

WESTTOWN TOWNSHIP PLANNING COMMISSION MEETING AGENDA

Wednesday, March 19, 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 March 5, 2025

Announcements

Public Comment – Non-Agenda Items

New Business

1. Subdivision Application – 1001 S Walnut Street

The applicants, Taj and Colin Chavous, are seeking an approval to subdivide the existing 0.68 acre property located on the corner of S Walnut Street and Oakbourne Road into two 0.34 acre residential lots with existing lot containing the existing house and with plans for a new dwelling to be constructed on a newly created lot. The existing dwelling is serviced by public water and sewer.

2. Subdivision Application – 201 E Street Road (Crebilly Preserve)

The Township is seeking an approval to subdivide the existing 206-acre property, known as Crebilly Preserve, to create a 2-acre parcel at the corner of Route 926 and Route 202. The newly created lot will contain the existing single-family dwelling, known as Darlington Inn, and a detached garage, and will be serviced by private well and on-lot sewage system. The property is included in the Westtown Historic Resources Map as Class 1, on or eligible for the National Register of Historic Places.

3. Conservation Subdivision Design – Chester County

Rachael Griffith with Chester County Planning Commission will be in attendance to talk about developing effective ordinances that permit conservation subdivisions, specifically design elements, sample ordinances and emerging trends in conservation design practices. The Commission will continue its discussion on potential changes to Article IX, Flexible Development Procedure, and Section 1617, Conservation Design, of Zoning Code.

Old Business

Public Comment

Reports

1. Board of Supervisors Meeting March 17, 2025 – Kevin Flynn

Adjournment

Next PC Meeting:

- **April 9, 2025, 7:00 PM**

PC Representative at next Board of Supervisors Meeting:

- **Monday April 7, 2025, 7:30 PM** – Tom Sennett/Jim Lees

WESTTOWN TOWNSHIP PLANNING COMMISSION
MEETING MINUTES
Stokes Assembly Hall, 1039 Wilmington Pike
Wednesday, February 19, 2025 – 7:00 PM

Present

Commissioners, Russ Hatton (RH), Jack Embick (JE), Brian Knaub (BK), Jim Lees (JL) and Joe Frisco (JF). Tom Sennett (TS) and Kevin Flynn (KF) were absent. 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 7:02 PM and led the Pledge of Allegiance.

Adoption of Agenda (RH/JL) 4-0

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

Approval of Minutes (RH/JL) 4-0

Mr. Hatton made a motion to approve the meeting minutes from February 5, 2025. Mr. Lees seconded. All were in favor of the motion.

Announcements

Ms. Carter made the following announcements:

1. The Township received an application for a 2-lot residential subdivision at 1001 S. Walnut Street.
2. The Township also received an application for subdivision of two acres of land at Crebilly Preserve that includes the Darlington Inn.
3. A conditional use application is expected for a unit at 1646 West Chester Pike that is currently used as dental office for other medical use.

Public Comment – Non Agenda Items

Stephen Wahrhaftig, 1032 Dunvegan Road, a member of the Westtown Historical Commission (HC), wanted the PC to consider the importance of the Darlington Inn as the most historic structure left in Westtown when reviewing the subdivision application. He stated that two members of the Historical Commission are architects specializing in historic preservation, who have offered to volunteer their time and knowledge to inspect the building and make recommendations including how to preserve the building's unique serpentine stone façade if it is sold, and to assist with funding for reuse by the community. He stated that the HC desires to work with the PC and the Board of Supervisors to find some way to protect the inn.

Mr. Embick responded that the subdivision application involving the Darlington Inn will be before the PC at a future meeting, and stated that the PC's role is to make recommendations to the Board of Supervisors. He stated that recommendations from the HC will be crucial and towards impacting the Board's decision on the application.

New Business

1. ZHB Application – West Chester Area School District (Sarah Starkweather Elementary School (ES) and Stetson Middle School (MS))

Mr. Embick summarized that the West Chester Area School District (WCASD) is seeking special exception to have a blanket use approval to turn the Sarah Starkweather ES and Stetson MS properties from an existing non-conforming use into a permitted use, and thereby remove the burden of continually needing special exception approval for future improvements. He added

that his understanding is that the WCASD desires to make improvements to the Starkweather ES, which include removal of modular classroom units and underground fuel tanks, construction of building addition, and other minor structural alterations and modifications.

