000490	Specialty Mechanical Services	\$4,425.54	O
18147	8/7/2024	1000074	NAPA AUTO PARTS	\$50.96	O
18148	8/7/2024	7	Westtown-East Goshen PD	\$51,201.67	O
18149	8/12/2024	1201	Charles A. Higgins & Sons, Inc	\$12,985.75	O
Bank Total:				\$123,348.89	
Bank Account: 8 Enterprise Fund - Univest					
1691	8/7/2024	5630	Commonwealth of Pennsylvani	\$65.00	O
1692	8/7/2024	5630	Commonwealth of Pennsylvani	\$100.00	O
1693	8/7/2024	1196	McGovern Environmental, LLC	\$2,097.16	O
1694	8/7/2024	1164	Univar Solutions USA, Inc.	\$4,475.84	O
Bank Total:				\$6,738.00	
Bank Account: 18 Capital Project Fund Univest					
1372	8/6/2024	1001160	Armington Construction, LLC	\$675.00	O
1373	8/6/2024	6038	Cedarville Engineering Group	\$5,000.00	O
1374	8/6/2024	1000187	Eagle Power Turf and Tractor	\$12,296.00	O
1375	8/6/2024	1000791	Meco Constructors Inc.	\$129,447.67	O
1376	8/7/2024	1000930	KeyBank National Association	\$300.00	O
1377	8/12/2024	406052	Pennoni	\$6,072.50	O
Bank Total:				\$153,791.17	
Bank Account: 23 Debt Service Fund Univest					
103	8/7/2024	1000639	U.S. Bank St. Paul	\$700.38	O
Bank Total:				\$700.38	
Bank Account: 11 PLIGIT P- CARD					
	8/4/2024	100011		\$108,124.91	
Total Of Checks:				\$392,703.35	