

WESTTOWN TOWNSHIP PLANNING COMMISSION MEETING AGENDA

Wednesday, January 22, 2025 – 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 January 8, 2025

Announcements

1. Zoning Hearing Board Decision on Special Exception Request for 1646 West Chester Pike Has Been Approved on January 15, 2025.

Public Comment – Non-Agenda Items

New Business

1. ZHB Application – 623 Picket Way

The applicants, John and Sheryl Breznicky, are seeking a variance relief from the required swimming pool setback to retain the use of their temporary pool. The 0.11 acre parcel is located in the Wild Goose subdivision in MU Multi-Use Zoning District. The property is improved with a single-family detached dwelling serviced by public water and sewer. The hearing date is scheduled for February 27, 2025.

2. 2024 Annual Report

Review of 2024 Annual Report to be provided to the Board of Supervisors by March 1.

3. Zoning Amendments – Potential Rezoning

The Board has approved the proposal to subdivide 2 acres at the intersection of Routes 926 and 202. Currently, the entire parcel is zoned A/C Agricultural/Cluster Residential District. The Commission will review the permitted uses within the A/C district and discuss a potential rezoning of a future parcel.

Old Business

Public Comment

Reports

1. Board of Supervisors Meeting January 21, 2025 – Jack Embick

Adjournment

Next PC Meeting:

- **February 5, 2025, 7:00 PM**

PC Representative at next Board of Supervisors Meeting:

- **Monday February 3, 2025, 7:30 PM** – Jim Lees/Russ Hatton

ZONING HEARING BOARD APPLICATION SUMMARY

ZHB Case: #2025-01
Date: January 16, 2025
From: Liudmila Carter, Director of Planning & Zoning

APPLICANT: John and Sheryl Breznicky
ADDRESS: 623 Picket Way, West Chester, PA 19382
UPI: 67-4D-66
HEARING DATE: February 27, 2025

REQUEST

The applicant is seeking a variance relief to retain the above ground swimming pool that is used seasonally.

LOCATION AND DESCRIPTION OF SITE

The subject property is a 0.11 acre parcel with an UPI. 67-4D-66 located in the Wild Goose subdivision north of the intersection of Trellis Lane and Picket Way, in MU Multi-Use Zoning District. The property address and the mailing address per County records is 623 Picket Way, West Chester, PA 19382. The property is improved with a single-family detached dwelling and is serviced by public water and sewer.

As per recorded subdivision plan titled “Amended Final Subdivision Plan for Wild Goose Farm” (revision date 11/9/1994), there is a drainage easement, portion of which runs along the western side of the subject property.

APPLICATION

The applicant submitted application on January 7, 2025 for a variance and/or special exception as per the following Sections:

1. Section 170-1611.B where pools shall be located at least 25 feet from any lot line, measured from the edge of the water.
2. Section 170-2108.D where 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.

ZONING RELIEF STANDARDS

General standards for the granting of variance are contained within 170-2107 of the Township Zoning Code and are attached to this report as Attachment A (page 2).

General standards for the granting of special exception are contained within 170-2108 of the Township Zoning Code and are attached to this report as Attachment B (page 3).

General standards for swimming pools are contained within 170-1611 of the Township Zoning Code and are attached to this report as Attachment C (page 4).

PLANNING COMMISSION RECOMMENDATION

The Planning Commission will review this application at their meeting on January 22, 2025.

Attachment A.

§ 170-2107. Variances.

- A. The Board shall hear requests for variances where it is alleged that the provisions of this chapter inflict unnecessary hardship upon the applicant. The Board may, by rule, prescribe the form of application. The procedure shall be as follows:
- (1) A preliminary written application shall be filed with the Zoning Officer, who shall verify that the application is complete, and that the application is properly filed for a variance and not for a change to the Zoning Ordinance or Map concerning a use or district. If the latter is the case, the applicant shall be advised of the proper procedures, as stipulated by this chapter.
 - (2) Upon acceptance by the Zoning Officer that the application is complete, correct, and proper, a formal filing for consideration of the variance request shall be made by the Zoning Officer to the Zoning Hearing Board, together with the comments and recommendations of the Zoning Officer. Copies of the filing and comments shall be submitted to the Township Planning Commission and Board of Supervisors.
 - (3) A public hearing shall be properly advertised in accordance with the requirements established in § 170-2103 of this chapter.
 - (4) Prior to the public hearing, the Planning Commission shall submit its written comments and recommendations on the application to the Zoning Hearing Board, or a written statement that it chooses to make no comments and recommendations. When submitted, the comments of the Planning Commission shall be considered by the Board but shall not be binding. **[Amended 10-4-2021 by Ord. No. 2021-08]**
 - (5) Upon completion of the public hearing, the Board may grant a variance, provided that the procedures specified above are met and the following findings are made where relevant in a given case:
 - (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; and
 - (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.
- B. In granting any variance, the Board may attach such reasonable conditions and safeguards as it may deem necessary to implement the purpose of this chapter. The Board shall require that all other applicable land development regulations apply.

Attachment B.

§ 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.

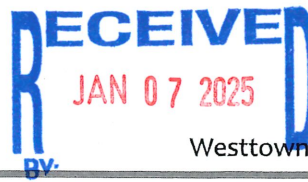
Attachment C.

§ 170-1611. Swimming pools. [Amended 5-2-2005 by Ord. No. 2005-4; 11-7-2022 by Ord. No. 2022-09]

- A. Permanent or temporary in-ground and aboveground swimming pools with a water depth of 24 inches or more shall be permitted as an accessory use only in the rear yard or side yard.
- B. Pools shall be located at least 25 feet from any lot line, measured from the edge of the water.
- C. Pools shall be enclosed with a continuous pool-code compliant barrier. Permanent structures, such as the exterior wall of a building, may be considered a part of the enclosure.
 - (1) The provisions regulating fencing shall not apply to pools having sides extending four feet above grade, provided that the stairs, or other means of access to the pool, are removed or locked in such a position as to make it readily inaccessible when not in use.
- D. Equipment accessory to the operation and maintenance of a swimming pool and any structure housing such equipment shall be located at least 15 feet from any lot line. Where such equipment is not housed in a structure, it shall be screened from view from any public right-of-way and neighboring properties.
- E. Hot tubs, swim spas, and jacuzzi-type tubs or baths shall not be considered swimming pools, provided they have a lockable cover, and shall be permitted in side or rear yards in accordance with the setback requirements of § 170-1502C(1) and (2).

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>January 7, 2025</u>	Project No.: <u>2025-01</u>
Parcel ID: <u>67-40-06</u>	Zoning Dist: <u>MU</u>
Date Paid: <u>January 7, 2025</u>	PC Date: <u>January 23, 2025</u>
Hearing Date: _____	Property Posted: _____
Dates Advertised: _____	
Reviewed by: <u>M. LaCarter</u>	

Applicant & Owner Information

Applicant <u>JOHN + SHERYL BREZNICKY</u>	Phone <u>610 864 5644</u>
Property Address <u>623 PICKET WAY</u>	City <u>WEST CHESTER</u> Zip <u>19382</u>
E-mail <u>RUSTIN.HOCKEY.MOM@gmail.com</u>	
Property Owner _____ <small>(if different from Applicant)</small>	Phone _____
Mailing Address _____ <small>(if different from Property Address)</small>	City _____ Zip _____
E-mail _____	

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 checked="" type="checkbox"/> Section 2107: Variances	<u>SWIMMING POOL SET BACK 170-1611.B</u>
<input checked="" type="checkbox"/> Section 2108: Special Exceptions	<u>ADA (multiple sclerosis) 170-2108.D</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: 3694 SQ FT Front: _____ Side (R): _____ Side (L): _____ Rear: _____

Existing property use: RESIDENTIAL

Existing structure(s): HOUSE

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 John J. Brupchy
Sheryl Breznicky

Date 1/7/25

Print Name JOHN BREZNICKY SHERYL BREZNICKY

Signature of OWNER _____
(If different from applicant)

Date _____

This Indenture Made the 20

day of *May* in the year of our Lord one thousand nine
hundred and *ninety eight* **Between**

WILD GOOSE FARMS, INC.

(hereinafter called the Grantor), of the one part, and

JOHN J. BREZNICKY AND SHERYL L. BREZNICKY, HIS WIFE
(hereinafter called the Grantees), of the other part,

Witnesseth,

That the said

for and in consideration of the sum of

(\$169,395.00)

ONE HUNDRED SIXTY NINE THOUSAND THREE HUNDRED NINETY FIVE DOLLARS^{lawful}
money of the United States of America, unto it well and truly paid by the said Grantees,
at or before the sealing and delivery, hereof, the receipt whereof is hereby acknowledged, have
granted, bargained and sold, aliened, enfeoffed, released and confirmed, and by these presents do
grant, bargain and sell, alien, enfeoff, release and confirm unto the said Grantees, their heirs
and assigns, as tenants by entirties.

ALL THAT CERTAIN LOT OR PIECE OF LAND WITH THE BUILDINGS AND IMPROVEMENTS THEREON ERECTED, SITUATE IN THE TOWNSHIP OF WESTTOWN, COUNTY OF CHESTER AND STATE OF PENNSYLVANIA, DESCRIBED ACCORDING TO A FINAL SUBDIVISION PLAN OF "WILD GOOSE FARM", MADE BY BRANDYWINE VALLEY ENGINEERS, INC., C.E., BOOTHWYN, PA, DATED 2-14-1992, LAST REVISED 12-4-1993, RECORDED AT WEST CHESTER IN THE OFFICE OF THE RECORDER OF DEEDS IN PLAN FILE #12321, AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHERLY SIDE OF PICKET WAY (50 FEET WIDE), SAID POINT MARKING A CORNER OF THIS LOT A CORNER OF LOT #47 AS SHOWN ON SAID PLAN; THENCE EXTENDING ALONG THE SAID SIDE OF PICKET WAY THE TWO FOLLOWING COURSES AND DISTANCES; (1) SOUTH 63 DEGREES 31 MINUTES 00 SECONDS WEST, 33.62 FEET TO A POINT OF CURVE; AND (2) ALONG THE ARC OF A CIRCLE CURVING TO THE RIGHT, HAVING A RADIUS OF 136.05 FEET, THE ARC DISTANCE OF 10.39 FEET TO A POINT, A CORNER OF LOT #45 AS SHOWN ON SAID PLAN; THENCE LEAVING THE SAID SIDE OF PICKET LAND AND EXTENDING ALONG LINE OF LOT #45, PASSING PARTLY THROUGH A DRAINAGE EASEMENT, NORTH 26 DEGREES 29 MINUTES 00 SECONDS WEST, 83.60 FEET TO A POINT ON THE SOUTHERLY SIDE OF A 20 FEET WIDE SERVICE ROAD RIGHT-OF-WAY; THENCE EXTENDING ALONG SAME NORTH 63 DEGREES 31 MINUTES 00 SECOND EAST, 44 FEET TO A POINT, A CORNER

~~BK 4356PG1017~~

BK 4512PG0375

OF LOT #47 AS SHOWN ON SAID PLAN; THENCE EXTENDING ALONG LINE OF LOT #47, SOUTH 26 DEGREES 29 MINUTES 00 SECONDS EAST, 84 FEET, TO THE FIRST MENTIONED POINT AND PLACE OF BEGINNING.

CONTAINING 3,694 SQUARE FEET OF LAND MORE OR LESS.

