

WESTTOWN TOWNSHIP

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AGENDA

Westtown Township Board of Supervisors Regular Meeting

Monday, November 4, 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 – November 4, 2024
- III. Approval of Board of Supervisors Meeting Minutes – October 21, 2024
- IV. Departmental Reports
 - A. Public Works – Mark Gross
 - B. Planning Commission – Tom Sennett
 - C. Historical Commission – Dan Campbell
 - D. Environmental Advisory Council – Bob Yeats
 - E. Township Solicitor – Patrick McKenna
- V. Public Comment (Non-Agenda Items)
- VI. Old Business
- VII. New Business
 - A. Public Hearing to Consider Adoption of Resolution 2024-13 Authorizing the Acquisition of Crebilly Farm
 - B. Consider Resolution 2024-14 Accepting Terms and Conditions of the Open Space Institute Grant Program Award
 - A. Authorize Act 247 Review for Proposed Ordinance Amendments to Article XVIII Signs and Advertisement of Ordinance 2024-08 Amending Zoning Provisions for Signs
- VIII. Announcements
 - A. Director of Zoning and Code Enforcement Vacancy
 - B. Parks & Recreation Commission and the Historical Commission Vacancies
 - C. Trustee for West Chester Public Library Board Vacancy
 - D. Office Closure – Tuesday, November 5
 - E. Historical Commission Lecture - Saturday, November 9
 - F. Yard Waste Collection - Saturday, November 9
 - G. Tree Planting with Chester Ridley Crum (CRC) Watershed Association – Saturday, November 9
- 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, October 21, 2024 at 7:30 PM

Present were: Chair Tom Foster, Vice Chair Ed Yost, Police Commissioner Dick Pomerantz, Township Manager and Director of Planning and Zoning Mila Carter, Chief of Police Brenda Bernot, and Director of Finance Cindi King.

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. Board of Supervisors Summary of Workshop, October 21, 2024

Mr. Foster reported that the Board held an Executive Session tonight to discuss legal and real estate matters. In the Workshop, the Board met to provide feedback on the five year plan for the Goose Creek Total Maximum Daily Load (TMDL) and Pollutant Reduction Plan. The Board also received 2025 budget requests from West Chester Library, Goshen Fire Company, and Good Fellowship and accepted public comments.

III. Approval of Meeting Minutes from October 7, 2024

Mr. Yost made a motion to approve the meeting minutes from October 7, 2024. Mr. Pomerantz seconded. There was no public comment, and the motion passed 3-0.

IV. Departmental Reports

A. Westtown-East Goshen Police Department – Chief Bernot

Chief Bernot reported that in September there were 2,262 separate incidents with 1,079 in Westtown. She also highlighted the amount of reactive calls between 2019 and 2024, which increased by 59%. Chief Bernot encouraged the public to visit WEGO website and social media to learn more about events and happenings involving the department. She provided that WEGO also worked with the United States Secret Service to provide protection for a private event when first lady Jill Biden visited in Westtown in October. She also added that WEGO participated in Westtown Day, and is currently involved in various charity fundraising events, such as pink badges for breast cancer awareness, and One Warm Coat, a non-profit organization that collects winter clothes for those in need. Chief Bernot noted that WEGO is also working with Bayard Rustin High School in efforts to fundraise for band and cheer team.

Chief Bernot summarized the monthly trends. She explained that groups of individuals are tracking the deliveries of cell phones and using false uniforms as a ruse to steal those. Chief Bernot further reported that there were 23 incidents at the Giant grocery store involving self-checkout line with individuals scanning fewer products than they are actually taking. She further added that a pair of individuals from New York are using stolen credit cards and gift cards to purchase large quantity of high shelf liquor from the wine and spirits shop.

Chief Bernot thanked the community and the ability of social media for helping to identify three individuals who were involved in previously reported dirt bike incidents. She recapped that the police officers involved did not pursue the riders, because it was deemed unsafe.

Mr. Foster recalled hearing about the statewide efforts to reduce aggressive driving and asked Chief Bernot whether WEGO is involved. Chief Bernot provided that the department receives

grants from the county and state to engage in aggressive driving enforcement and when there is some extra funding, additional enforcement is taking place with all costs reimbursed by the grant funds.

Mr. Pomerantz asked Chief to clarify about what she meant by stating “not pursuing or chasing them [dirt bike riders] because it was unsafe”. Chief Bernot explained that such incidents are deemed minor traffic offences, therefore, the police officers chose not to pursue, because it is not worth the potential loss of life or a serious injury to the ones they are pursuing or to others on the road.

B. Planning Commission (PC) – Brian Knaub

Mr. Knaub reported that the Commission continued its discussion on the potential ordinance amendments pertaining to digital displays. He announced that the Commission agreed to the changes and subsequently, forwarded that recommendation to the Board for review and Act 247 authorization. Mr. Knaub also reported that the applicant for the Chase Bank land development application was not ready to present until the next meeting, however, the Commission had a discussion in regards to the proposed improvements to the existing bus stop and its connection to the shopping center’s parking area. He recapped that the Commission felt that the applicant’s suggestions were not practical, and there were several alternatives to create a safer and more efficient pedestrian connection to the bus stop. Mr. Knaub also reported that Mr. Embick provided an overview and summarized the recent Supreme Court case pertaining to the Environmental Rights Amendments (ERA) that was just passed on July 18, 2024 highlighting that the Township has a role in the protection of the environmental rights.