Ryan Jennings, Esq., on behalf of the district, summarized that the applicant is seeking a special exception relief as it pertains to both Starkweather ES and Stetson MS for the use as primary or secondary school. He stated that the plan is to appear before the Planning Commission and the Zoning Hearing Board (ZHB) to have these two properties and these two longstanding uses recognized as permitted via the special exception process, as opposed to continuing down the path of nonconformity. Mr. Jennings recapped that both properties are located in R-1 Residential Zoning District, and the WCASD desires to make minor modifications to the elementary school, but has no intentions for improvements to the middle school at this time. He argued that these schools have been in operation for decades, but because the Township does not have any record of granting special exception for the use, any proposed modifications to the schools require an application to the ZHB, as they are considered to be nonconforming, and thus not recognized as a permitted use. Mr. Jennings explained that the WCASD has to go through this process every time modifications are needed to these two schools; therefore, he believed that granting of a special exception request for educational use is the most appropriate course, and in the best interest of the Township and the WCASD.

Damon Gonzaga, the Capital Program Manager at the WCASD, detailed the improvements planned for the school of less than 10,000 square feet of additional space. He referred to the site plan and described the plan for a two-story, four classroom addition at the rear of the building, enclosing an area already under the building envelope for a stairwell, extending the front entrance for additional administrative space and to create a secure vestibule at the front of the building, and a small addition for kitchen storage and equipment on the side. Mr. Gonzaga further provided that three existing modular classrooms will be removed, and four classrooms will be built in their place. He added that the project's goal is not to increase enrollment, but to have a better use of space. Mr. Gonzaga provided that the ES building was built in the 1990s and that the plan is to start renovations in 2030.

Barry Stingle, with T&M, a Landscape Architect working on the project, provided additional detail on the layout of proposed classrooms, kitchen area, and front office. He also confirmed that the number of parking spaces will remain with the same circulation as it is now. Mr. Stingle noted that an underground stormwater management (SWM) facility will be added beneath the paving in the back of the building for the additional stormwater runoff generated by new additions and earth disturbance. The new SWM facility will connect to the existing system that drains in the existing stormwater basin. He also added that the playground and existing stormwater facilities will remain, and that the amount of additional impervious surface generated by these modifications are minor.

Mr. Lees asked about the location of underground storage tanks that will be removed. Mr. Stingle referred to the site plan that depicted unused fuel oil tanks at the rear of the building, which will be removed and the soil will be tested, as per environmental requirements.

Mr. Hatton raised a concern about granting blanket approval and asked about plans for the future use of the rest of the property. Mr. Gonzaga stated that the plan is to leave the rest as it is for now, and described the topography and existing features of the site. Mr. Hatton was concerned about the playing fields, specifically a potential for field lights. Mr. Gonzaga noted there were no plans for the lights. Mr. Jennings clarified that blanket approval is only for the use and not other mandated requirements, which the district will have to come back for to the Township, including land development, permitting and/or any other relief as applicable.

Mr. Embick pointed out that the schools parcels are surrounded by residential areas and asked

whether the WCASD would be willing to designate some of the open space not currently used as a permanent open space. Mr. Jennings responded that he could talk to the district about that, but insisted that it was not related to the request. Mark Groves, Assistant Director of Facilities, stated that the rear of the school properties are wooded, and echoed the fact that they cannot speak on behalf of the School Board. Mr. Embick asked whether adjacent neighbors are able to access the property. Mr. Groves noted that they discourage use when school is in session, but said the fields are used by the public on weekends.

Mr. Embick asked whether the WCASD would be interested in promoting connectivity with surrounding neighborhoods and Crebilly Preserve. Mr. Groves stated that once there is a specific plan, the district would be open to considering that. Mr. Embick stated that he was not in a position to provide a recommendation on the application until there is a follow up discussion with the WCASD.

Mr. Jennings stated that concerns raised are dependent upon the School Board, and requested that the PC consider approval, especially since the school is operating and will continue to operate in the same fashion that it has been for decades. Mr. Embick wondered whether, at a minimum, conditions might be appropriate. Mr. Jennings suggested that the district might explore the potential for connectivity and permanent protection of open space, but he did not see how the schools can commit to that without the School Board's approval.

Mr. Hatton made a motion to approve the request of WCASD for special exception to have a blanket use approval, which will turn both Sarah Starkweather ES and Stetson MS from an existing non-conforming use into a permitted use, thereby removing the burden of continually needing special exception approval for future improvements, with the recommendations that the ZHB make a separate blanket special exception for each property, and that WCASD be asked to engage in discussion with the Township on use of remaining open space and pedestrian connectivity. Mr. Knaub seconded. All were in favor of the motion. RH/BK (5-0)

Old Business

1. Zoning Regulation – Fences and Walls

Mr. Embick recapped that the Board discussed the proposed amendments to the fence ordinance and raised several concerns that they are seeking the PC's input on. Ms. Carter summarized the concerns, including the extent of fence regulations, whether there is a need to require permits for repair and replacements, a proposed one-foot setback, decreasing of height of what is already permitted within the front yard from 5 feet to 4 feet, and whether there was a need to have provisions for garden fence if they are located on the interior of a lot and have the same allowable height as fences located in rear yards. Mr. Embick said that his justification for a one foot setback was so a fence could be maintained without trespassing on the adjacent property. Ms. Carter noted that she has not had a situation of a resident complaining about a neighbor trespassing for fence repairs/maintenance, and suggested it was an accepted norm. She further stated that some fences, such as split rail and chain link, can be repaired or replaced without access from the other side. Mr. Embick agreed, but felt that there has to be applicable and justifiable provisions to avoid serious controversies.