BEING LOT #46 AS SHOWN ON SAID PLAN

TAX PARCEL #67-4D-66

TOGETHER WITH THE FREE AND COMMON USE, RIGHT LIBERTY AND PRIVILEGE OF THE AFORESAID 20 FEET WIDE SERVICE ROAD RIGHT-OF-WAY, IN COMMON WITH THE OWNERS, TENANTS AND OCCUPIERS OF THE LOTS BOUNDING THEREON AND ENTITLED TO THE USE THEREOF

BEING PART OF THE SAME PREMISES WHICH CONCORD COURT, INC., BY DEED DATED 12-14-1993, RECORDED 12-17-1993, AT WEST CHESTER IN THE OFFICE OF THE RECORDER OF DEEDS IN AND FOR THE COUNTY OF CHESTER, AFORESAID, IN RECORD BOOK 3679 PAGE 2234, GRANTED AND CONVEYED UNTO WILD GOOSE FARMS, INC., A PA. CORPORATION.

*DEED ^{re-recorded} CORRECTED TO CORRECT SPELLING OF GRANTEES
LAST NAME*

BK 4512 PG 0376

BK 356 PG 1018

Together with all and singular the buildings
Improvements, Ways, Streets, Alleys, Passages, Waters, Water-courses, Rights, Liberties, Privileges,
Hereditaments and Appurtenances, whatsoever thereunto belonging, or in any wise appertaining, and
the Reversions and Remainders, Rents, Issues and Profits thereof; and all the Estate, Right, Title,
Interest, Property, Claim and Demand whatsoever of it the said Grantor
in law as in equity, or otherwise howsoever, of, in, and to the same and every part thereof.

To have and to hold the said building

Hereditaments and Premises hereby granted, or mentioned and intended so to be, with the Appurte-
nances, unto the said Grantees, their heirs
and Assigns, to and for the only proper use and behoof of the said Grantees, their heirs
and Assigns, forever.

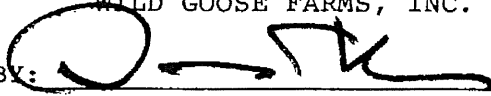
And the said Grantor, for itself and its successors and assigns does by
these presents, covenant, grant and agree, to and with the said Grantees, their heirs
and Assigns, that it the said Grantor, its successors and assigns
all and singular the

Hereditaments and Premises herein above described and granted, or mentioned and intended so to be,
with the Appurtenances, unto the said Grantees, their heirs
and Assigns,
against it the said Grantor & its successors & assigns and against all and every
Person or Persons whomsoever lawfully claiming or to claim the same or any part thereof, by, from
or under it, him, her, them or any of them,
shall and will WARRANT and forever DEFEND.

In Witness Whereof the party of the first part has hereunto caused these
presents to be duly executed and its corporate seal affixed thereto,
dated the day and date first above written.

Sealed and Delivered

IN THE PRESENCE OF US:

WILD GOOSE FARMS, INC.
BY:  (SEAL)
DWIGHT E. WAGNER, PRESIDENT

ATTEST:  (SEAL)
DWIGHT E. WAGNER, SECRETARY

BK 4512 PG 0377 BK 4356 PG 1019

Commonwealth of Pennsylvania

County of Lancaster

On this, the 20th day of May, 1998, before me,

Tracy R. Stauffer

the undersigned officer,

personally appeared Dwight E. Wagner who acknowledged himself ~~(XXXXXX)~~ to be the President of Wild Goose Farms, Inc. a corporation, and that he as such President, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by himself ~~(XXXXXX)~~ as President.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Notarial Seal
Tracy R. Stauffer, Notary Public
Lancaster, Lancaster County
My Commission Expires Nov. 2, 1998

Tracy R. Stauffer

*48 ELECTRONIC
#8107
DCEA.*

WILD GOOSE FARMS, INC.

TO

JOHN J. BREZNICKY AND
JERYL L. BREZNICKY, HIS WIFE

LOT #46 WILD GOOSE FARMS,
623 PICKETT WAY
WESTTOWN TOWNSHIP
CHESTER COUNTY, PA

750-S

John C. Clark Co., Phila

PENNSYLVANIA LAND TRANSFER CO.
24 EAST FRONT STREET
MEDIA, PA 19063
(610) 566-9045

RECEIVED

Tax Bill: J.J. Breznicky
The address of the above-named Grantee

is *623 Pickett Way*

West Chester Pa 19382

On behalf of the Grantee

BK4512PG0378

BK4356PG1020



DATE: 05/29/1998 TIME: 09:05A INST NO.: 36527

CHESTER COUNTY, PA
OFFICE OF THE RECORDER OF DEEDS

RECEIPT NO : 017228 TYPE DOC : DEED
REC FEE : 13.00
LOC RTT : 1693.95
ST RTT : 1693.95
WRIT TAX : 0.50
DATE: 05/29/1998 TIME: 09:05A INST NO.:

CHESTER COUNTY, PA
OFFICE OF THE RECORDER OF DEEDS

RECEIPT NO : 017228 TYPE DOC : HOUSING
REC FEE : 13.00
LOC RTT : 0.00
ST RTT : 0.00
WRIT TAX : 0.00
DATE: 05/29/1998 TIME: 09:05A INST NO.:

CHESTER COUNTY, PA
OFFICE OF THE RECORDER OF DEEDS

RECEIPT NO : 017228 TYPE DOC : CD REC FUND
REC FEE : 1.00
LOC RTT : 0.00
ST RTT : 0.00
WRIT TAX : 0.00
DATE: 05/29/1998 TIME: 09:05A INST NO.:

CHESTER COUNTY, PA
OFFICE OF THE RECORDER OF DEEDS

RECEIPT NO : 017228 TYPE DOC : RE REC FUND
REC FEE : 1.00
LOC RTT : 0.00
ST RTT : 0.00
WRIT TAX : 0.00

BK4356PG1021

BK4512PG0379

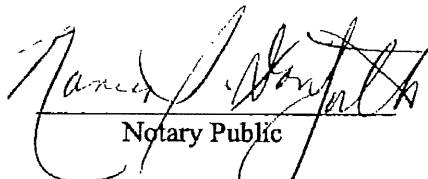
State of Pennsylvania
County of DELAWARE

On this the 19th day of February, 1999 before me, a Notary Public, residing in
the State and County aforesaid, personally appeared

DWIGHT E. WAGNER

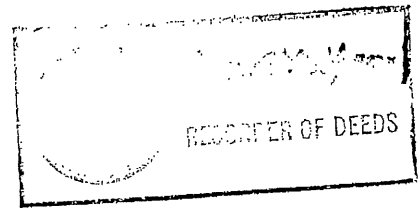
who acknowledged himself (herself) to be President
of Wild Goose Farms Inc.
a corporation, and that he (she) as such President, being authorized to do so,
executed the foregoing instrument for the purposes contained therein by signing the
name of the corporation by himself (herself) as President

IN WITNESS WHEREOF, I have hereunto set my hand & notarial seal.


Notary Public

Notarial Seal
Nancy S. Danforth, Notary Public
Media Boro, Delaware County
My Commission Expires Nov. 8, 2000
Member, Pennsylvania Association of Notaries

BK4512PG0380



DATE: 02/22/1999 TIME: 12:05P INST NO.: 13889

CHESTER COUNTY, PA
OFFICE OF THE RECORDER OF DEEDS

RECEIPT NO : 006209 TYPE DOC : DEED
REC FEE : 17.00
LOC RTT : 0.00
ST RTT : 0.00
WRIT TAX : 0.50

DATE: 02/22/1999 TIME: 12:05P INST NO.:

CHESTER COUNTY, PA
OFFICE OF THE RECORDER OF DEEDS

RECEIPT NO : 006209 TYPE DOC : HOUSING
REC FEE : 17.00
LOC RTT : 0.00
ST RTT : 0.00
WRIT TAX : 0.00

DATE: 02/22/1999 TIME: 12:05P INST NO.:

CHESTER COUNTY, PA
OFFICE OF THE RECORDER OF DEEDS

RECEIPT NO : 006209 TYPE DOC : CO REC FUND
REC FEE : 1.00
LOC RTT : 0.00
ST RTT : 0.00
WRIT TAX : 0.00

DATE: 02/22/1999 TIME: 12:05P INST NO.:

CHESTER COUNTY, PA
OFFICE OF THE RECORDER OF DEEDS

RECEIPT NO : 006209 TYPE DOC : RE REC FUND
REC FEE : 1.00
LOC RTT : 0.00
ST RTT : 0.00
WRIT TAX : 0.00



**REALTY TRANSFER TAX
STATEMENT OF VALUE**

See Reverse for Instructions

RECORDER'S USE ONLY	
State Tax Paid	—
Book Number	4517
Page Number	375
Date Recorded	2-22-99

Complete each section and file in duplicate with Recorder of Deeds when (1) the full value/consideration is not set forth in the deed, (2) when the deed is without consideration, or by gift, or (3) a tax exemption is claimed. A Statement of Value is not required if the transfer is wholly exempt from tax based on: (1) family relationship or (2) public utility easement. If more space is needed, attach additional sheet(s).

A CORRESPONDENT - All inquiries may be directed to the following person:

Name: Pennsylvania Land Transfer Co., Inc. Telephone Number: _____
Area Code (610) 1566-9045
Street Address: 24 East Front Street City: Media State: PA Zip Code: 19063

B TRANSFER DATA

Grantor(s)/Lessor(s) WILD GOOSE FARMS INC	Date of Acceptance of Document 5-20-78
Grantee(s)/Lessee(s) JOHN J. AND SHERYL L. BREZNICKY	
Street Address 910 S CONCORD RD	Street Address 623 PICKET WAY
City: WEST CHESTER PA State: PA Zip Code: 19382	City: WEST CHESTER PA State: PA Zip Code: 19382

C PROPERTY LOCATION

Street Address: 623 PICKET WAY LOT 46 WILD GOOSE FARMS City, Township, Borough: WESTTOWN
County: CHESTER School District: WEST CHESTER AREA SD Tax Parcel Number: 67 4D 66

D VALUATION DATA

1. Actual Cash Consideration 169,395.00	2. Other Consideration +	3. Total Consideration = 169,395.00
4. County Assessed Value 42860.00	5. Common Level Ratio Factor x 1.00	6. Fair Market Value = 42840

E EXEMPTION DATA

1a. Amount of Exemption Claimed 100%	1b. Percentage of Interest Conveyed 100%
---	---

2. Check Appropriate Box Below for Exemption Claimed

- Will or intestate succession _____ (Name of Decedent) _____ (Estate File Number)
- Transfer to Industrial Development Agency.
- Transfer to a trust. (Attach complete copy of trust agreement identifying all beneficiaries.)
- Transfer between principal and agent. (Attach complete copy of agency/straw party agreement.)
- Transfers to the Commonwealth, the United States and Instrumentalities by gift, dedication, condemnation or in lieu of condemnation. (If condemnation or in lieu of condemnation, attach copy of resolution.)
- Transfer from mortgagor to a holder of a mortgage in default. Mortgage Book Number _____, Page Number _____
- Corrective or confirmatory deed. (Attach complete copy of the prior deed being corrected or confirmed.)
- Statutory corporate consolidation, merger or division. (Attach copy of articles.)
- Other (Please explain exemption claimed, if other than listed above.)

*To correct spelling of grantee's last name.
Re Record deed.*

Under penalties of law, I declare that I have examined this Statement, including accompanying information, and to the best of my knowledge and belief, it is true, correct and complete.

Signature of Correspondent or Responsible Party <i>A. Wojcik</i>	Date 2/19/99
---	-----------------

FAILURE TO COMPLETE THIS FORM PROPERLY OR ATTACH APPLICABLE DOCUMENTATION MAY RESULT IN THE RECORDER'S REFUSAL TO RECORD THE DEED.
BK 4512 PG 0382

Zoning Hearing Board Application

John & Sheryl Breznicky, 623 Picket Way, West Chester, PA 19382

VARIANCES RESPONSE:

A. There are unique physical circumstances that are peculiar to our property including narrowness, shallowness, and exceptional topography and the unnecessary hardship is due to such conditions. Specifically, the size of our lot for back yard use does not allow for 25 feet on both sides and rear of property.