Mr. Foster asked for clarification on the proposed ordinance amendments. Ms. Carter explained that although the Commission was split on the subject of use of digital displays on lots with religious uses, the Commission expressed desire to move forward with the Act 247 review.

C. Fire Marshal – Gerry DiNunzio

Mr. DiNunzio reported that there were 97 calls for service in Westtown in September, including fire and medical, 41 incidents in the West Chester Fire Department district and 56 in the Goshen Fire Company district. He summarized that the total year to date was 794 calls for service. He stated that West Chester Fire Department responded to 8 calls with 4 of those being false alarms. He further added that Goshen Fire Department responded to 14 calls with 3 related to false alarms. Mr. DiNunzio recapped that the remaining 75 calls were emergency medical services. He also added that there were no burning complaints, and that he presented at the West Chester Area Council of Government (WCACOG) meeting held in Westtown on the subject of emergency response.

D. Finance Department – Cindi King

Ms. King summarized that the department has received 80% of the budgeted revenues and spent approximately 57% of budgeted expenditures, and the total balance of all accounts as of September 30th was \$25,562,692. Ms. King further provided that the department has been preparing the necessary financial documentation for grant reimbursements for Thorne Drive Basin Retrofit and Oakbourne Park Improvements projects. She announced that the Township received the state aid pension payment in the amount of \$100,990.63, which was \$12,990 more than was budgeted, and the State Volunteer Fire Relief allocation of

\$99,183.93, which was close to the budgeted amount of \$100,000. She further noted that the liquid fuel allocation for 2025 was estimated at \$363,738.00, which is \$7,310 less than what was received in 2024. Ms. King also explained that the Township health insurance carrier will be issuing a 2023 medical loss ratio rebate in the amount of \$11,222.29 and that due to the three-year claim ratio on the unemployment compensation, the 2025 rate will be 0.9%, which is the lowest rate offered. She announced that the Township received the Open Space Bond proceeds that were deposited into a PLGIT prime account, because it monitors any arbitrage rebate requirements that may need to be complied with.

V. Public Comment (Non-Agenda Items)

Mr. Patel, 811 E. Sage Road, summarized the incident that he reported to the police in September. He explained that he received a message on his cell phone and a video clip on his computer that were threatening in nature. Mr. Patel thanked the Chief for investigating the incident, but stressed the need to find out where or who was the source of these threats. Chief Bernot explained that it is recognized as an emotional scam with intent to blackmail individuals with information that is found online by convincing them that they know everything about them.

Mr. Jack Embick, 189 Pheasant Run Road, expressed his pleasure in hearing that in addition to many other benefits of acquiring Crebilly, the Township will also realize benefits from the conversion of agricultural fields to open field or meadows. Mr. Embick believed it was a significant credit towards the Township's MS4 sediment reduction obligation.

VI. Old Business

There was none.

VII. New Business

A. Consider Resolution 2024-12 for Approved Number of Vehicles

Mr. Foster explained that the subject matter for discussion is the resolution pertaining to the approved number of police vehicles to be purchased and disposed of annually by the Police Commission. He provided that the agreement that created the Westtown-East Goshen Regional Police Department, specifically Section J.2, provides that "unless specifically agreed by both Boards of the Charter Municipalities' to the contrary, the Commission shall purchase a minimum of four (4) vehicles each year, even in the event of a default budget". He added that Section J.4 of the agreement further states that ""unless specifically agreed to by both Boards of the Charter Municipalities to the contrary, the Commission will dispose of four (4) vehicles every year, even in the event of a default budget". Mr. Foster noted that East Goshen Township proposed to reduce that number of vehicles from 4 to 2 for the upcoming year, and that the East Goshen Board of Supervisors adopted the resolution at their meeting on October 15, 2024.

Mr. Yost made a motion to adopt the Resolution 2024-12 providing for the approved number of vehicles to be purchased and disposed of for the year of 2025 by the charter municipalities for the Westtown-East Goshen Regional Police Departments pursuant to the Westtown East Goshen Police agreement. Mr. Pomerantz seconded. There was no public comment, and the motion passed 3-0.

B. Authorize Advertisement for Crebilly Land Acquisition Hearing

Mr. Foster provided that as specified in accordance with the provisions of 32 P.S. §5006 regarding the acquisition of interests in real property, the Westtown Township Board of Supervisors will hold a public hearing on November 4, 2024 at 7:30pm at the Township building to address the Township's purchase of real property known as Crebilly Farm and to provide the opportunity for any persons and municipalities affected by the proposed acquisition to present relevant evidence. He noted that the notice will run in the Daily Local News once on Wednesday, October 23rd. Mr. Foster further added that the executory documents necessary to effectuate the Open Space purchase are available at the Township building for public review at no charge.

Mr. Yost made a motion to authorize the advertisement of a public hearing to address the Township's purchase of real property known as Crebilly Farm located at 201 W. Street Road for Township open space purposes. Mr. Pomerantz seconded. There was no public comment, and the motion passed 3-0.

C. Consider Appointment to the Environmental Advisory Council

Mr. Foster noted that the Board was very impressed by Kim Maialetti as a candidate for the Environmental Advisory Council (EAC). He expressed that she would be a great addition to the Council.

Mr. Yost made the motion to nominate Kim Maialetti to the Environmental Advisory Council for the unexpired term ending December 31, 2026. Mr. Pomerantz seconded. There was no public comment, and the motion passed 3-0.

