

WEST WHITELAND TOWNSHIP

PLANNING COMMISSION
MINUTES

Minutes of the first January meeting

January 5, 2023

Members Present
Mark Gordon, Chairman
Dan Cote
Jeff Glisson
MaryFrances McGarrity
Ray McKeeman
Andy Wright

Township Personnel Present
John Weller, Planning Director
Pam Gural-Bear, Township Manager
Rajesh Kumbhardare, Board of Supervisors

I. CALL TO ORDER

Chairman Mark Gordon called the meeting to order at 7:02 p.m.

The Commission observed a moment of silence to honor our veterans and first responders.

II. REORGANIZATION

MOTION: To appoint Ray McKeeman as Chairman
(Gordon/Glisson)

ACTION: Passed, 6-0

MOTION: To appoint Andy Wright as Vice-Chairman
(McGarrity/Glisson)

ACTION: Passed, 6-0

III. REVIEW OF MEETING MINUTES

Ms. McGarrity made an amendment to the draft minutes from the meeting of December 6, 2022.

MOTION: To approve the minutes as amended for the meeting of December 6, 2022.
(McGarrity/Glisson)

ACTION: Passed, 6-0

IV. PUBLIC COMMENT

There was no public comment on items not on the agenda.

V. PLANS

1. Whitford Property (Wawa)
Address: 401-403 W. Lincoln Hwy.
Second Review: Subdivision/Land Development
Request: Reverse subdivision/lot consolidation, demolition of existing Sunoco gas station, and land development for construction of a Wawa convenience store with fuel service.

In attendance on behalf of the Applicant were attorney Michael Gill from Buckley, Brion, McGuire and Morris; Michael Spiegel from Wawa; Peter Karakelian of Whitford Properties; and Ryan Whitmore from Landcore Engineering. Noting that this was the second review of the plan, Mr. Gill said he would focus his presentation on clean-up items as most remaining consultant comments are "will comply." He addressed the following outstanding issues:

- Bus shelter - The Applicant has reached out to SEPTA and has received a response; discussion is ongoing.
- License Plate Readers - The Township Police Department indicated that a license plate reader costs approximately \$2,000. The Applicant initially thought they were much more expensive. The Applicant agrees to pay \$8,000 to fund license plate readers.
- Sanitary Sewer - The Township's consultant suggested only one connection, but Mr. Gill said a condominium will be created for the two uses on the site (the Wawa and the office building) and maintained that it makes sense to have two sanitary sewer connections.
- Bollards - Theurkauf recommends bollards at the southwest and northwest corners of the Wawa building to separate moving vehicles from the rows of parking. The Applicant maintains the bollards will be an obstruction to vehicular traffic moving through the site and should be eliminated. Ms. McGarrity recalled from the first review of the plan that the Commission agreed that the bollards were not necessary; Mr. McKeeman and Mr. Gordon concurred.
- Landscaping - Theurkauf's review suggests that less landscaping is shown on the current than the prior plan. Mr. Gill explained that this is because the Township Engineer initially took the position that the plan was not redevelopment, but new development. This required a larger stormwater facility leaving less room for landscaping. Recent discussions with the Applicant and consultants have determined that the previous landscaping plan can be accommodated with the granting of a waiver.
- Whitford Road resurfacing - The Applicant expressed concerns with the condition of the road left by a previous developer and requested that the Township leave the decision to PennDOT as to whether a full or partial restoration of Whitford Rd. is required.

Mr. Weller said that residents have expressed concerns about traffic and asked the Applicant to review the road improvements that are part of the plan. In response, the Applicant reviewed the existing and proposed conditions: there are currently 7 or 8 access points to the site; the plan will reduce this to three access points, all of which are designed to current standards. Mr. Weller added that this was a topic of extensive discussion among the Applicant, the Township, and the Township's consultants.

Mr. Wright asked about his earlier request to provide a dedicated left-turn lane from Waterloo Blvd. into the site. While Mr. Whitmore said he could not speak for the Applicant's traffic engineer (Greg Richardson with Traffic Planning & Design) who was not in attendance, Mr. Whitmore and Mr. Gill both believed it was not warranted nor was it physically possible but agreed to look at the matter again. Mr. McKeeman suggested this be listed as a condition of approval.

Resident Keith Choper expressed concerns for drivers making a left-turn out of the site to travel north on Whitford Road. No left turn signs will be posted, and a raised island (porkchop) will make such a move difficult. Mr. Weller explained that this is an intersection that sees huge variations in volume throughout the day, and it will be the judgment of the driver to choose which way will be the easiest and safest exit based on traffic volume at the time.