B. Because of these physical circumstances (narrowness, shallowness, topography) there is no possibility the property can be developed in strict conformity within Zoning Ordinance and therefore, authorization of a variance is necessary to enable reasonable use of the back yard property. Specifically, there is no where to place pool to be complete.

C. The unnecessary hardship was not created by the applicant. We did not need pool when house was purchased in 1998 leaving us unable to comply with zoning rules.

D. The variance, if authorized, will not change the character of our neighborhood nor impair use or development of adjacent property, and not be detrimental to the public welfare.

E. The variance, if authorized, represents the minimum variance that will afford relief and least modification possible of the regulation in issue. In reviewing the entire property, the pool will be in the best position available.

SIDE BAR:

The pool is an accessory to the house.

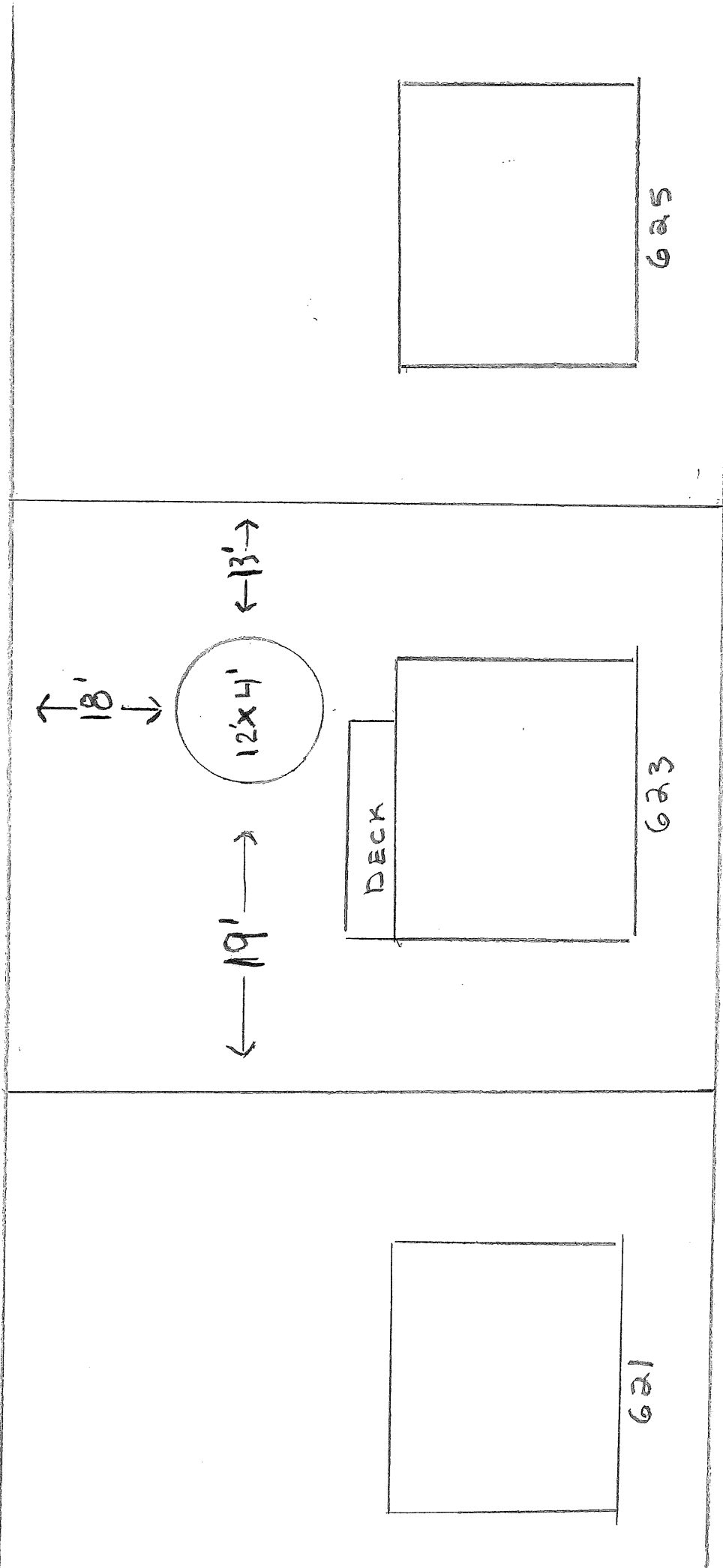
Installation will not be detrimental to the public.

Back yard completely fenced in since home purchase.

Pool ladder is retractable.

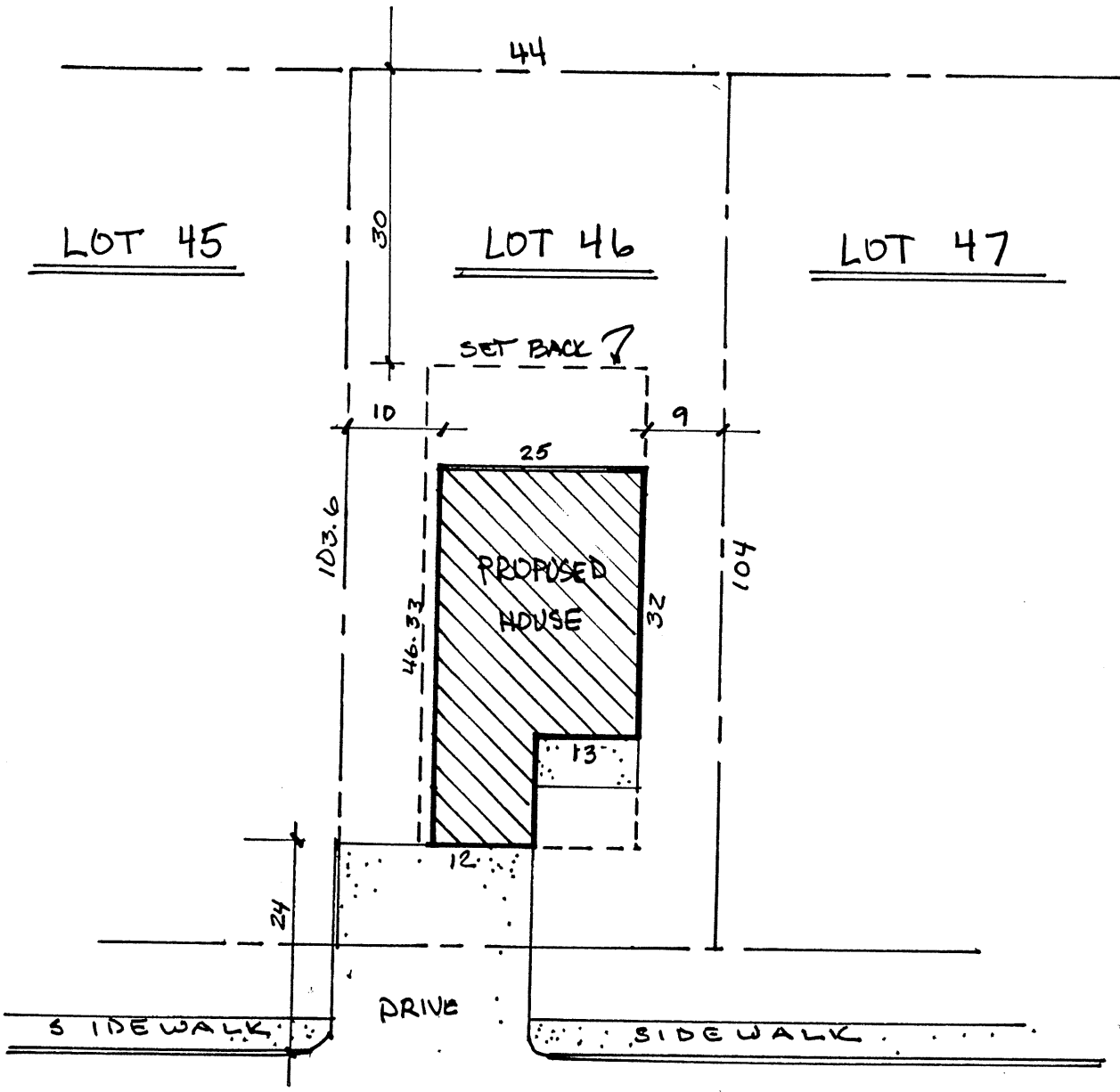
We have had pool for 18 years.

Entire side of street slopes downward with each lot.