D. Nomination for CCATO Voting Delegate

Mr. Foster explained that the Chester County Association of Township Officials (CCATO) is an intergovernmental organization that provides support, education, and resources to local township officials. He further provided that each member of the township is being asked to send one assigned voting delegate on the townships behalf to the annual business meeting. Mr. Foster noted that it can be a Supervisor holding elected office, Manager, Secretary Tax Collector, Treasurer or Auditor.

Mr. Yost made a motion to nominate Tom Foster as a voting delegate from Westtown Township. Mr. Pomerantz seconded. There was no public comment, and the motion passed 3-0.

VIII. Announcements

Mr. Foster made the following announcements:

- A. Westtown Township is Accepting Public Comments on the 5-year Goose Creek Total Maximum Daily Load (TMDL) and Pollutant Reduction Plan (PRP) Update** –The Township must formally amend the Pollution Reduction Plan and Total Maximum Daily Load plans in our MS4 stormwater permit with the DEP. As part of this process, the Township is required to accept public comments about the proposed changes for at least 30 days after notice in a newspaper of general circulation. Notice about this comment period was published in the Daily Local News on October 18. A copy of the updated PRP and TMDL plans can be found on the Township's website at www.westtownpa.org. The comment period will close on November 18, 2024. Public comments can be provided to the Township Manager by email at lcarter@westtown.org or postal mail at the Township building. The Township will also accept public comments at its public meeting on Monday, November 18, 2024.

B. 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 Township Manager.

C. 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.

D. Historical Commission Lecture on Saturday, November 9 at 10AM

- The Westtown Historical Commission will present “Darlington Corners: Westtown’s historic crossroads village.” Discover the businesses and people who lived and worked in Darlington’s Corners at the intersection of Street Road and Wilmington Pike. Now largely demolished for modern purposes and Rte. 202 widening, this village was once the heart of Westtown Township.

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 \$\$119,704.05, Enterprise Fund bills of \$23,092.20, and Capital Project Fund bills of \$373,732.21, for a grand total of \$516,528.46. 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 8:06 PM.

Respectfully submitted,
Liudmila Carter
Township Manager

WESTTOWN TOWNSHIP
PUBLIC WORKS DEPARTMENT MONTHLY REPORT
OCTOBER 2024

ROADS

- ◆ Completed roadside mowing, last cut of the season.
- ◆ Installed two “Birdtown” signs as requested.
- ◆ 2024 road maintenance and paving project is 100% complete. Punch list items remaining.
- ◆ Continue monitoring of the Aqua water main replacement project on Blenheim Road.
- ◆ Repair an asphalt sinkhole on Hidden Pond Way.
- ◆ Afterhours request for a generator at 926/Shadygrove traffic signal during power failure.
- ◆ Yearly long line painting on township roads is completed.
- ◆ Repaired four stormwater inlets on Jaqueline Drive and Powderhorn Dr.

BUILDINGS, PARKS, AND OPEN SPACE

- ◆ Mowed all grass areas 2 times this month.
- ◆ Completed open space field mowing, last cut of the season.
- ◆ Repaired mansion boiler, faulty gas valve.
- ◆ Replaced diesel fuel pump fill hose.
- ◆ Replaced roof shingles on PW pole barn building.

OAKBOURNE PARK AND MANSION

1. Repaired tree damaged fire circle benches and fire ring.
2. Contractor dropped fourteen dead trees along E. Pleasant Grove Road portion of OB Park. PW employees provided traffic control.
3. Consultants performed a topography survey of the mansion rear parking area and met with staff to map existing utilities.
4. Set up, assist with parking and staff an informational PW display of equipment for Westtown Day.

PARKS AND OPEN SPACE

1. Contractor performed invasive weed removal and maintenance in Tyson Park bioswale area.
2. Completed monitoring the Thorne Drive basin retrofit MS4 project. Planting of a few selected plants remain.
3. Inspected playground structures for safety hazards.

WASTEWATER

- ◆ Continued construction oversight for the Pleasant Grove Force Main replacement project. 75% complete and going well.
- ◆ Removed a faulty mixer motor at WCC for repairs.
- ◆ Installed new tank level control system at WCC.
- ◆ Installed rebuilt pump in Pleasant Grove pump station.
- ◆ Installed rebuilt pump at Kirkwood pump station.
- ◆ Replaced a main electric service surge protection device at WCC.
- ◆ Dropped eight dead and hazard trees at WCC.

EQUIPMENT MAINTENANCE AND REPAIR

- ◆ 67-20 – Replaced a rotted exhaust flex pipe.
- ◆ State inspected two trailers and replaced brakes on one.
- ◆ Replaced a faulty block heater on the backhoe.

FUTURE PROJECTS

- ◆ Remove 2 hazard trees from Pleasant Grove traffic circles.
- ◆ Continued monitoring of the Aqua water main installation project on Blenheim Road.
- ◆ Stump grinding in all parks.
- ◆ Continue stormwater inlet repair throughout township.
- ◆ Ready trucks for winter operations.

MARK GROSS
DIRECTOR OF PUBLIC WORKS

WESTTOWN TOWNSHIP PLANNING COMMISSION MEETING MINUTES

Stokes Assembly Hall, 1039 Wilmington Pike
Wednesday, October 23, 2024 – 7:00 PM

Present

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

Call to Order and Pledge of Allegiance

Mr. Embick called the meeting to order at 7:01 PM.

