

WEST WHITELAND TOWNSHIP

PLANNING COMMISSION  
MINUTES

Minutes of the second April meeting

April 19, 2022

**Members Present**

Mark Gordon  
Dan Cote  
Andy Wright  
Ray McKeeman

**Township Personnel Present**

John Weller, Planning Director  
Justin Smiley, Township Planner

Rajesh Kumbhardare, Board of Supervisors

**I. CALL TO ORDER**

Mark Gordon called the meeting to order at 7:00 p.m.

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

**II. REVIEW OF MEETING MINUTES**

MOTION: To approve the minutes for the meeting of April 5, 2022. (Cote/McKeeman)

ACTION: Passed, 4-0

**III. PUBLIC COMMENT**

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

**IV. PLANS**

**1. Columbia Cottage**

**Address: 930 & 936 W. Boot Rd.**

**Second Review: Conditional Use**

**Request: Construction of a 72 bed senior living facility**

In attendance on behalf of the Applicant were Aristidis Christakis of Buckley, Brion, McGuire & Morris; Stephen Schmid of Horst Seniorcare; Ted Watson, project architect; and Andrew Eberwein of E.B. Walsh & Associates, project civil engineer.

John Weller provided an overview of the proposed project to construct a 72-unit personal care facility at 930 & 936 W. Boot Road. He explained the two-step approval process of conditional use followed by land development review. The Applicant first appeared before the Planning Commission on September 7, 2021, and since that time has made refinements to the plan which include a consolidation of the two existing lots, and a relocation of the service drive from the south side to north side to lessen the impact on the adjacent residential neighborhood to the south.

Mr. Weller said Staff is satisfied that all conditional use criteria have been satisfied as outlined in his April 15, 2022, Memorandum. Remaining concerns to be discussed with the Applicant include:

- recommendation that Applicant be required to purchase an annual individual membership in Good Fellowship Ambulance for each unit in the facility;
- satisfaction of compensatory planting requirements by planting larger trees, planting trees elsewhere on Township property, or making a cash contribution to the Township's tree bank;
- support for the requested landscaping waivers for the screen buffer for the historic Everhart House and parking lot landscaping;
- provide direction concerning whether the sidewalk should be extended to the western property line through wetlands area;

- provide direction regarding provision of an easement to allow future connection to the adjoining Whiteland Enterprises property to the east.

Mr. Schmid confirmed that the Applicant has had discussions with Good Fellowship Ambulance and will be purchasing memberships. Regarding the compensatory tree requirements, the Applicant noted that larger trees can be difficult to secure and prefers to plant trees elsewhere or make a contribution to the tree bank but advised that it will comply with whatever the Commission prefers. The Applicant will also comply with all landscaping buffer requirements, the details of which will be provided during the land development process.

Mr. Schmid said the Applicant terminated the proposed sidewalk prior to reaching the western property line to avoid constructing sidewalk within the wetlands area. Noting challenges to obtaining the required permit from DEP, the Applicant preferred to contribute the cost of the sidewalk to the Township's sidewalk bank. Commission members preferred the sidewalk be constructed to provide connectivity to the adjacent property should that become active in the future. After discussion, the Commission agreed that should the Applicant be unable to obtain the required permit within a specified time period, the requirement would revert to payment of a fee in lieu.

Initially Mr. Wright favored taller trees along the southern property line to better shield the residential homes from the proposed facility. After the Applicant explained that the majority of the facility never exceeds 10-12 feet in height, noting the downward slope of the land, and that a number of existing larger trees will remain, Mr. Wright was satisfied with the complimentary screening.

The Applicant confirmed that it has completed infiltration testing will be able to meet all stormwater requirements with no requested waivers. Details of stormwater management will be provided during the land development process.

The Applicant agreed to provide an easement to allow for an emergency-only connection to the adjoining Whiteland Enterprises property, meeting the existing easement on that property.

Mr. Gordon called for public comment on the proposed plan. Jim Meeks, representing the HOA for Derry Lane residents, expressed four concerns with the proposed plan, two of which have been resolved: the adjacent buffer has been increased from 25' to 50 feet, and parking has been adjusted with a 50 foot buffer. Two remaining concerns of the HOA are provision of a more robust buffer along the southern property line and the impact of facility lighting on the residential homes. Mr. Weller assured Mr. Meeks that the Township has strict lighting requirements that will help shield the residential homes combined with the lower elevation of the facility site compared to the residential homes.

Virginia Kerslake, resident of Shoen Road, expressed concern that the proposed facility is within the Blast Zone of the Mariner East Pipeline. She noted that it would be difficult to evacuate residents with mobility issues in the instance of a gas leak. Mr. Schmid said he is aware of the pipeline but does not see it as an issue for the residents. The Applicant is willing to work with the Hazard Mitigation team and Emergency Management Coordinator. He added that procedures for pipeline safety can be added to the existing emergency measures outlined in operating manuals. Mr. Weller pointed out that the Township has numerous pipelines running through it and cannot legally prohibit development. Ms. Kerslake maintained that the Mariner East pipeline presents a higher risk due to the nature of its contents.

**MOTION:** To recommend that the Board of Supervisors approve the conditional use application of Horst Seniorcare Co. for the construction of a personal care facility as depicted on the 9-sheet plan set prepared by E.B. Walsh & Associates dated June 28, 2021, and most recently revised March 26, 2022 ("Plan") entitled "Columbia Cottage at Boot Road" with the following conditions:

1. Prior to occupancy, the facility shall purchase one (1) individual membership to the Good Fellowship Ambulance Company for each unit available for occupancy. The operator of the facility shall assure that these memberships are renewed as needed such that they do not lapse.
2. The eastern parking area shall utilize the design shown on the color rendering presented during tonight's discussion (i.e., not the "alternate parking layout" on the plan drawing).
3. The Applicant shall apply to the Department of Environmental Protection for a permit to construct sidewalk within the wetland areas at the western end of the property frontage; should DEP not grant the permit by the time that the building is complete, this requirement may be satisfied by payment in lieu of sidewalk construction, such payment to be an amount equivalent to the construction cost of that segment.
4. The Applicant shall provide an easement to allow for an emergency-only connection to the adjoining Whiteland Enterprises property, meeting the existing easement on that property.
5. The Applicant shall satisfy the compensatory planting requirement by planting larger trees insofar as possible, as recommended by comment #4 of the Theurkauf Design and Planning review dated April 4, 2022. Should the larger trees not be available at a commercially reasonable price, Staff is hereby authorized to approve an alternate means of satisfying this requirement.
6. Resolution of all outstanding consultant concerns to the satisfaction of the Township as advised by our consultants
7. Payment of a traffic impact fee in the amount of \$24,633 as described in comment #11 of the review by McMahon Associates dated April 12, 2022.
8. The Applicant shall work with the Township's Emergency Management Coordinator to develop a satisfactory strategy in the event of a pipeline-related emergency.

(McKeeman/Cote)

ACTION: Passed 4-0

**V. NEW BUSINESS:**

None

**VI. ANNOUNCEMENTS:**

The May 3 meeting will feature a presentation from West Chester University students on redevelopment options for the Exton Crossroads.

Mr. Weller advised that a Sketch Plan has been received to construct two more apartment buildings at Keva Flats with a proposed stream bank restoration that would provide a significant contribution to the Township's MS-4 requirements.

**ADJOURNMENT**

The meeting adjourned at approximately 8:27 p.m.

Recording Secretary,

  
John R. Weller, AICP  
Director of Planning