P I C K E T W A Y

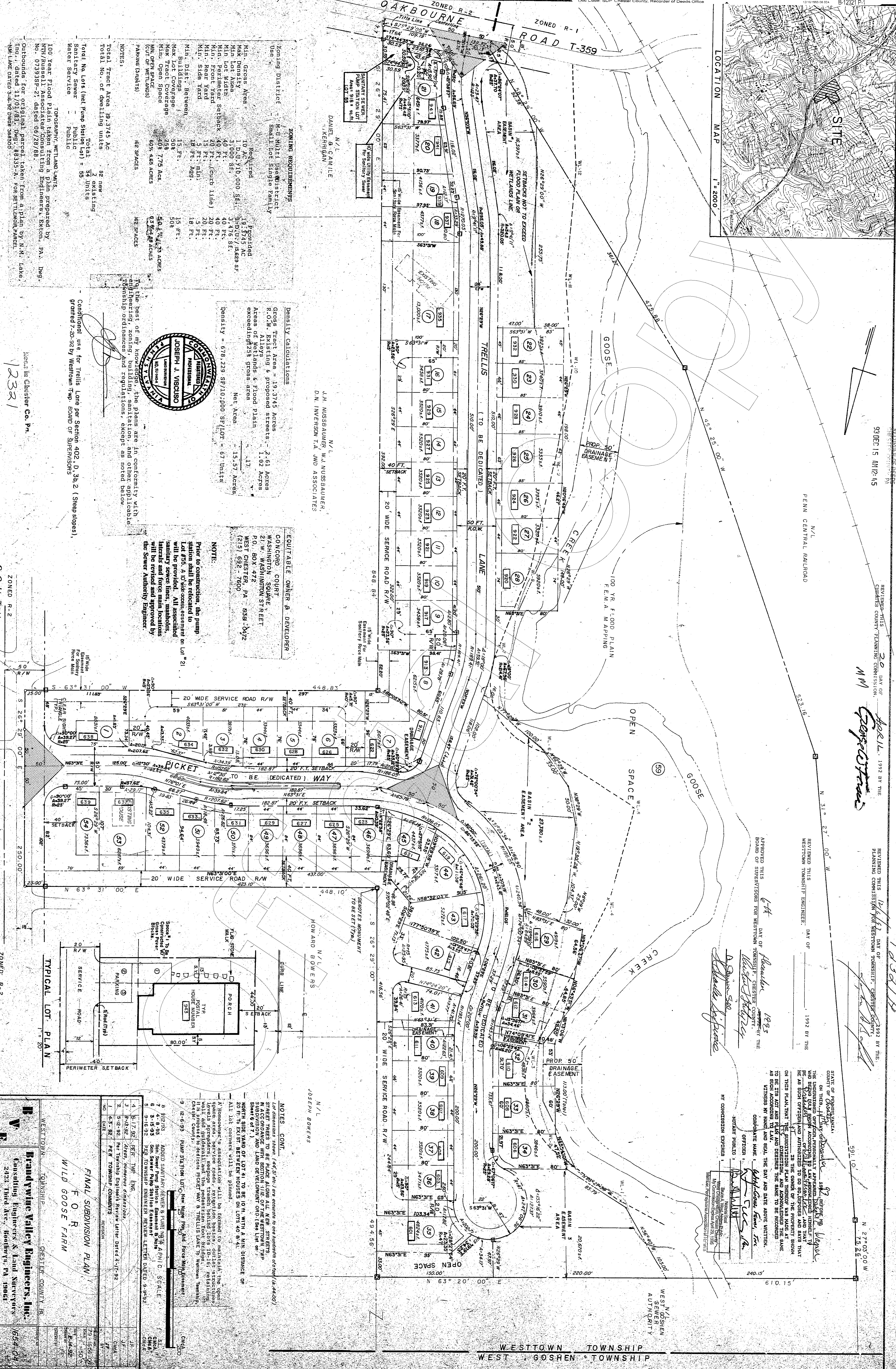
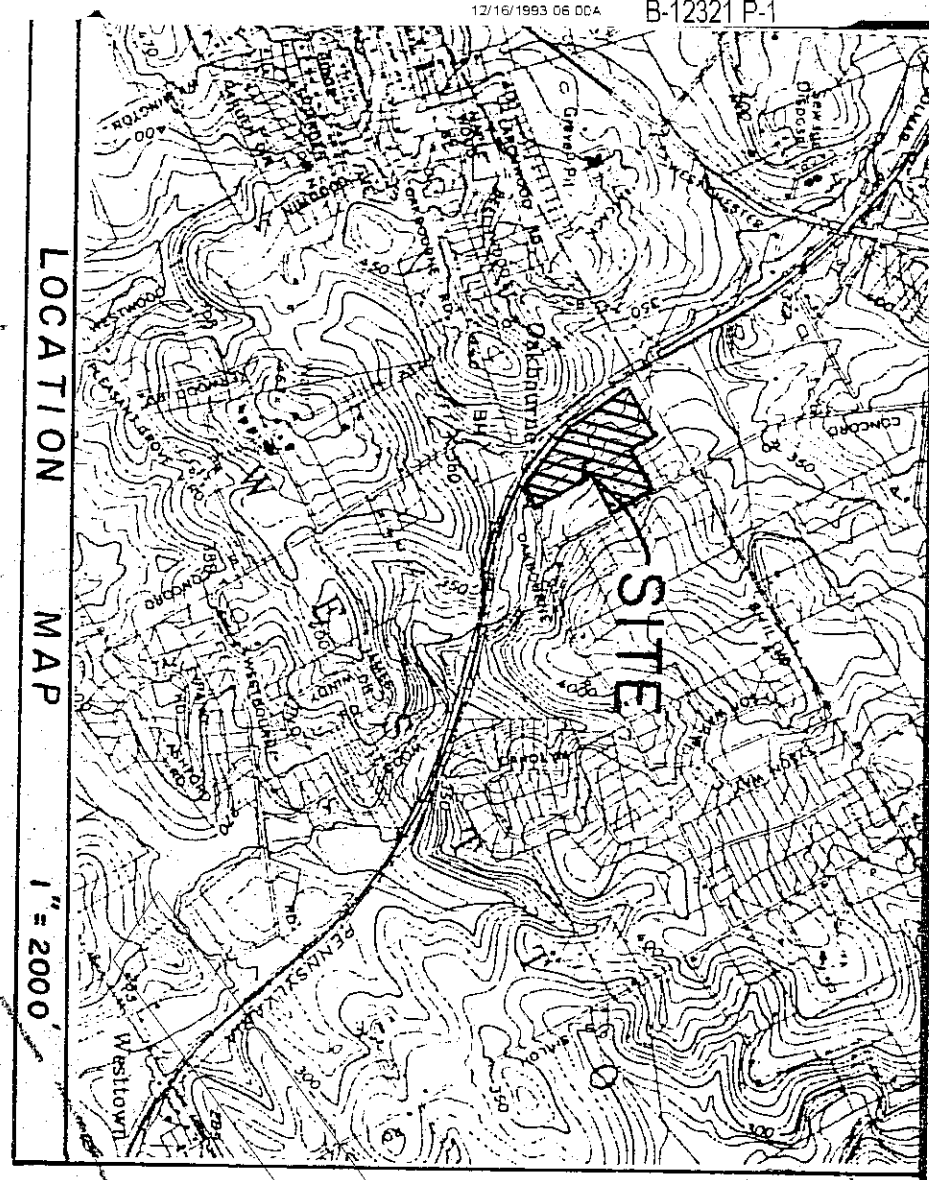
JOHN + SHERYL BREZNICKY
 623 PICKET WAY
 WEST CHESTER, PA 19382



PICKET WAY

LOT AREA = 4576 SF
 LOT COVERAGE = 1277 SF (27.9%)

HOUSE LOCATION PLAN FOR WILD GOOSE FARM - LOT 46 Westtown Township Chester County, PA		
scale: 1"=20'	date: 9/17/96	drawn: DAS



ZONING REQUIREMENTS
 Zoning District - R-2
 Use - Single-Family Residential
 Small Lot Single Family

Required
 10 AC. 10.00 AC.
 1.00 AC. 1.00 AC.
 3,000 SF. 3,000 SF.
 18,374.5 AC. 18,374.5 AC.
 3,476 SF. 3,476 SF.

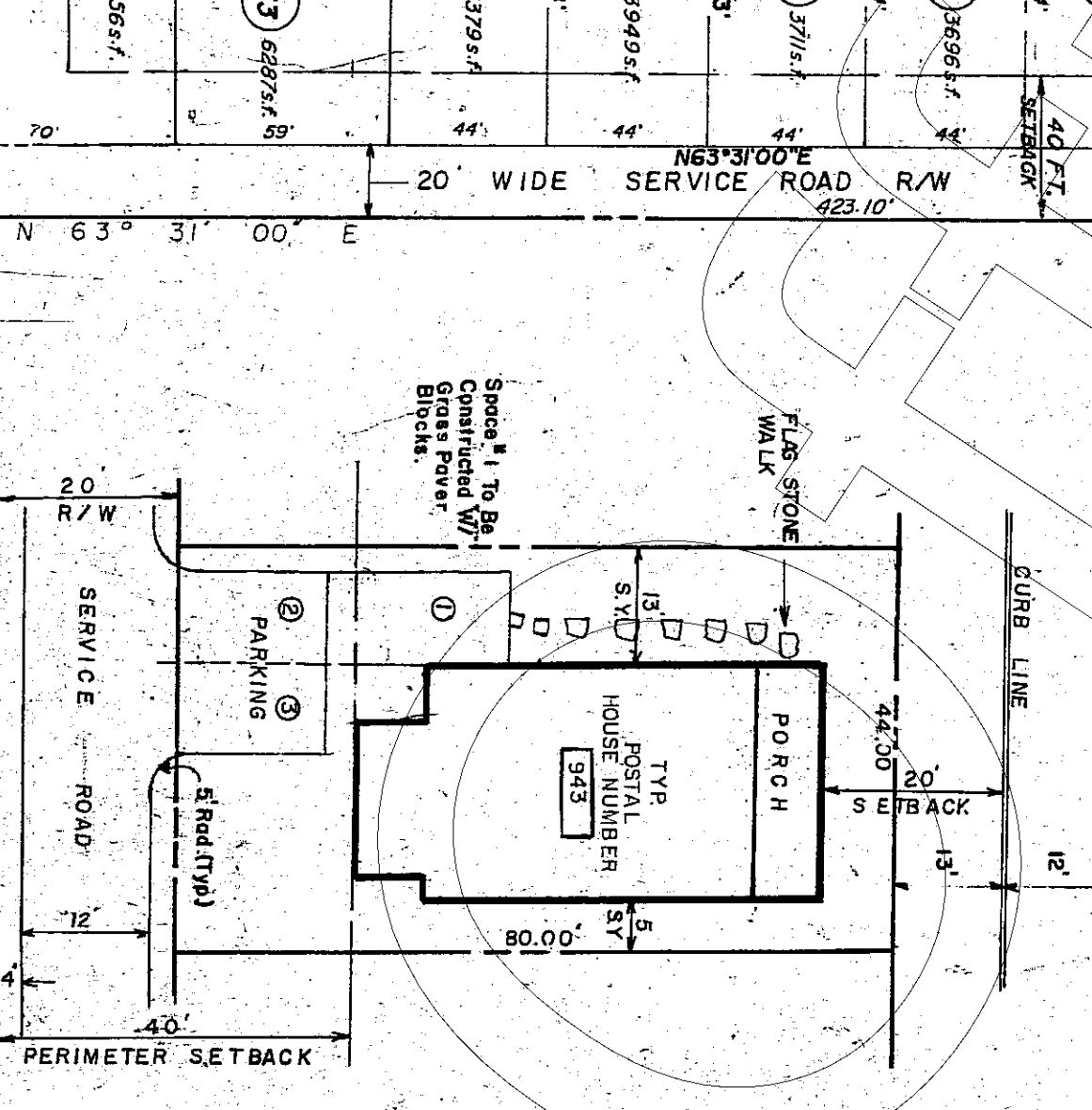
Provided
 10 AC. 10.00 AC.
 1.00 AC. 1.00 AC.
 3,000 SF. 3,000 SF.
 18,374.5 AC. 18,374.5 AC.
 3,476 SF. 3,476 SF.

Net Area - 15.57 Acres
 Density = 678.229 SF/10,000 SF/LOT = 67 Units

Density Calculations
 Gross Tract Area = 19.3745 Acres
 R.O.W. Existing & Proposed Streets = 2.61 Acres
 Areas of Wetlands & Flood Plain exceeding 25% gross area = .17
 Net Area = 15.57 Acres
 Density = 678.229 SF/10,000 SF/LOT = 67 Units

EQUITABLE OWNER & DEVELOPER
 CONCORD COURT
 WASHINGTON SQUARE
 21 W. WASHINGTON STREET
 P.O. BOX 472
 WEST CHESTER, PA 19380-0472
 (610) 538-7600

NOTE:
 Prior to construction, the pump station shall be relocated to Lot #55. A 10' wide easement will be provided. All associated materials and force main locations will be revised and approved by the Sewer Authority Engineer.



NOTES CONT.

1. Lot dimensions shown are accurate to one hundredth of a foot (1/100').
2. STREET TREES TO BE PLACED ALONG ALL NEW STREETS.
3. SUBDIVISION AND LAND DEVELOPMENT ORD. (See title on 1/10/93)
4. NORTH SIDE YARD OF LOT #1 TO BE 10 FT. WITH A MIN. DISTANCE OF 20 FT. TO EXIST. BETWEEN HOUSES ON LOTS #40 & #41.
5. ALL lot corners will be planned.
6. A Homeowner's association will be formed to maintain the open space area, service roads, retention basins, utility structures, and other improvements, including the maintenance of the drainage system. It is proposed to dedicate PICKET WAY & TRELLIS LANE to Westtown Township, Chester County.
7. 12-6-93: PUMP STATION LOT #55, New 4000 Gallon Pump Station.
8. 11/2/93: ADDED SANITARY SEWER & PUMP STATION. P.H.I.C. SCALE.
9. 1-1-93: San Sewer Pump Station Easement & Note.
10. 1-1-93: PER TOWNSHIP ENGINEER REVIEW LETTER DATED 9-9-92.
11. 1-1-93: PER TOWNSHIP ENGINEER REVIEW LETTER DATED 9-9-92.
12. 1-1-93: PER TOWNSHIP ENGINEER REVIEW LETTER DATED 9-9-92.
13. 1-1-93: PER TOWNSHIP ENGINEER REVIEW LETTER DATED 9-9-92.
14. 1-1-93: PER TOWNSHIP ENGINEER REVIEW LETTER DATED 9-9-92.
15. 1-1-93: PER TOWNSHIP ENGINEER REVIEW LETTER DATED 9-9-92.
16. 1-1-93: PER TOWNSHIP ENGINEER REVIEW LETTER DATED 9-9-92.
17. 1-1-93: PER TOWNSHIP ENGINEER REVIEW LETTER DATED 9-9-92.
18. 1-1-93: PER TOWNSHIP ENGINEER REVIEW LETTER DATED 9-9-92.
19. 1-1-93: PER TOWNSHIP ENGINEER REVIEW LETTER DATED 9-9-92.
20. 1-1-93: PER TOWNSHIP ENGINEER REVIEW LETTER DATED 9-9-92.