Adoption of Agenda (TS/JL) 5-0

Mr. Embick proposed to change the order of discussion items to accommodate those in attendance. Mr. Sennett made a motion to adopt agenda with modifications. Mr. Lees seconded. All were in favor of the motion.

Approval of Minutes

1. The meeting minutes from September 18, 2024 have been tabled due to lack of quorum.
2. Mr. Knaub made a motion to adopt the minutes from October 9, 2024. Mr. Embick suggested a few grammatical corrections. Mr. Knaub amended the motion to adopt the minutes with corrections. Mr. Lees seconded. All were in favor of the motion, except for Mr. Sennett who abstained. (BK/JL) 4-0-1

Announcements

1. Ms. Carter announced that the Township, with the assistance of Cedarville Engineering Group, completed a draft 5-year plan for the Goose Creek Total Maximum Daily Load (TMDL) and Pollution Reduction Plan (PRP), which includes a list of projects for the Township to implement in order to meet its obligations for reductions under the MS4 permit cycle. The proposed projects include the Pleasant Grove stream restoration at Blenheim Road, the Radley Run stream restoration project off South New Street in partnership with the Brandywine Red Clay Alliance, and the future conversion of 132 acres of agricultural land into a meadow at Crebilly Farm. Ms. Carter noted that the public comment period on the 5-year plan is open until November 18th.
2. Ms. Carter announced that the Township is in receipt of the Zoning Hearing Board application for special exception to expand the nonconforming use of ice hockey rink at 1646 West Chester Pike. She summarized that the applicant proposes to convert the area that is currently used for dehumidifier to additional locker rooms.
3. Ms. Carter also noted that there is a pending Zoning Hearing Board application for a variance from the minimum lot size for a future two-lot subdivision.

Public Comment – Non Agenda Items

None.

Old Business

1. Land Development Application – 1506 West Chester Pike

Mr. Embick recapped that the applicant, Westtown AM West TIC, LLC, has submitted a revised land development application for construction of a one-story 3,294 square foot bank with drive-up ATM, 12 parking spaces, lighting, landscaping, signage and underground stormwater basin at the northeastern corner of the Westtown Marketplace shopping center.

He explained that the applicant also proposes to install painted crosswalk, concrete sidewalk, and ADA complaint ramp to connect the existing pedestrian walkway along the front of the main building across the parking lot to the current bus stop located at West Chester Pike.

Gregg Adelman, the applicant's attorney, summarized that the only outstanding items noted by the Township consultants were those related to stormwater management review, construction costs estimates, landscaping requirements and modifications to the existing bus stop. He believed that items noted in the review letter by Bob Flinchbaugh, the Township Engineer, were minor in nature and will be complied with or agreed upon. Mr. Adelman further noted that the applicant recognized the need for making improvements to the bus stop, therefore, proposed to utilize the pedestrian markings across the parking lot north of Burger King and an Americans with Disabilities Act (ADA) compliant ramp to connect the shoppers with the bus stop. Mr. Adelman acknowledged that it is a bit of a roundabout, but believed there was no other direct way of accomplishing that connection unless ripping out the entire boulevard entrance and established trees.

Al Federico, the Township traffic engineer, thought there was an alternative by providing an accessible complaint sidewalk up to the bus stop along the boulevard, which would not require the removal of existing trees and instead would just slightly narrow the two entrance lanes. He also pointed out that a lot of this traffic is associated with the Giant grocery store, therefore, access along the entrance driveway would be the most logical for pedestrians. He acknowledged that it would be a longer route, however he believed it would reduce the chance of people walking through the parking lot. Mr. Federico also wondered whether the applicant's proposal was more costly. He highlighted that as per Code, the Board can require sidewalks and other paths at their discretion based on the recommendation of the Planning Commission and strongly suggested to consider a sidewalk along the driveway as a more appropriate option for the shopping center as a whole.

Mr. Sennett asked whether it was the shopping center's issue to address. Mr. Federico provided that the Transportation Management Association of Chester County (TMACC) has recently completed the study along the Route 3 corridor and identified this bus stop as an area for improvement. He believed that it was one of the busiest suburban bus routes, which is more likely being utilized by the employees and/or visitors to the shopping center. Mr. Sennett agreed that it was the problem, but did not feel it was reasonable to burden a single tenant. Mr. Federico stated that it was a part of the shopping center and an opportunity to address the issue.

Mr. Lees agreed with Mr. Federico's recommendation and expressed his concerns regarding the proposed by the applicant switchback, which he thought might require stairs due to steep slopes. He felt that Mr. Federico's suggestion made more sense and would be more accessible for more people. Mr. Knaub asked about the extent of modifications that need to be ADA compliant and minimum requirements. Mr. Federico responded that the proposed modifications provide an accessible route to the bus stop, but felt that the straighter alignment would be more appropriate.

Mr. Embick asked Mr. Federico whether the proposed by the applicant route through the parking lot and Burger King's drive thru creates a safety hazard. Mr. Federico thought it was not ideal. Mr. Embick wondered whether there was another alternative to that path to create a more direct route. Mr. Knaub suggested to a route along the entrance side of the Burger King. Mr. Federico noted that such path would lead through the travelling lanes.