Resident Anita Nardone noted that Waterloo Blvd. acts as a release valve for Lincoln Hwy. traffic, as it was intended to do; she agreed with Mr. Wright that there should be a dedicated left-turn lane from westbound Waterloo Blvd. into the site.

MOTION: To recommend that the Board of Supervisors approve the preliminary/final land development plan of Whitford Property, Inc. for the construction of a Wawa convenience store, gas station, and other site improvements as depicted on the 33-sheet plan set prepared by Landcore dated August 5, 2022, and most recently revised January 5, 2023 (the "Plan") with the following waivers and conditions:

1. The Plan is approved as a Final Plan, pursuant to the provisions of §281-10.H of the West Whiteland Township Subdivision and Land Development Ordinance ("S/LDO").
2. Waiver of §270-29.A(5)(d) of the Stormwater Management Ordinance to allow the stormwater basin closest to Waterloo Blvd. to have an emergency spillway with not less than six (6) inches of freeboard, pursuant to discussion with Spotts, Stevens and McCoy ("SSM") on January 5, 2023.
3. Waiver of §281-32.C of the S/LDO to allow curbs with a reveal of not less than six (6) inches, pursuant to comment #1 of the SSM review dated December 20, 2022.
4. Waiver of §281-35.D(1) of the S/LDO to allow evergreen trees as street trees, pursuant to comment #2 of the Theurkauf Design and Planning ("Theurkauf") review dated December 9, 2022.
5. Waiver of §281-35.E(3) of the S/LDO to allow a buffer around the stormwater basin less than 25 feet wide, subject to the provision of one of the alternate strategies suggested in comment #3 of the Theurkauf review dated December 9, 2022.
6. Waiver of §281-36.B of the S/LDO such that street trees may be placed as shown on the Plan, outside of a street right-of-way, pursuant to comment #8 of the Theurkauf review dated December 9, 2022.
7. Waiver of §281-37.B(1) of the S/LDO such that no planting island is required within the row of angled parking spaces between the existing office building and the proposed convenience store, pursuant to comment #4 of the SSM review dated December 20, 2022, and comment #5a of the Theurkauf review dated December 9, 2022.
8. Waiver of §281-37.B(3) of the S/LDO such that nine-foot-wide planting islands need not be provided next to the last parking spot in each row of parking to allow the parking lot design shown on the Plan.
9. Waiver of §281-37.B(4) of the S/LDO such that not every parking lot island is required to have a shade tree; however, the Plan shall be revised as described in comment #5d of the Theurkauf review dated December 9, 2022.
10. Waiver of §281-37.D of the S/LDO regarding the building façade plantings, subject to the revisions described in comment #6 of the Theurkauf review dated December 9, 2022.
11. Waiver of §281-48.C(3)(c) of the S/LDO such that lighting need not be reduced after 11:00 p.m. due to this being a 24-hour operation, pursuant to comment #10 of the SSM review dated December 20, 2022.
12. Waiver of §281-48.C(3)(g) to allow the under-canopy lighting as shown on the Plan, subject to the fixtures having a full-cutoff design, pursuant to comment #11 of the SSM review dated December 20, 2022.
13. The Applicant shall provide a blanket easement or make some other arrangement acceptable to the Township to allow access to all utility lines and related infrastructure, pursuant to comment #17 of the SSM review dated December 20, 2022.
14. The Applicant shall diligently pursue an agreement with SEPTA to provide a bus stop shelter along the Lincoln Hwy. frontage of the site, pursuant to condition #2 of the D&O.

15. Payment of a fee traffic impact fee of \$36,225.00 pursuant to Township Ordinance No. 427, condition #4 of the D&O, and comment #5 of the McMahon review dated December 20, 2022. Said fee shall be paid in full at or before such time that application is made for the first Building Permit pursuant to this project.
16. Pursuant to condition #3 of the D&O, all signage shall comply with Article XVII of the Township Zoning Ordinance, except where the Township Zoning Hearing Board granted relief to such provisions at the hearing held on June 24, 2021, in which case the signage shall be consistent with such relief.
17. Following construction and as may be required by PennDOT, the Applicant shall be responsible for restoration of the Whitford Rd. cartway as described in comment #2 of the Director of Engineering memorandum dated August 31, 2022.
18. The Applicant shall pay \$8,000 toward the installation of up to four (4) license plate readers shall be provided, pursuant to the Township Police Department memorandum dated September 2, 2022.
19. The Applicant shall investigate the feasibility of a dedicated left-turn lane to accommodate westbound traffic on Waterloo Blvd. entering the site and shall provide such lane if deemed feasible.
20. All remaining consultant and Staff concerns shall be resolved to the satisfaction of the Township, pursuant to condition #1 of the D&O.
21. Execution and recording of the Township's Stormwater Facilities Maintenance Agreement and Landscaping Restrictive Covenant, pursuant to Township practice. If the Applicant makes no material revisions or additions to the standard form of the said documents, then the Board of Supervisors should authorize the Township Manager to sign these forms on behalf of the Township.
22. Execution of a Developer Agreement and a Financial Security Agreement pursuant to Township practice. The amount of such security shall be based upon construction cost estimates for the site improvements, including landscaping, to be provided by the Applicant; such estimates shall be reviewed and deemed sufficient by SSM and Theurkauf. If the Applicant makes no material revisions or additions to the standard form of the said agreements, then the Board should authorize the Township Manager to sign these forms on behalf of the Township.
23. Payment of all outstanding Township invoices within 45 days of the date of final plan approval.