FINAL SUBDIVISION PLAN
 F O R
 WILD GOOSE FARM

12321

12321

12321

12321

93 DEC 15 AM 12:45

REVIEWED THIS PLAN DAY OF APRIL 1992 BY THE WESTERN TOWNSHIP ENGINEER.

APPROVED THIS PLAN DAY OF APRIL 1992 BY THE BOARD OF SUPERVISORS FOR WESTERN TOWNSHIP, CHESTER COUNTY.

STATE OF PENNSYLVANIA
 COUNTY OF CHESTER
 I, Joseph Bowers, of the County of Chester, do hereby certify that the foregoing is a true and correct copy of the original as recorded in my office.

WEST TOWNSHIP
 WEST GOSHEN TOWNSHIP



WESTTOWN TOWNSHIP

1039 Wilmington Pike
West Chester, PA 19382
(610) 692-1930
email: supervisors@westtown.org

P.O. Box 79
Westtown, PA 19395
FAX (610) 692-9651
www.westtownpa.org

DATE

Board of Supervisors

Westtown Township

RE: Planning Commission Annual Report - 2024

In accordance with Article II, section 207 of the Pennsylvania Municipalities Planning Code (MPC), the Planning Commission shall keep a full record of its business and shall annually make a written report by March 1 of each year of its activities to the governing body. The first is a brief summary of the Planning Commission efforts for the year 2024 and signatures. This is followed by a detailed listing of the events by month. The final section is a list of the items planned for 2025 as they are now expected. It is very likely that this list will be modified as the year progresses.

Summary of Completed Planning Commission Activities

For the calendar year 2024, the Westtown Planning Commission reports the following main activities:

- The Commission continued to review Zoning Hearing Board (ZHB) requests for variances and/or special exceptions being requested by Township residents. This is likely a continued trend caused by lack of affordable housing, high interest rates, an aging population, and the desire by many to stay in their current homes.
 1. 1115 S Concord Road for a special exception for construction of an accessory dwelling unit and a variance to encroach 10 feet into the mandated side yard setback. The Commission recommended an approval for special exception to allow for the ADU and a denial for variance from the mandatory side yard setback because the Commission did not believe there was sufficient ground for the variance request.
 2. 109 Piper Lane for a variance to install an in-ground swimming pool in the rear yard with concrete pool deck, boulder wall and fence, which the Commission recommended approval of with one condition that the access to the stormwater management facility shall be maintained.
 3. 1056 S New Street for special exception to allow the newly acquired parcel, 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. The Commission recommended approval of the application.

4. 1646 West Chester Pike for special exception to expand the nonconforming use of the ice hockey rink, which was previously granted by the Zoning Hearing Board, to convert the area currently being used for dehumidifier (outside) to an additional locker room with shower facilities. The Commission recommended approval of the application.
 5. 1001 S Walnut Street for a variance to allow for the minimum lot area of 15,000 square feet in an effort to potentially subdivide and further develop the property, creating a second lot for the subsequent development of a single family detached dwelling. The Commission recommended approval of the application.
 6. 301 E Pleasant Grove Road for a variance to construct a detached garage within two front yards of the property. The Commission recommended approval of the application.
- The Commission continued to review applications for sketch plans, conditional use, and subdivision and land development, including the following:
 1. Sketch Plans
 - A 1-story 3,294 SF Chase Bank at Westtown Marketplace shopping center. The land development application is pending upon the amendments to the parking ordinance.
 - A 1-story 9,550 SF warehouse/distribution facility at the former Abbey Green property.
 - Funeral home at 1115 Wilmington Pike with a access to E Pleasant Grove Road.
 2. Land Developments
 - Improvements to the Sunoco gas station located at 1014 Wilmington Pike. The applicant withdrew its application and revised the scope to evade the land development process.
 - Improvements to athletic fields and construction of a support building at Westtown School, which are currently under construction.
 - Demolition of Quality Inn located in West Goshen Township at 943 S High Street and construction of an assisted living facility with an access through the property located in Westtown Township. Demolition is currently ongoing.
 3. Conditional Uses

- Stokes Estate development of 78 single family homes on 81 acres of land under flexible development procedure with two accesses from Shiloh Road. The Commission recommended denial. The Board has denied the application, but agreed to the settlement. The submission of land development application is pending.
- A 10-acre solar panel facility at Westtown School, which is under construction.
- A 2,750 SF Visual Arts Center (VAC) at 1632 West Chester Pike. The applicant failed to respond to comments and after granting multiple extensions, withdrew the application.
- The Commission has once again returned to the review and update of the Township ordinances.
 1. Amendments to Chapter 170, Zoning, Off Street Parking and Loading;
 2. Amendments to Chapter 63, Open Burning;
 3. Amendments to Chapter 54, Brush, Grass, and Weeds;
 4. Amendments to Chapter 144, Stormwater Management;
 5. Amendments to Chapter 170, Zoning, R-3 Residence-Office District;
 6. Amendments to Chapter 170, Zoning, Signs;
 7. Amendments to Chapter 170, Zoning, Fences and walls.
 8. Amendments to Chapter 170, Zoning, to address affordable housing;
 9. Amendments to Chapter 170, Zoning, and/or Chapter 149, Subdivision of Land, to address safety concern associated with transmission pipelines.
- The Commission has also continued to be a consistent team, with several members passing a 10-year anniversary with no new or departing members this past year.

Westtown Township Planning Commission

Jack Embick – Chairman (2024)

Russ Hatton – Vice-Chairman (2024)

Jim Lees

Tom Sennett

Kevin Flynn

Brian Knaub

Joe Frisco

Liudmila Carter - Secretary

Year in Detail

January 2024

- Nominations: Mr. Embick for Chairman, Mr. Hatton for Vice-Chairman, and Ms. Mila Carter for Secretary. All voted in favor.
- Ordinance Amendments to Outdoor Burning – The Commission discussed the feedback provided by the Township solicitor on proposed draft language. Main discussion items included inclusion of phone number in the ordinance language, prohibition of burning leaves and commercial and industrial waste and burning on public roadways.
- Ordinance Amendments to Managed Meadow – The Commission reviewed the suggestions provided by Supervisor Foster, including amending Chapter 54 instead of having these regulations under zoning. There was a lot of discussion about the difference between natural vegetative areas and managed meadows, enforcement and potential issues.
- Public Comment (1131 S Chester Road) - request to consider amendments to home occupation provisions pertaining to allowable sign size. The ZHB granted a special exception for major home occupation to utilize the lower level of the house as medical office, but the allowable sign size was not sufficient to be visible from the roadway. The PC recommended for the applicant to pursue another variance request.
- Priorities for 2024 - The Commission's priorities included amendments to flexible development procedures, historic presentation ordinance, open burning, parking regulations, renewable energy systems, conservation design, open space calculations, and cutting of trees, traffic impact studies, and environmental impact assessments.

February 2024

- ZHB Application – 1115 S Concord Road as noted on page #1.
- ZHB Application – 109 Piper Lane as noted on page #1.
- 2023 Report Review – The Commission's suggestions on how to save time on compiling the report, including creating a summary on a monthly basis.
- Ordinance Amendments to Off-Street Parking – The Commission discussed the Chester County's Act 247 review letter that was in support of proposed amendments to decrease the amount of required parking spaces for existing shopping centers.
- Joint Meeting Preparation and Post Meeting Discussion – The Commission identified several subject items to discuss with the Board at the joint meeting. At the follow up meeting, the Commission provided their feedback of the joint meeting, which was predominantly positive.

- Recap of Function and Responsibilities – Review of the Department of Community and Economic Development (DCED) booklet on the duties and functions of the planning commission authorized by the Pennsylvania Municipalities Planning Code.
- Update on the Environmental Rights Amendment to the Pennsylvania Constitution - A presentation on the history of Article I, Section 27 of the Pennsylvania Constitution, which was enacted in 1972 and where it stands now, and summary of a court case, known as the Payne Test, which provided a foundation for over 40 years for whether a government activity is constitutional in respect to the environmental rights amendment.
- Update on current land development and conditional use applications as well as ongoing projects.

March 2024

- Ordinance Amendments to Flexible Development Procedure – The Commission discussed the proposed draft language that was developed in 2021 and its relevancy to today. One recommendation was to potentially rescind these provisions and start with a clean slate. The Commission wanted to combine the discussion on the future of these amendments with the subject of affordable and attainable housing.
- Comprehensive Plan Review (2019) – There was a discussion on goals and objectives as stated in the Plan and accomplishments so far, including those not included in the adopted Plan. The Commission thought it was important to revisit the subject of Official Map as it was noted as the highest priority in the Plan.
- Public Comment (9 Garden Circle) – shared experience living in the area of subsidized housing and raised concerns about crime rates and safety which she believed were associated with affordable and sustainable housing.
- Court Case Review – Highlight of three cases: 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. In the RDM case, 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. In the Soland case, the Commonwealth Court determined that use variances are subject to the di minimus variance rule. In the Borough of Plum case, a gas well company had an injection well, which was a preexisting nonconforming use, and proposed to add another well, arguing that it was a natural expansion of preexisting use.
- ZHB Application – 1115 S Concord Road as noted on page #1.
- Chester County Open Space Inventory – The Commission reviewed documents provided by the County that depicted the extent of open space in Westtown and discussed methodology behind walkability analysis.

April 2024

- ZHB Application – 1056 S New Street as noted on page #1.
- Official Map – Overview of the official map authorized by Article IV of the Pennsylvania Municipalities Planning Code (MPC). The Commission expressed an interest in defining opportunities for future planning initiatives, including trails and pedestrian facilities.
- New drinking water standards under the Safe Drinking Water Act for Per- and Polyfluorinated (United States Environment Protection Agency (EPA))
- Attainable and Affordable Housing - Chris Patriarca and Libby Horwitz from the Chester County Planning Commission (CCPC), and Dorothy Ives-Dewey and Ray Ott from the West Chester Area Affordable Housing Council summarized current housing initiatives and provided recommendations for zoning amendments supportive of attainable housing in Westtown.
- Public Comment (Supervisor Foster) – raised a question about availability of vacant land in Westtown and suggested focusing efforts on evaluating building codes to encourage long term living arrangements for the elderly who are choosing to stay in their current homes.

May 2024

- Open Space Inventory and Conservation Design – Rachael Griffith from the CCPC answered questions about Westtown’s open space analysis and recommendations and provided an overview of the Conservation Subdivision Design Guide (and model ordinance) created by the County planners to help municipalities develop effective ordinances. She encouraged the creation of an official township map to identify open space priorities and to use as the basis for future efforts to preserve those spaces. Conservation guide has elements Westtown might want to consider, such as allowing development by right, instead of requiring the conditional use process, or eliminating the density bonus.
- Official Map – The Commission wanted to see additional detail on the map, including easements and trails prior to further discussion.
- Attainable and Affordable Housing – The Commission questioned whether this was topic for future discussion due to the lack of public infrastructure and accessibility that might be needed to encourage attainable housing in Westtown. There was a discussion to address the issue on a project by project basis and touch base with Westminster Presbyterian on their previous efforts to construct such housing, which is currently not supported by underlying zoning district.