Mr. Frisco felt that the objective was to provide a pedestrian access from the bus stop to the proposed bank and wondered whether the proposal was meeting this goal. Mr. Federico noted that he was commenting on the best way to provide connection to the bus stop, which

he felt was achieved by a sidewalk along the boulevard entrance, which would be a more direct route to the bank as well. Mr. Embick asked where the sidewalk would terminate. Mr. Federico stated that ideally it would run all the way to the store fronts. Mr. Embick asked whether the painted crosswalks could be considered from the first intersection of the suggested sidewalk and the boulevard and to both a new bank and the Burger King entrance. Mr. Federico responded that the width of internal aisles would need to be evaluated for that.

Mr. Lees asked whether the sidewalk could run within the median of the boulevard. Mr. Federico provided that it would be more challenging due to the lack of crosswalk at the driveway, which would need to be added, and felt that people preferred the sidewalk on the side and not in the middle of the boulevard.

Mr. Adelman explained that as per consultation with the applicant's engineers, due to the driveway's slope of 6 per cent, the entire front entrance of the boulevard would need to be reprofiled to make it ADA compliant to provide sidewalks along the sides. He expressed that the shopping center was not designed that way to begin with and that the alternative suggested by Mr. Federico would not work. Mr. Adelman also recapped that the proposal for a new bank had nothing to do with pedestrian connectivity, because it was designed for a vehicular access. He also stressed that the proposal was not for a redesign of the entire shopping center, and the applicant was willing to better the pedestrian connection, including installing an ADA complaint access, to the existing bus stop. Mr. Adelman did not think it was warranted for the applicant to do an additional analysis to evaluate the alternatives. Mr. Federico disagreed that the sidewalk along the boulevard would not be accessible. He explained that it is generally accepted that if improvements are proposed along the existing roadway/driveway not meeting ADA standards, such sidewalks can be found acceptable.

Mr. Sennett was concerned with mixing of pedestrian traffic with vehicular traffic within the parking lot from a safety standpoint. Mr. Federico responded that there are pedestrians utilizing the shopping center, therefore, the intent is to improve the connectivity to accommodate them.

Mr. Chase, the applicant's traffic engineer, expressed his concerns that the sidewalk along the boulevard would direct pedestrians to the heaviest traffic areas and would require a full redesign of the center. He noted that currently pedestrians are finding their way to get to the bus stop and felt that providing a dedicated ADA compliant path to the bus stop was a sufficient improvement. He suggested to enhance the proposed crosswalk thru the Burger King drive-thru with dedicated crosswalk striping and use of the yellow paint. Mr. Chase also suggested to add pedestrian warning signs to highlight the location and extent of crossing. Mr. Embick did not understand why there was a need to cut through the Burger King's parking lot and drive thru instead of directing the pedestrians all the way north and along the northern most parking area to the bus stop. Mr. Chase provided that the grading and steep slopes between the shopping center and West Chester Pike was one of the obstacles to providing a more direct ADA compliant path. Mr. Adelman pointed out that the parked cars would be backing into the walking path along that location. Mr. Adelman also explained that he cannot advise his client to do something that is not ADA complaint that might be a subject to potential lawsuit.

Mr. Flinchbaugh, the Township engineer, agreed that the applicant needs to address several technical and administrative items, including stormwater management related comments, detailed list of construction and costs, and landscaping related comments. He noted that the current submission was deficient on landscaping, which can be addressed by providing payment in-lieu; however, overall he did not see a reason for the proposal not moving forward.

Mr. Sennett made a motion to recommend to the Board of Supervisors an approval of the

land development proposal for the construction of a new bank at 1646 West Chester Pike subject to the outstanding items as per the Township consultants' review letters. Mr. Lees seconded. Mr. Sennett, Mr. Lees and Mr. Knaub were in favor. Mr. Embick and Mr. Frisco were opposed. The motion passed. TS/JL (3-2)

2. Ordinance Amendments – Digital Displays

Mr. Embick explained that the Board of Supervisors requested the Planning Commission's recommendation on the proposed amendments to Article XVIII, Signs, prior to authorizing Act 247 review. He asked Ms. Carter to summarize the latest revisions. Ms. Carter explained that she incorporated changes as discussed at the previous Planning Commission's meeting. She recapped that additional edits were made to temporary sign provisions to address concerns brought up by Mr. Embick and ensure consistency between the definition and regulatory provisions pertaining to time limitations for usage of temporary signage. Ms. Carter pointed out that the Township received several complaints about the placement of political campaign signs and asked whether the Commission would like to consider adding specific provisions to address such complaints. She explained that several municipalities have regulations pertaining to such signs. Mr. Embick believed that specific to political campaign sign provisions would be seen as an attempt to regulate content, which the Township cannot do. He suggested to continue regulating such signs as temporary signs. The Commission agreed.

Ms. Carter further noted that she looked into the definitions of "institutional use" and "agricultural use" as per zoning code, and discovered that the term "institutional use" did not align with the regulatory text in Section 170-1812. She suggested to consider changes to address this inconsistency. Ms. Carter also pointed out that there is a definition of "agriculture" in the zoning code and specific provisions for agricultural uses. Mr. Embick suggested to consider adding definition for "agricultural use". Mr. Embick asked whether the term "religious use" was defined in the zoning ordinance. Ms. Carter confirmed that it was.