Mr. Embick expressed that much of zoning has to do with aesthetics, so regulating fences on the interior of the property is important, especially on smaller lots. He suggested to relieve larger plots from interior fence regulation, but keep the regulation for plots of one acre and smaller. Mr. Embick suggested the requirement for permits for fence repair replacement should be crafted in language that differentiates between certain levels of repair.

Mr. Embick stated that the one foot setback for fence placement on rear and side yards does not make sense because he has no knowledge of what legal or policy or reason would justify locating a fence on someone's property where you have to trespass to put it up or to repair or maintain it.

Ms. Carter suggested a compromise to allow the residents to install the fence along the property boundary with no setback only if they have a written permission from adjacent owners to trespass and take care of the fence when needed. Mr. Embick wondered how that will be handled when a property ownership transfers. Ms. Carter further suggested to consider permitting board-on-board fence where the fence posts are installed along the property line with the vertical boards overlapping on each side of the fence rails and are maintained by each neighbor. Mr. Embick suggested not to make it too complicated and look into potential exceptions instead.

Mr. Embick recapped that the reason for decreasing the height of the fence was because many communities think that a low fence in front is beneficial for aesthetic and safety reasons, and promotes community cohesion. Ms. Carter pointed out that the Township only allows open fences in the front yard, and argued that visibility is not an issue. The consensus of the PC was to maintain the existing height of permitted fence as currently regulated.

Mr. Embick voiced support of implementing garden fence provisions, but reasoned that the height of the fence shall be consistent with the surrounding neighborhood, therefore, making it consistent with allowable 6 feet in the rear yards. Ms. Carter did not feel there was a need for garden fence provisions if the permitted height of such fence is the same as all other fences. Mr. Embick then suggested adding a provision allowing higher fence as long as it is open, so it does not create safety or environmental issues. Mr. Knaub raised a question whether the fence shall be allowed to be higher to address concerns over deer. Mr. Embick was supportive of that idea as long as it is an open fence, and asked about a potential of having a portion of the fence being of different type to maintain the aesthetics of surrounding neighborhoods. He also preferred higher fences to be set back further from the property lines.

Ms. Carter summarized recommendations provided by the public, including retaining a 6 inch setback for existing fences and allowing an 8 foot high fence in specific situations. Mr. Embick asked whether the PC shall recommend permitting an 8 foot fence if there is a justifiable medical condition. Ms. Carter believed that it would fall to the Zoning Hearing Board to make a decision on such application.

Public Comment

Mr. Patel, 811 E Sage Road, recapped his previous recommendations to allow a higher fence, as per the Center of Disease Control guidance to prevent deer ticks which are harmful to individuals with specific medical conditions.

Reports

Mr. Embick reported on the Board of Supervisors meeting February 18, 2025.

Adjournment

The meeting adjourned at 9:03 PM. (BK/JF) 5-0

Respectfully submitted,
Mila Carter
Township Manager and Director of Planning & Zoning

SUBDIVISION APPLICATION SUMMARY

Date: March 14, 2025
From: Liudmila Carter, Director of Planning & Zoning

PROJECT: Two-Lot Residential Subdivision
APPLICANT: Colin and Taj Chavous
ADDRESS: 1001 S Walnut Street
UPI: 67-5-27

APPLICATION

This application calls for subdivision of an existing 0.68 acre residential parcel into two 0.34 acre residential lots with existing lot containing the existing house and with plans for a new dwelling to be constructed on a newly created lot.

LOCATION AND DESCRIPTION OF SITE

The property, subject to this application, is located at the corner S Walnut Street and Oakbourne Road in the neighborhood on the eastern side of Route 202. The property consists of 0.68 acres located in the R-2 Residential Zoning District and improved with a single-family detached dwelling. The existing dwelling is serviced by public water and sewer. The newly created lot is proposed to be serviced by public water and sewer. No physical improvements are proposed for the newly created lot at this time.

SUBMISSION AND REVIEW

The applicant submitted the preliminary/final land development application and supplemental materials on February 13, 2025. The Township consultants have reviewed the submission and issued review letters. Copy of review letters are enclosed. The applicant revised and resubmitted materials on March 4, 2025 to address comments related to sanitary sewer. The list of items provided by the applicant and submission dates are noted below.