June 2024

- Ordinance Amendments to Outdoor Lighting – discussion on a request to allow for brighter lights due to recent criminal activity at Amish Market shopping center. The Commission believed that motion lights, infrared cameras, and alarms would better

serve as a defense against future crime. The consensus was not to make any changes.

- Ordinance Amendments to Accessory Dwelling Units (ADU) – discussion on a possibility to provide for additional opportunities for diverse housing choices, such as allowing non-related persons to live in the ADUs, creation of two or more dwelling units within an existing single family detached dwelling, and permitting all or some ADUs by right. The Commission also discussed a possibility of addressing ADUs on historic properties as an incentive to entice people to maintain historic buildings. The consensus was not to make any changes.
- Ordinance Amendments to Brush, Grass, and Weeds – review of proposed changes to Chapter 54, Brush, Grass and Weeds ordinance in conjunction with the draft ordinance amendments for managed meadow provisions under §170-1507 Landscaping and site design to address a potential need for exemption of areas of natural vegetation from those requirements.
- Conditional Use Application - 1632 West Chester Pike to construct a visual art center. The applicant was not responsive to the Township’s request for extension and failed to provide supplemental and revised materials to address the Commission’s and the Township consultants’ comments from 2023. The Commission recommended denial of the application in the absence of the applicant and lack of response.
- Public Comment (811 E Sage Road) – request to amend zoning provisions for fences for the owner to retain an 8-foot high unpermitted fence on the property to protect garden areas and to address health concerns associated with exposure to deer herd.
- Ordinance Amendments to R-3 Residence Office District – recommendation to rescind ordinance amending Chapter 170, Zoning, Article VIII, R-3 Residence-Office District regulations and Article XVII, Off-street parking and loading regarding a Visual Arts Center use and shared parking has been adopted by the Township in 2013.
- Official Map – The Commission discussed establishing future pathways and trail and bike lanes to connect Oakbourne Park with Crebilly Preserve, creating a safe pedestrian connection between the eastern portions of Oakbourne Park with the western portion (Cope Tract), evaluating any feasible option for connecting a pathway along the eastern most portion of Cope Tract towards Goose Creek at Street Road, and whether Stratton Farm property shall be considered for inclusion on official map.

July 2024

- Land development application for construction of Chase Bank at Westtown Marketplace shopping center was received
- Ordinance Amendments to Fences and Walls – The Commission discussed the background information and recommendations provided by the Township staff for potential amendments to fence provisions and decided to have a subcommittee to review and provide suggestions.

- Official Map – The Commission discussed a potential of connecting Oakbourne Park with the surrounding neighborhoods such as Pleasant Grove and brainstormed additional features to consider. There was a consensus for ideas to be presented to the Board for feedback.

August 2024

- Land Development Application for Chase Bank at 1502 West Chester Pike – review of land development application for construction of a 3,294 square foot bank with drive-thru, stormwater management facility, parking and landscaping. Adopted amendments to off-street parking requirements allowed for this project to move forward. The main discussion item was possibility of an improved pedestrian connection of existing bus stop to the shopping center, accessibility and modifications to the bus stop to comply with ADA requirements.
- Ordinance Amendments to Signs – request by Advent Lutheran Church and Westminster Presbyterian Church to allow the use of digital displays for religious institutions. The Commission was reluctant to provide a favorable recommendation and requested more information about the use of digital signage, potential concerns and features, including message duration, illumination, brightness, color intensity, and font sizes.
- Sketch Plan for Funeral Home at 1115 Wilmington Pike and 12 E Pleasant Grove Road – request to provide a favorable recommendation for an access easement through the Township owned property as the secondary access to future funeral home. The Commission raised several concerns, including additional traffic volumes and traffic impact on E. Pleasant Grove Road and surrounding neighborhoods and concerns with funeral procession accessing Wilmington Pike in a safe manner. The applicant agreed with recommendation to conduct a traffic impact study and confirm delineation of wetlands.
- Ordinance Amendments to R-3 Residence Office District – The CCPC provided an Act 247 review letter supportive of rescinding of provisions related to the VAC.
- Ordinance Amendments to Fences and Walls – The subcommittee provided several recommendations, including retaining the maximum allowable fence height of six (6) feet in back and rear yards, but decreasing the allowable height in the front yard to four feet, setting a required setback for a fence of 1 foot from property lines and 10 feet from public right-of-ways, limitations on fences enclosing recreational facilities to specific type and limitations on specific fence materials.
- Public Comment (811 E Sage Road) – request to consider permitting fences to be 8 feet high to enclose garden areas on a limited basis and specific criteria.

September 2024

- Ordinance Amendments for Development Near Transmission Pipelines - there are currently no provisions in the Code pertaining to setback parameters for new

developments or redevelopments in proximity to existing transmission pipelines. The Commission considered applicability of such provisions and discusses other regulatory opportunities to address public safety concerns.

- Ordinance Amendments to Fences and Walls – review and discuss proposed draft amendments, including modified height and setback requirements, additional provisions for fence foundations, fence gates, open fences, standards for garden fences, and modifications to permit submission and maintenance requirements.
- Public Comment (221 Swinburne Road) – raised several concerns pertaining to proposed fence ordinance amendments, specifically, requirement for permits of all fences exceeding 40 feet in length, PA One Call System notification before submitting permit application, proposed setback from the future right-of-way, proposed one foot setback from side and rear property lines, and requirements for concrete footings, and potential limitations on specific materials.
- Ordinance Amendments to Signs - review of background information and recommendations prepared by Township staff. Main discussions items were feedback on distraction and safety pertaining to digital displays from WEGO, impact on residential properties, long-term maintenance, specified point of contact for digital display operations, and other preventative measures to address brightness, a checklist on the permit application, luminance measurements and methodology, allowable height and size, additional setbacks for digital displays, and automatic dimming capabilities.

October 2024

- Court Case Review – Mr. Embick provided a summary of a case recently decided by the Pa. Supreme Court: Shirley v. Pa. Leg. Ref. Bureau, No. 85 MAP 2022 (Pa, July 18, 2024) and the majority opinion. The case involves an analysis of standing and intervention requirements, which confirms standing of associations based on injury to members and clarifies when courts are required to permit third party intervention.
- Ordinance Amendments to Signs – Commission reviewed proposed amendments to zoning regulations, Article XVIII Signs, pertaining to signs located on lots with institutional uses and general regulations on sign illumination options, including digital displays.
- Ordinance Amendments to Pipeline Setbacks - The Chester County Planning Commission was in attendance to participate in the discussion related to potential ordinance to regulate developments within the proximity to transmission pipelines.
- Land Development Application for Chase Bank - 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. 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.

November 2024

- ZHB Application – 1001 S. Walnut Street for a variance from the required minimum lot area in an effort to potentially subdivide and further develop the property, creating a second lot for the subsequent development of a single-family detached dwelling. The 0.69 acre parcel is located at the corner of South Walnut Street and Oakbourne Road in the R-2 Residential Zoning District, where the minimum lot area for single-family dwellings with both public water and sewer is 22,000 square feet. The property is improved with a single-family detached dwelling, detached garage and driveway, and is serviced by public water and sewer. The Commission recommended approval of the variance request with conditions of collecting feedback from neighbors and removal of detached garage and other impervious coverage as depicted on the plan on Lot #1.
- ZHB Application – 1646 West Chester Pike for a special exception to expand the legal nonconforming use of the ice hockey rink, which was previously granted by the Zoning Hearing Board. The subject property is a condominium Unit #6 (UPI. 67-3-132.9) improved with a one story building that is serviced by public water and sewer located within the business center in the R-3 Residence-Office District. The Commission recommended approval with a condition not to exceed an area of 1,700 square feet.

December 2024

- ZHB Application – 301 E Pleasant Grove Road for a variance relief to construct detached garage within two front yards of his property. The 1.5 acre parcel is located at the corner of E Pleasant Grove Road and Westwood Drive in the R-1 Residential Zoning District, and is improved with a single-family detached dwelling, detached garage and two driveways. The property is listed on the Westtown Township's Historic Resources Map as Class 2 – resource of local historic value. The Commission recommended approval of the application with the condition that the garage is moved 3 feet north and 3 feet east of the proposed site.
- Projects Summary (2024) - Ms. Carter provided an update on the land development and subdivision projects and planning initiatives and an overview of upcoming applications.
- Court Case Review - Mr. Embick gave an overview of the Pennsylvania Supreme Court Case of Oberholzer v. Galapo, which dealt with the issue of defamation and the legal validity of claims involving yard signs. The case primarily revolves around a dispute between two neighbors and whether a defamatory statement made through a yard sign can form the basis for a lawsuit. The case backs the right to free speech but does not prohibit litigation if the speech proves defamatory, basically you are responsible for what you are saying in your signage, and municipalities are

responsible for zoning requirements, such as spacing, size and amount of signage allowed

- Ordinance Amendments to Signs - The Chester County Planning Commission (CCPC) has reviewed the proposed 2024-08 Zoning Ordinance amendments pertaining to Signs and issued its review letter. Ms. Carter has reviewed the CCPC website and other municipalities' ordinances on digital signage and provided a memo to the PC summarizing all her findings. The Commission made a motion to recommend approval of proposed amendments.