Mr. Sennett made a motion to recommend to the Board of Supervisors for the proposed ordinance language to Article XVIII, Signs, to be sent to the Chester County Planning Commission for review. Mr. Lees seconded. Mr. Embick provided that he was not in favor of permitting the use of digital displays for religious uses. All were in favor of the motion, except for Mr. Embick who was opposed. TS/JL (4-1)

New Business

1. Ordinance Amendments – Pipeline Setbacks

Mr. Embick recapped that the Commission expressed interest in the subject matter following the discussions on the land development proposal for a property that has two pipeline easements and the public safety concerns that were brought up pertaining to transmission pipelines. He noted that the Township is traversed by several pipelines and acknowledged that even though the potential ordinances might not be applicable to pending land development application, it was worthwhile to evaluate potential regulator provisions to implement in subdivision and land development ordinance (SLDO) and/or zoning that might address some of those safety related issues.

Ms. Stauffer, Assistant Director with the Chester County Planning Commission, agreed that the amendments will not be applicable to whatever is already proposed or in consideration. She recapped that Westtown has one pipeline related ordinance already adopted, which would apply to surface land uses affiliated with transmission pipelines. Ms. Stauffer summarized that the sample ordinances were drafted in 2014, which was a high priority at that time due to the proposed Sunoco pipeline through the existing easement. She believed that the samples were developed by John Gaadt with the assistance of Pipeline and Hazardous Materials Safety Administration (PHMSA) grants, the purpose of which was to

promote safety. Ms. Stauffer also provided that the County used PHMSA grant to develop the pipeline information center website that provides numerous resources related to pipelines. She noted that there is not a lot that municipalities can do to control the placement of new pipelines; however, she suggested that municipalities can use several tools to prevent new developments from being too close to the existing pipelines. Ms. Stauffer pointed out the sample SLDO ordinance that limits the extent of developments, but it would only be applicable to new developments (both residential and non-residential) and referred to the Township's map depicting locations of existing pipelines and potential applicable areas. She also added that the developer might request a waiver from any SLDO provision as opposed to zoning which would be a much lengthier process that requires a variance with the Zoning Hearing Board. Ms. Stauffer believed that the Commission expressed concerns about the applicability of provisions to already developed areas in the Township and noted that one way of doing so was to include such provisions within the zoning requirements.

Mr. Embick asked about her recommendation. She thought the sample was done through SLDO for various reasons, including the fact that if done through zoning, it might prevent further expansion and improvements of existing properties. Ms. Stauffer pointed out that the proposed setback in the sample ordinance was a minimum of 300 feet to residential and nonresidential buildings from the transmission pipeline right-of-way, which is likely to result in a lot of nonconforming buildings in Westtown. She also brought up the potential for redevelopment that can occur in Westtown at some point, which would provide an opportunity to create safer distance from pipelines. Ms. Stauffer noted that the Commission might consider modifying the sample ordinance to adjust the required setback to a specific potential impact radius based on the type of material that is being transported in the pipeline or locations, such as schools or retirement homes where people are not going to be easy to evacuate.

Mr. Sennett asked about the reasoning behind the recommended setbacks and the sample ordinance language that allows such setback to be modified based on the potential impact radius. Ms. Stauffer believed that the recommended setback was reserved for high consequent areas, which are areas with high or vulnerable populations; however, it is recognized that sizes of pipelines and materials being transported vary and might require a different setback based on the impact radius calculations. She explained that there is a formula that the engineer could use to calculate such impact based on provided variables. Ms. Stauffer believed that rationale for setbacks is in the planning document developed by the Pipelines and Informed Planning Alliance (PIPA), which is available on the County's website.

Mr. Embick asked whether the Township could consider implementing requirements under its police powers as opposed to the Municipalities Planning Code (MPC), which can include requiring signs along the pipelines right-of-ways, deed notes for properties that are located within the impact radius, markings of blast radius, notifications to residents, evacuation and pipeline emergency response plans, municipal inspections, mitigation measures to be developed, drills and other safety related items. Ms. Stauffer noted that some of these items are within the sample ordinance for SLDO. She recommended to check with the Township solicitor. Ms. Stauffer also suggested to potentially implement an ordinance to address the main concern quickly and then to invest time into investigation of other regulatory provisions.

Gerry DiNunzio, Emergency Management Coordinator (EMC), voiced his support for the ideas Mr. Embick suggested and reiterated that finding a way forward dealing with existing pipelines from a safety and emergency response standpoint would be the best approach.

Public Comment

Reports

1. Brian Knaub provided the BOS report from October 7th meeting.

Adjournment (TS/JF) 5-0

The meeting was adjourned at 8:57 PM.

Next PC Meeting:

- **November 6, 2024, 7:00 PM**

PC Representative at next Board of Supervisors Meeting:

- **Monday November 4, 2024, 7:30 PM** – Tom Sennett/Jim Lees

Respectfully submitted,
Mila Carter
Planning Commission Secretary

DRAFT

**WESTTOWN TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA**

RESOLUTION 2024-13

A RESOLUTION OF THE BOARD OF SUPERVISORS OF WESTTOWN TOWNSHIP, CHESTER COUNTY, PENNSYLVANIA TO AUTHORIZE THE ACQUISITION OF AN INTEREST IN REAL PROPERTY KNOWN AS CREBILLY FARM (UPI NO. 67-4-29.4) TO BE DESIGNATED AS TOWNSHIP OPEN SPACE.