The following items were included in the submission received on February 13, 2025:

1. Transmittal letter dated February 12, 2025;
2. Preliminary/Final Application form dated January 27, 2025;
3. Aqua Water Availability letter dated October 3, 2024;
4. Chester County Subdivision/Land Development Information Form;
5. Legal description for Lot #1 prepared by Howell Surveying;
6. Legal Description for Lot #2 prepared by Howell Surveying;
7. Species Impact Review letter in response to Pennsylvania Natural Diversify (PNDI) search dated February 4, 2025;
8. Sewer Capacity Determination letter from West Goshen Township dated February 6, 2025;
9. Stormwater Infiltration Report prepared by Howell Engineering dated February 2025;
10. Westtown Township Subdivision and Land Development Information Sheet;
11. Preliminary/Final Subdivision Plan for 1001 S Walnut Street (sheets 1 to 1) prepared by Howell Engineering dated January 24, 2025;

The following items were received on February 17, 2025:

1. Waiver Request prepared by Howell Engineering dated February 17, 2025;

The following items were included in the submission received on March 4, 2025:

1. Preliminary/Final Subdivision Plan for 1001 S Walnut Street (sheets 1 to 1) prepared by Howell Engineering last revised March 4, 2025;
2. Response letter to Carroll Engineering review letter dated March 4, 2025;
3. Sewage Facilities Application Mailer Exemption Request dated January 27, 2025;

RELEVANT APPROVALS

On January 8, 2024, the Zoning Hearing Board has granted an approval for special exception for major home occupation for contracting business with conditions. A copy of decision is enclosed.

On December 23, 2024, the Zoning Hearing Board has granted an approval for a variance from Zoning Ordinance Section 170-702.B.3(a) (minimum lot area in the R-2 Residential Zoning District) with conditions. A copy of decision is enclosed.

PLANNING COMMISSION RECOMMENDATION

The Planning Commission will review this application at their meeting on March 19, 2025.

SUBDIVISION APPLICATION SUMMARY

Date: March 14, 2025
From: Liudmila Carter, Director of Planning & Zoning

PROJECT: Two Lot Subdivision
APPLICANT: Westtown Township
ADDRESS: 201 W Street Road
UPI: 67-4-29.4

APPLICATION

This application calls for subdivision of an existing 206 acre parcel acquired by the Township and which is known as Crebilly Preserve into two lots with a 204-acre land conservation lot and a 2-acre parcel containing a single-family dwelling, known as Darlington (Westtown) Inn, and detached garage.

LOCATION AND DESCRIPTION OF SITE

The property, subject to this application, is located on the western side of the Township, and expands from the western side of Route 202 to the corner of W Pleasant Grove Road and S New Street in one direction and approximately 380 feet past the intersection of Route 926 and Bridlewood Boulevard. The property consists of 206.04 acres located in the A/C Agricultural/Cluster Residential Zoning District. The property is improved with three single-family detached dwellings and appurtenant structures. Two single-family dwellings are in the process of being demolished as required by land conservation guidelines. One, which is a green house, is located right off Route 926, and the other, which is a white house, is located right off Route 202 via access through the Westminster Presbyterian Church property. All but 2 acres, noted as “exclusion area” on the survey plans and deed documents, have been purchased with land conservation funds. The remaining 2 acres contain a dwelling, known as Darlington Inn, which is serviced by private well and on-lot sewage facility, and has an access directly to Route 202 via driveway.

Darlington Inn is included on the Westtown Township Historic Resources Map as Class 1 resource, which is classified as “on or eligible for the National Register of Historic Places”.

SUBMISSION AND REVIEW

The applicant submitted the preliminary/final land development application and supplemental materials on February 13, 2025. The Township consultants and the Historical Commission have reviewed the submission and issued review letters. Copy of review letters are enclosed. The list of items provided by the applicant and submission dates are noted below.

The following items were included in the submission received on February 13, 2025:

1. Transmittal letter prepared by Pennoni dated February 13, 2025;
2. Preliminary/Final Application form dated February 13, 2025;
3. Chester County Subdivision/Land Development Information Form;
4. Westtown Township Subdivision and Land Development Information Sheet; Legal Description for “Crebilly Preserve” prepared by Pennoni;
5. Legal Description for “Crebilly Farm” prepared by Pennoni;
6. Legal Description for “Exclusion Area” prepared by Pennoni;
7. Preliminary/Final Subdivision Plan for Crebilly Preserve (sheets 1 to 2) prepared by Pennoni dated January 24, 2025 last revised February 10, 2025;

PLANNING COMMISSION RECOMMENDATION

The Planning Commission will review this application at their meeting on March 19, 2025.