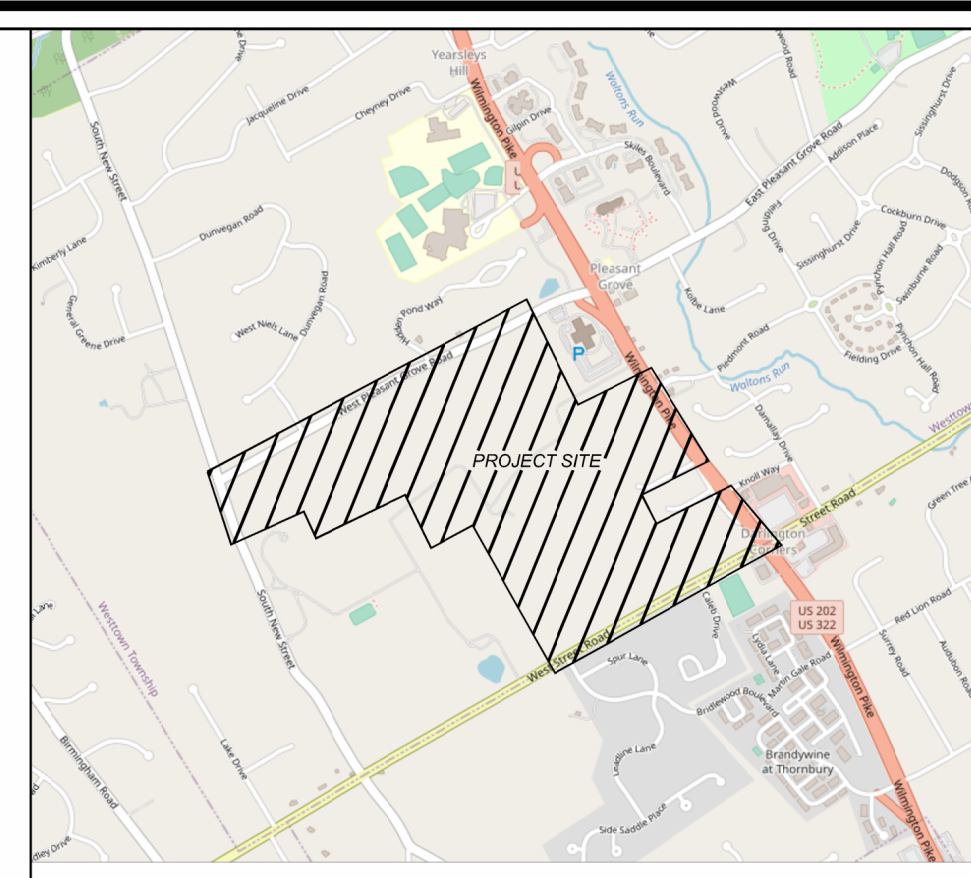
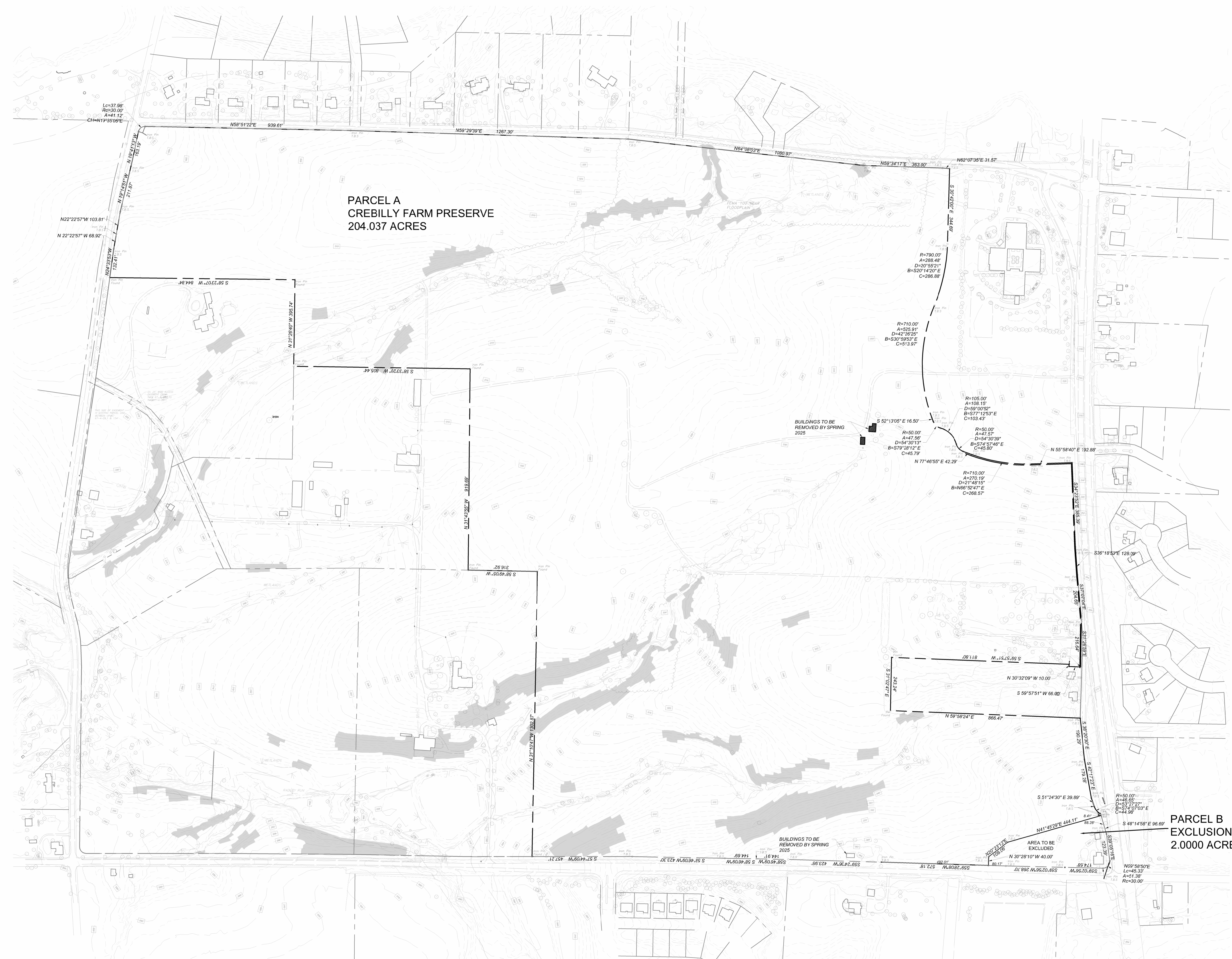
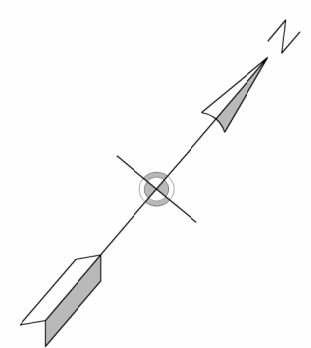
DRAFT

Plans for 2025

The following items have been identified by the PC as priority initiatives for the next year. It is expected that this list will expand or will be modified as the year progresses. The high priority items are the first six line items:

[Items below were proposed for 2024 and need to be updated]:

- Review flexible development ordinance for setbacks, lot size, and open space requirements.
- Consider revisions to open space calculations.
- Review proposed changes to the historic preservation ordinance.
- Revise conservation design regulations and consider potential amendments.
- Review 2019 Comprehensive Plan for items that could be revised and/or implemented.
- Consider adoption of the environmental impact assessment provisions.
- Review the renewable energy systems provisions for potential changes to setbacks for ground mounted systems and any other requirements if deemed needed.
- Finalize fencing regulation updates, including placement, type, materials and heights.
- Revise road construction references to outdated PennDOT regulations.
- Improve requirements and process in the use of sketch plans.
- Complete revisions to storage regulations to include self-storage and other storage methods.
- Discuss opportunities for development of trail connections to parks and open spaces.
- Consider revisions to assessment criteria (i.e., traffic impacts).



LOCATION MAP
SCALE = 1" = 2000'

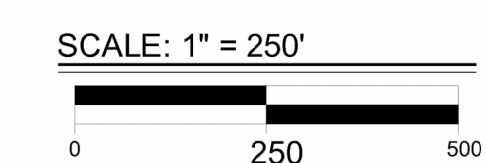
GENERAL NOTES:

- EXISTING TOPOGRAPHY AND OTHER SURFACE INFORMATION TAKEN FROM FINAL LOT LINE CHANGE PLAN FOR CREBILLY FARM PREPARED BY SITE ENGINEERING CONCEPTS, LLC, P.O. BOX 1992 SOUTHEASTERN, PA 19369, ON JULY 5TH, 2022.
- LOCATIONS OF ALL UNDERGROUND UTILITIES ARE APPROXIMATE. ALL LOCATIONS AND SIZES ARE BASED ABOVE GROUND STRUCTURES THAT WERE VISIBLE AND ACCESSIBLE IN THE FIELD. AVAILABLE AS-BUILTS AND STRUCTURES BEFORE ANY EXCAVATION IS TO BEGON, ALL UNDERGROUND UTILITIES SHOULD BE VERIFIED TO THEIR LOCATION, SIZE, AND TYPE BY THE PROPER UTILITY COMPANY.
- ALL SCALED DIMENSIONS FROM THIS PLAN SHALL NOT BE USED FOR CONSTRUCTION WITHOUT CONFIRMATION FROM CEG.
- SITE TOTAL ACRES = 206.037 ACRES

LEGEND:

BOUNDARY LINE	---
ADJOINING PROPERTY LINE	---
EXISTING CONTOURS	~ ~ ~
BUILDING OUTLINE	▭
BUILDING OVERHANG	▬
EDGE OF CURB	---
EDGE OF PAVEMENT	---
SANITARY SEWER PIPE	SAN
EXISTING WETLAND	W
WATER PIPE	W
TREE ROW	---
ELECTRIC CONDUIT	---
OVERHEAD ELECTRIC	---
FENCE	---
EXISTING MONUMENT/ PIN	○
TREE	○

GRANTEE: WESTTOWN TOWNSHIP
 PRESERVE NAME: CREBILLY FARM PRESERVE (204.037 ACRES)
 LOCAL SPONSOR SIGNATURE/ DATE: _____
 SLO/ASLO SIGNATURE/ DATE: _____
 LWCF NUMBER: 42-01645



MARK	COMMENT	DATE
1	REVISE PARCEL B LOT LINES AND BEARINGS	11/22/2024

ceeg
 CIVIL ENGINEERING ENVIRONMENTAL SERVICES
 SURVEYING CONSTRUCTION
 159 East High Street, Suite #500, Pottsville, PA 19464
 610.705.4500 (Office) 610.705.4900 (Fax)

SITUATED IN
 WEST CHESTER TOWNSHIP, CHESTER COUNTY, PENNSYLVANIA
 PREPARED FOR
 SURVEY BOUNDARY MAP
 WESTTOWN TOWNSHIP
 PROJECT NAME
 CREBILLY FARM LWCF ACQUISITION

DESIGNED BY:
 DRAWN BY: MG
 CHECKED BY: BF
 PROJECT NO. 0236-22-0406
 DATE: 11/18/2024
 SCALE: 1"=250'

SHEET 1 OF 1
C-1

ARTICLE V
A/C Agricultural/Cluster Residential District

§ 170-500. Statement of intent.

In addition to the general goals in the preamble, the purpose, and the community development objectives, it is the purpose of this article to preserve the traditional agricultural and rural residential character of appropriate areas of the Township, provide housing opportunities for residential development at low densities consistent with such character, and provide for clustering of housing as an option to preserve and enhance the natural, scenic, and historic character of the landscape.

§ 170-501. Use regulations. [Amended 9-15-1997 by Ord. No. 97-3; 5-3-1999 by Ord. No. 99-2; 3-3-2003 by Ord. No. 2003-2]

- A. Uses by right. A building may be erected, altered, or used, and a lot may be used or occupied, by right, for any one of the following principal purposes and no other:
- (1) Single-family detached dwelling.
 - (2) Agricultural use, in accordance with the provisions § 170-1609 of this chapter. A principal dwelling may be permitted as a use by right on the same premises as a principal agricultural use.
 - (3) Buildings, structures, and/or uses owned and operated by Westtown Township.
 - (4) Accessory uses. Only the following accessory uses shall be permitted, in addition to a permitted principal use:
 - (a) Uses customarily accessory to agricultural or residential uses, including but not limited to those uses described in § 170-1603B and C of this chapter.
 - (b) Minor home occupation, in accordance with the terms of § 170-1605 of this chapter.
 - (c) Swimming pool, in accordance with the provisions of § 170-1611 of this chapter.
 - (d) Display and sale of farm products meeting the requirements of § 170-1603B.
- 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 § 170-503 of this article, shall apply to all uses permitted by special exception in the A/C District.
- (1) Bed-and-breakfast facility, in accordance with the provisions of § 170-1607 of this chapter.
 - (2) Day camp, riding academy, swimming club, athletic field, golf course (excluding golf driving range and miniature golf course), provided the Board concludes there is sufficient acreage available for such uses. The area and bulk regulations contained in

§ 170-702E(2) through E(10) shall apply.

- (3) Religious use or primary or secondary school, which shall comply with § 170-702E of this chapter.
 - (4) Major home occupation, in accordance with the terms of § 170-1605 of this chapter.
 - (5) Accessory dwelling unit, in accordance with the provisions of § 170-1603A of this chapter.
 - (6) Conversion of a single-family dwelling, in accordance with the provisions of § 170-1608 of this chapter.
 - (7) Farm-related business meeting the requirements of § 170-1616.
 - (8) Conversion of an accessory dwelling unit into a rental, in accordance with the provisions of § 170-1619. **[Added 5-6-2019 by Ord. No. 2019-02]**
- C. Conditional uses. The following uses shall be permitted only upon approval as a conditional use by the Board of Supervisors in accordance with the terms of this article and § 170-2009 of this chapter.
- (1) Adult community development meeting the requirements of § 170-503, § 170-1615, and all other applicable provisions of this chapter, but which shall not be required to meet the provisions of § 170-502.
 - (2) Residential development, in accordance with the provisions of the flexible development procedure as set forth in Article IX of this chapter.
 - (3) Solar energy system as a principal use subject to § 170-1618C. **[Added 2-17-2015 by Ord. No. 2015-3]**
 - (4) Wind energy system as a principal use subject to § 170-1618D. **[Added 2-17-2015 by Ord. No. 2015-3]**

§ 170-502. Area and bulk regulations.