WHEREAS, Article III of the Pennsylvania Municipalities Planning Code (Act 247 of 1968, as amended) authorizes municipalities to prepare and adopt municipal comprehensive plans; and

WHEREAS, at its meeting on June 6, 2022, the Westtown Township Board of Supervisors approved a Resolution authorizing the amendment of the 2019 Westtown Township Comprehensive Plan to clearly recommend the acquisition of Crebilly Farm and the development of a trail system at that location; and

WHEREAS, in accordance with the provisions of 32 P.S. §5006 regarding the acquisition of interests in real property, the Westtown Township Board of Supervisors held a public hearing on November 4, 2024, pursuant to public notice, as required; and

WHEREAS, during the hearing on November 4, 2024, the Westtown Township Board of Supervisors set forth the real property interests to be acquired and the proposed open space benefits of the acquisition of Crebilly Farm, and provided the opportunity for any persons and municipalities affected by the proposed acquisition to present relevant evidence; and

NOW, THEREFORE, BE IT RESOLVED that the Westtown Township Board of Supervisors approves the acquisition of real property known as Crebilly Farm (UPI No. 67-4-29.4) as Township Open Space in accordance with the provisions of 32 P.S. §5001 et seq.

[Signature page follows.]

ADOPTED as a Resolution this 4th day of November, 2024.

**Westtown Township
Board of Supervisors**

Thomas Foster, Chair

Edward Yost, Vice Chair

Richard Pomerantz, Police Commissioner

ATTEST:

Liudmila Carter, Township Secretary

**WESTTOWN TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA**

RESOLUTION 2024-14

A RESOLUTION OF THE BOARD OF SUPERVISORS OF WESTTOWN TOWNSHIP, CHESTER COUNTY, PENNSYLVANIA TO ACCEPT THE OPEN SPACE INSTITUTE LAND TRUST, INC. GRANT PROGRAM AWARD TOWARDS THE ACQUISITION OF REAL PROPERTY KNOWN AS CREBILLY FARM (UPI NO. 67-4-29.4) TO BE DESIGNATED AS TOWNSHIP OPEN SPACE AND THE SPECIAL CONDITIONS REQUIRED PURSUANT TO THE GRANT TERMS.

WHEREAS, the Westtown Township Board of Supervisors seeks to acquire 206.037 acres of the real property known as Crebilly Farm (UPI No. 67-4-29.4 (“the Property”) as Township Open Space in accordance with the provisions of 32 P.S. §5001 et seq., all as depicted on the Final Lot Line Change Plan for Crebilly Farm approved by the Westtown Township Board of Supervisors on September 19, 2022; and

WHEREAS, in March, 2024, Natural Lands submitted an application for a Delaware River Watershed Protection Fund grant administered by the Open Space Institute Land Trust, Inc. for the acquisition the Property; and

WHEREAS, on September 27, 2024, Natural Lands was awarded a grant amount not to exceed \$550,000 by the Board of Trustees of the Open Space Institute Land Trust, Inc. for the acquisition of the Property; and

WHEREAS, on October 8, 2024, Natural Lands agreed and accepted the terms and conditions of the grant award, a copy of which is attached hereto as Exhibit “A.”

NOW, THEREFORE, BE IT RESOLVED that the Westtown Township Board of Supervisors hereby agrees to the terms and conditions of the grant award from the Open Space Institute Land Trust, Inc. for the acquisition of Crebilly Farm as set forth in Exhibit “A.”

[Signature page follows.]

ADOPTED as a Resolution this 4th day of November, 2024.

**Westtown Township
Board of Supervisors**

Thomas Foster, Chair

Edward Yost, Vice Chair

Richard Pomerantz, Police Commissioner

ATTEST:

Liudmila Carter, Township Secretary

**OPEN SPACE INSTITUTE LAND TRUST, INC.
CONSERVATION CAPITAL PROGRAM
Delaware River Watershed Protection Fund**

**Natural Lands
Crebilly Farm Fee Acquisition
Westtown Township, Chester County, PA**

SUMMARY TERMS AND CONDITIONS

Purpose:	To support the efforts of Natural Lands in permanent protection of land under the Delaware River Watershed Protection Fund (“the Fund”).
Grantor	Open Space Institute Land Trust, Inc. (OSILT)
Grantee:	Natural Lands
Amount:	Not to exceed \$550,000
Uses of Grant Proceeds:	Permanent Protection of the 204 +/- acre Crebilly Farm Fee Acquisition project in, Westtown Township, Chester County, PA
Special Conditions to Close the Grant:	<ol style="list-style-type: none"> 1. Compliance with the terms of the OSILT grants documents relating to preconditions to closing. 2. Commitment by Westtown Township to reforest a minimum of 75% of the property including 300-foot minimum width on stream buffer areas. 3. Closing must occur before December 31, 2025. 4. Other conditions as may be required on the basis of additional due diligence.
Special Conditions to be Included in Grant Agreement:	<ol style="list-style-type: none"> 1. Reporting by Grantee to OSILT at closing of the transaction. 2. Such other conditions that may be deemed necessary by OSILT.

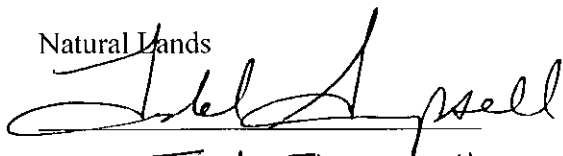
Open Space Institute Land Trust, Inc.

Approved by:  Date: September 27, 2024

Nick Richardson, Senior Vice President, Capital Strategies

Agreed and accepted this 8th day of Oct, 2024

Natural Lands



Name: Todd Sampsell
Its: Vice President, Conservation

Position Posting: Trustee for West Chester Public Library Board

Position Title: Trustee, West Chester Public Library Board of Trustees

Location: West Chester, Pennsylvania

About West Chester Public Library: The West Chester Public Library (WCPL) serves the greater West Chester community by providing access to a diverse collection of materials, programs, and information for all ages. With a rich history dating back to 1815, the library circulates over 150,000 items annually and welcomes 90,000 to 100,000 visitors each year. WCPL is a member of the Chester County Library System and is dedicated to fostering lifelong learning and community engagement.