ACTION: Passed, 6-0 (McGarrity/Wright)

VI. NEW BUSINESS

1. 1354 Old Pottstown Pk. - subdivision conversation

Mr. Weller reviewed his memorandum dated December 29, 2022. He explained that in October 2017 the Board of Supervisors granted preliminary plan approval for the subdivision of this property by Sunshine Management into seven lots, each of which was to be developed with a single-family detached house. The Board was basically satisfied with the design of the plan, but only granted preliminary approval, largely due to unresolved concerns about the connection to the sanitary sewer system. Our regulations require that when a plan is granted preliminary approval, a final plan must be submitted within one year. Sunshine Management never submitted a final plan, although they requested – and received – several extensions to the deadline. However, earlier this year the Board (as advised by Staff) declined to grant a further extension, so the preliminary plan approval expired on April 11, 2022. As a result, any plans for the development of this property will be treated as a new plan. Mr. Weller noted that the Township

regulations have not changed significantly, so the lot configuration on the old plan still complies with the Zoning Ordinance. The property is a vacant wooded lot with steep slopes located between Pottstown Pk. and Old Pottstown Pk. across from Hollow Run apartments, near the West Goshen Township line. Southdown Homes, represented by Tim Townes, is interested in this property, and he is seeking feedback from the Commission before submitting a formal application.

Mr. Townes reviewed the plan. As before, three of the lots will share a single driveway accessing Old Pottstown Pk., and the four lots at the north end of the site will each have their own driveway to Old Pottstown Pk. and individual stormwater management systems. There is currently a dilapidated building on the property that will be demolished and an oil tank that will be removed.

There was discussion regarding the grinder pump system proposed to address the sanitary sewer concerns. Commission members were generally agreeable, provided that SSM was satisfied. Mr. Townes said he will discuss the matter with SSM and more fully explain his proposal for sewer.

Because of the substantial rock and the elevation of Old Pottstown Pk., Mr. Townes asked if the Township would be open to pulling the sidewalk back from the road on an easement to be provided across one of the proposed lots. Mr. Wright suggested that both scenarios be shown on the plan before the Commission makes a decision on sidewalk.

A remaining concern from the previous plan was the inability to provide the required compensatory trees.

Mr. Townes said an HOA would be created and agreements would be needed for the grinder pumps. With the creation of an HOA, it was suggested that perhaps stormwater facilities could also be shared. Mr. Townes will consider this further. He indicated that he hopes to return to the Commission in March with a formal plan submission.

ANNOUNCEMENTS:

Mr. Glisson asked about the Township's policy regarding outdoor storage containers, noting that he has observed one for some time on the site of CVS at Boot Rd. and Pottstown Pk. Mr. Weller said outdoor storage containers are allowed on a temporary basis. Staff will investigate the matter.

Mr. Weller announced that the Board of Supervisors have officially appointed Pam Gural-Bear to be the Township Manager. Congratulations Pam!

Mr. Glisson asked about the status of MS4. Ms. Gural-Bear said the process is continuing and several stormwater projects are moving forward.

Mr. Kumbhardare advised that the Board of Supervisors enacted a resolution setting a date for a public hearing on a proposed amendment that would allow data centers in the Office/Laboratory (O/L) zoning district; at least two residents have expressed opposition due to perceived noise.

Members welcomed prospective new Planning Commission member Megan Todaro, who was in attendance.

A combined conditional use and land development review for the new Public Works facility will be on the agenda for the January 17 meeting.

ADJOURNMENT

The meeting adjourned at approximately 8:33 p.m.



Recording Secretary,

John R. Weller, AICP
Director of Planning