The following regulations shall apply:

- A. The maximum density of use on any tract within the A/C District shall be as determined by § 170-1519B of this chapter.
- B. Single-family detached dwelling: **[Amended 5-1-1995 by Ord. No. 95-2; 3-3-2003 by Ord. No. 2003-2]**
 - (1) Lot size: two acre minimum.
 - (2) Lot width at minimum building setback line: 200 feet minimum.
 - (3) Lot width at street line: 100 feet minimum (cul-de-sac: 50 feet).
 - (4) Impervious coverage: 15% maximum.

- (5) Minimum building setback line: 50 feet minimum, except no structure shall be located within 100 feet of the future right-of-way line of Route 202 or Route 3, regardless of lot lines.
 - (a) An undeveloped area within this required setback shall not be subdivided from the remainder of the tract.
 - (b) The land within this required setback may be accepted as part of the requirements for open space of this chapter and Chapter 149, Subdivision and Land Development, and may be deed restricted or conveyed in accordance with such.
 - (6) Side yards: 50 feet minimum.
 - (7) Rear yard: 50 feet minimum.
 - (8) Maximum building height: three stories, not to exceed 38 feet.
- C. Agricultural use: As required by the standards in § 170-1609 of this chapter.¹
- D. Residential development as per flexible development procedure: As required by the standards in Article IX of this chapter.
- E. 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.
- F. Uses permitted by special exception: As required by § 170-501B of this chapter.
- G. Conditional uses: Residential conditional uses, as applicable, shall conform to the standards for single-family detached dwellings in § 170-502B above. Nonresidential conditional uses shall conform to the standards for nonresidential uses in Article VII, § 170-702E of this chapter.

§ 170-503. 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 A/C District:
- (1) Parking: as required by Article XVII.
 - (2) Lighting: as required by § 170-1514.
 - (3) Screening: as required by § 170-1508.
 - (4) Storage: as required by § 170-1509.
 - (5) Signs: as required by Article XVIII.
 - (6) Landscaping: as required by § 170-1507.
 - (7) Access and traffic control: as required by §§ 170-503C and 170-1510. **[Amended**

1. Editor's Note: Former Subsection D, regarding residential cluster development, which immediately followed, was repealed 9-15-2008 by Ord. No. 2008-1. This ordinance also redesignated former Subsections E through H as D through G, respectively.

9-15-2008 by Ord. No. 2008-1]

- (8) Interior circulation: as required by § 170-1513.
- B. Residential development as per flexible development procedure: As required by the design standards in Article IX, where those standards exceed, or address matters not covered by, the requirements of Subsection A above.
- C. Any applicant shall, as a condition of any applicable zoning, subdivision or land development approval, prove to the satisfaction of the Board of Supervisors that the proposed use or development will provide safe and efficient vehicular and pedestrian traffic access, circulation and control, consistent with the following: **[Added 9-15-2008 by Ord. No. 2008-1]**
- (1) Traffic access shall be fully coordinated with adjacent existing and future development, including but not limited to providing and promoting appropriate traffic access to/from adjacent properties.
 - (2) Traffic access to use(s) within any development site shall be provided by a fully developed internal network of local roads or private drives, paths and trails which also shall link any proposed use or development to existing or proposed intersections or other points of controlled and/or signalized access to collector and/or arterial highway(s).
 - (3) Continuous collector street(s) and trail(s) shall be developed as part of the subject use or development to provide internal through connection(s) between existing collector and/or arterial streets and trail(s), as applicable, and as required by the Board of Supervisors to provide reasonable access to the subject use or development. (Examples may include but are not limited to: a through collector street connecting the intersection of Skiles Boulevard and U.S. Route 202 with West Pleasant Grove Road and PA Route 926); a through collector street connecting Walnut Hill/Shady Grove Roads to Westtown Road; and a through collector street connection to PA Routes 352 and 926.)
 - (4) The number of access points onto existing perimeter public roads shall be kept to the minimum number necessary for safe and efficient traffic access, circulation and control. Vehicular accesses to public roads shall:
 - (a) Incorporate traffic control and auxiliary lanes designed to accommodate the full build out of the proposed use or development to the extent permitted by PennDOT, as well as cross traffic from adjacent properties.
 - (b) Be provided in accordance with the standards set forth in §§ 170-1511 and 170-1512.
 - (5) Vehicular access to the internal network from proposed uses or development shall be provided in accordance with the standards set forth in §§ 170-1501 and 170-1510.
 - (6) Interior streets, interconnected parking lots, shared driveways, access easements and/or stubbed streets shall be used as necessary to maximize efficiency and safety of internal circulation and minimize the number of access points onto existing perimeter public roads.

ARTICLE XI
C-1 Neighborhood and Highway Commercial District

§ 170-1100. Statement of intent.

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 provide a unified area, designed according to a plan of highway-related stores and services which will serve the regional needs of this area. It is to provide an area in the Township for neighborhood stores and to provide regulations requiring landscaping, as well as provisions covering the submission of plans, so that this area may be made to blend with adjoining uses and designed to prevent congestion and hazards. An additional major purpose of this district is to ensure a safe and efficient movement of vehicular traffic along, onto, and off of PA Route 926 (Street Road), U.S. Route 202, PA Route 352, and PA Route 3, recognizing their importance as major highways serving traffic traveling through the region.

§ 170-1101. Use regulations. [Amended 12-5-1994 by Ord. No. 94-6; 3-3-2003 by Ord. No. 2003-2]

A. Uses by right. A building may be erected, altered, or used, and a lot or premises may be used or occupied, by right, for any of the following purposes and no other:

- (1) Retail sales.
- (2) Barber shop, hairdresser, dry-cleaning outlets (excluding cleaning and pressing services) and such other shops for personal service.
- (3) Restaurant, retail bakery, or other places preparing, selling, and/or serving food or beverages, provided that such establishments have inside service and/or seating (where appropriate) only.
- (4) General business, professional, governmental, and administrative offices.
- (5) Banks and similar financial institutions.
- (6) Medical services. **[Amended 4-4-2022 by Ord. No. 2022-03]**
- (7) Motel.
- (8) Wholesale sales, storage, or distribution facilities.
- (9) Customary accessory uses associated with any commercial use permitted by this section.
- (10) Religious use.
- (11) Funeral parlor.
- (12) Veterinary clinic for the treatment of domestic animals. **[Added 4-4-2022 by Ord. No. 2022-03]**

B. Uses by special exception. The following uses shall be permitted when approved as a special

exception by the Zoning Hearing Board in accordance with the terms of this article and § 170-2108 of this chapter:

- (1) Restaurant, retail bakery, or other places preparing, selling, and/or serving food or beverages which have inside service and/or seating (where appropriate) and which require drive-through window takeout service.
- (2) Public recreational facilities, including bowling alleys, theaters, and similar forms of amusement.
- (3) Automobile service station, provided that all gasoline pumps and service facilities are set back at least 30 feet from the street line and provided further that no service station shall be located within 500 feet of another service station on the same side of the street.
- (4) Automobile sales and service agency, including used car lot and repair shop adjacent to and in connection therewith.
- (5) Car wash.
- (6) Auto service and repair facilities in accordance with the provisions of § 170-1602 of this chapter.
- (7) Adult-oriented establishment, provided that all of the following additional requirements shall be met:
 - (a) The applicant shall prove compliance with all applicable state laws. Any Township zoning approval shall be conditioned upon compliance with Chapter 55, Title 68 of the Pennsylvania Consolidated Statutes, and shall be withdrawn if such law is violated. The applicant shall annually provide the Township with the legal name and phone number of a local on-site manager who shall be responsible to ensure that there is compliance with state laws.
 - (b) Any building area occupied by the use shall be set back a minimum of 300 feet from the lot lines of all of the following existing uses: any dwelling, place of worship, cemetery, park, playground, school or child day-care center.
 - (c) The use shall not operate between the hours of 10:00 p.m. and 8:00 a.m.
- (8) Boardinghouse, provided the lot shall include a minimum of 2,000 feet of lot area per resident, up to total maximum of 20 residents.
- (9) Manufactured/mobile home park, which shall meet the regulations of the MU District, and not the regulations of the C-1 District.
- (10) Institutional use meeting § 170-1606.

§ 170-1102. Area and bulk regulations.

The following regulations shall apply to all uses permitted by right and special exception in the C-1 District:

- A. Minimum lot area: two acres.

- B. Minimum lot width: 300 feet at building setback line; in addition, 300 feet at future right-of-way line of Routes 202, 926, 3, and 352.
- C. Maximum building coverage: 25%.
- D. Maximum other impervious surface area: 65%. **[Amended 3-3-2003 by Ord. No. 2003-2]**
- E. Maximum floor area ratio: 0.40 times the lot area.
- F. Minimum front yard setback: 50 feet for any building or parking area.
- G. Minimum side yards:
 - (1) Fifteen feet minimum for each, except 50 feet from the future right-of-way line of Route 202 or Route 3 and 30 feet from the future right-of-way line of Route 926 or Route 352.
- H. Minimum rear yard: 50 feet.
- I. Maximum building height: three stories, not to exceed 38 feet. **[Amended 5-1-1995 by Ord. No. 95-2]**
- J. Any accessory use or structure shall be located in compliance with front, side and rear yard requirements of this district.

§ 170-1103. Design standards.

The following design standards shall apply:

- A. Screening: As required by § 170-1508 of this chapter.
- B. Storage: As required by § 170-1509 of this chapter.
- C. Landscaping: As required by § 170-1507 of this chapter.
- D. Access and traffic control: As required by §§ 170-1510, 170-1511, and 170-1512 of this chapter.
- E. Interior circulation: As required by § 170-1513 of this chapter.
- F. Lighting: As required by § 170-1514 of this chapter.
- G. Off-street parking and loading: As required by Article XVII of this chapter.
- H. Signs: As required by Article XVIII of this chapter.

§ 170-1104. General standards.

- A. No use shall be conducted in the required front, side, and rear yards.
- B. No goods shall be displayed in the required front, side, and rear yards.
- C. The parcel or parcels shall be in single and separate ownership, or proof of option shall be furnished at the time of application, or a joint application shall be filed by separate owners. The proposed tract shall be capable of an integrated design of a complete commercial center

within its boundary.

§ 170-1105. 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 any use authorized within this district, 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.

§ 170-1106. Plan submission requirements.

- A. In order to demonstrate compliance with the terms of this article, any applicant proposing any use authorized by right within the C-1 District shall submit a plan (map and text) to the Township Zoning Officer, describing specifically how the requirements of this article will be addressed.
- B. Where the proposed use constitutes a subdivision or land development, as defined by Chapter 149, Subdivision and Land Development, the plan submission requirements of that chapter shall supersede the provisions of this section.
- C. For any conditional use application, the submission requirements under § 170-2009 of this chapter shall govern, and the plan submitted shall demonstrate compliance with the requirements of this article.
- D. Any plan also shall include a certification from the Chief of the fire company responsible for serving the site as to the adequacy of access for emergency vehicles and the sufficiency of available water for fire-fighting purposes. Where the water source is off site, suitable arrangements to assure access at all times shall be demonstrated by the applicant.
- E. Upon submission of an application for development within the C-1 District, all owners of property within 500 feet of any portion of the tract on which such development is proposed shall be notified of the application and of the process through which the application will be reviewed.