Position Overview: The WCPL Board of Trustees is seeking a dedicated and community-minded individual to join the Board as a Trustee. Trustees play a crucial role in guiding the library's strategic direction, ensuring financial stability, and supporting the library's mission to provide equal access to information, ideas, and knowledge.

Key Responsibilities:

- **Governance:** Provide general direction and establish policies for WCPL, including oversight of major capital campaigns and budgets.
- **Committee Participation:** Actively participate in Board committees, contributing to areas such as finance, personnel, development, governance, and strategic planning.
- **Attendance:** Attend all Board meetings and relevant committee meetings, ensuring informed and active participation in deliberations and decision-making.
- **Advocacy:** Act as an ambassador for WCPL, promoting the library's services and programs within the community.
- **Financial Support:** Contribute financially to WCPL on an annual basis to one's ability and assist in fundraising efforts.

Qualifications:

- Must be at least 18 years old.
- Must be a resident of the Borough of West Chester or one of WCPL's service areas (Birmingham Township, East Bradford Township, Pocopson Township, Thornbury Township, West Goshen Township, and Westtown Township).
- Commitment to the mission and values of WCPL.
- Strong communication and collaboration skills.
- Experience in nonprofit governance, fundraising, finance, or community engagement is a plus.

Term and Appointment: Trustees are appointed by the West Chester Borough Council and serve a three year term, which may be renewed. Trustees are expected to attend all monthly Board meetings and actively participate in committee work.

How to Apply: Interested candidates should submit a letter of interest and resume to the West Chester Borough Council and the Governance Committee of the WCPL Board of Trustees. Applications will be reviewed on a rolling basis until the position is filled.

Contact Information: West Chester Public Library, 415 North Church Street West Chester, Pennsylvania 19380 Attention: Deborah Enea at Deborah.enea@troutman.com

Join us in making a difference in the West Chester community by supporting the West Chester Public Library's mission to provide access to information, ideas, and knowledge for all.

West Chester Public Library is an equal opportunity organization and encourages applications from individuals of all backgrounds and experiences.

Check Register

Westtown Township

01-Nov-24

From: 22-Oct-24 To: 04-Nov-24

Check No	Check Date	VendorNo	Vendor	Check Amount	Status
Bank Account: 1 General Fund - Univest					
18253	10/22/2024	13	PECO Energy	\$25,425.35	O
18254	10/22/2024	13	PECO Energy	\$3,146.29	O
18255	10/22/2024	222	Brandywine Valley SPCA	\$400.00	O
18256	10/22/2024	929	Good Fellowship Ambulance	\$56,000.00	O
18257	10/22/2024	7196	GreatAmerica Financial Svcs	\$223.00	O
18258	10/22/2024	405997	Hoffmans Exterminating Co., I	\$67.50	O
18259	10/22/2024	1074	LENNI ELECTRIC CORPORA	\$803.58	O
18260	10/22/2024	1000597	NetCarrier Telecom Inc.	\$486.56	O
18261	10/22/2024	347	Staples	\$140.38	O
18262	10/22/2024	5738	StrategicLink Consulting, LLC	\$1,350.00	O
18263	10/22/2024	1169	West Chester Public Library	\$16,731.00	O
18265	10/28/2024	1201	Charles A. Higgins & Sons, Inc	\$87.00	O
18266	10/28/2024	7191	Code Inspections Inc	\$13,532.56	O
18267	10/28/2024	1000300	Comcast Xfinity	\$10.52	O
18268	10/28/2024	7223	Commonwealth of Pennsylvani	\$2,500.00	O
18269	10/28/2024	5954	Pamela Packard	\$321.20	O
18270	10/28/2024	588	PMRS	\$13,752.91	O
18271	10/28/2024	7	Westtown-East Goshen PD	\$333,225.15	O
Bank Total:				\$468,203.00	
Bank Account: 8 Enterprise Fund - Univest					
1725	10/22/2024	405677	Aqua PA General Accounting	\$75.00	O
1726	10/22/2024	6468	Carroll Engineering Corp	\$4,547.78	O
1727	10/22/2024	936	Deckman Motor & Pump, Inc.	\$15,586.00	O
1728	10/22/2024	5666	M&B Environmental, Inc.	\$2,416.15	O
1729	10/22/2024	1196	McGovern Environmental, LLC	\$2,097.16	O
1730	10/28/2024	1074	LENNI ELECTRIC CORPORA	\$4,643.84	O
1731	10/28/2024	1196	McGovern Environmental, LLC	\$2,035.58	O
1732	10/28/2024	5442	MGK Industries, Inc.	\$20,662.00	O
1733	10/28/2024	967	USABlueBook	\$707.31	O
Bank Total:				\$52,770.82	
Bank Account: 18 Capital Project Fund Univest					
1394	10/22/2024	6468	Carroll Engineering Corp	\$25,043.41	O
1395	10/30/2024	405540	Albert Federico Consulting, LL	\$225.00	O
1396	10/30/2024	406052	Pennoni	\$2,827.50	O
Bank Total:				\$28,095.91	
Total Of Checks:				\$549,069.73	