

WEST WHITELAND TOWNSHIP

PLANNING COMMISSION
MINUTES

Minutes of the first August meeting

August 1, 2023

Members Present

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

Township Personnel Present

John Weller, Planning Director
Caroline O'Connor, Asst. Planner
Pam Gural-Bear, Township Manager

Rajesh Kumbhardare, Board of Supervisors

I. CALL TO ORDER

Chairman Ray McKeeman 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 July 18, 2023. (Gordon/Wright)

ACTION: Passed, 6-0

III. PUBLIC COMMENT

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

IV. PLANS

- 1. 1354 Old Pottstown Partners**
Address: 1354 Pottstown Pk.
Second Review: Subdivision
Request: Application for subdivision of one lot into seven lots for residential development

John Weller reviewed the plan noting that this was the Applicant's second appearance before the Commission. At their first appearance on June 6, 2023, the following concerns were raised:

- There was a question whether conditional use approval was needed for disturbance of steep slopes. The Applicant has since revised the plan to reduce the area of disturbed steep slopes to 700 square feet, which is below the threshold requiring conditional use approval.
- There was considerable discussion about how best to provide sidewalk along Old Pottstown Pk. The plan has been revised in accordance with the conclusions of that discussion: the northbound vehicle lane has been widened to 10 feet with a mountable curb at the edge; there is a 4-foot-wide sidewalk, separated from the cartway by an 18-inch-wide grass buffer strip. An ultimate right-of-way is also shown.

- The plan shows that each home will need a grinder pump to connect to the sanitary sewer system. Such design will require planning modules. The Applicant should advise as to the status of the modules.

Tim Townes of Southdown Homes and Keith Rupp of Howell Engineering were in attendance. Mr. Townes said the application for the planning modules is underway. He noted that the sidewalk was now shown as directed by the Commission during the previous discussion; they will also provide a crosswalk defined by two six-inch-wide white lines with the signage recommended by McMahon in their review dated July 26, 2023.

Mr. Townes said after meeting with the Public Works Director and Bill Malin of Carroll Engineering, the Applicant has made some revisions to the design of the sewer connection.

The Applicant will establish a Homeowners' Association to be responsible for maintenance of the sewer force main, annual inspections of the grinder pumps, and inspection and maintenance of the storm-water management facilities.

Since the site is heavily wooded, the Applicant has requested a waiver from the compensatory planting requirement. Township consultant Theurkauf does not support this waiver, and Mr. Weller noted that the Subdivision and Land Development Ordinance provides alternatives for situations such as this: developers may contribute funds to the Township's tree bank, provide trees to the Township for planting on Township-owned land, or plant larger trees. Staff typically prefers the contribution to the tree bank. Mr. Weller added that there will be an open space fee of approximately \$4,135 per dwelling for this project, but no traffic impact fee will be required since this site is not within the Transportation Service Area.

In response to a question from Jeff Glisson, Mr. Townes confirmed that the soil is deep enough for the stormwater recharge pits, adding that the area was probed, and infiltration testing was done.

Mr. Weller confirmed that the Township will maintain the crosswalk and associated signage.

MOTION: To recommend that the Board of Supervisors approve the land development plan entitled "Preliminary/Final Land Development Plan of 1354 Pottstown Pike Subdivision" as depicted on the 19-sheet plan set prepared by Howell Engineering dated May 30, 2023, and most recently revised July 10, 2023 (the "Plan") with the following waivers and subject to the following conditions:

1. The Plan is approved as a Final Plan pursuant to §281-10.D of the West Whiteland Township Subdivision and Land Development Ordinance ("S/LDO").
2. Waiver of §270-20.J(2) of the Stormwater Management Ordinance to allow the proposed locations of the stormwater infiltration facilities, pursuant to comment #3 of the Spotts, Stevens and McCoy ("SSM") review dated July 5, 2023.
3. Waiver of §281-31.B of the S/LDO to allow the proposed sidewalks to be not less than four (4) feet wide.
4. Waiver of §281-32.C of the S/LDO to allow the proposed mountable curb in lieu of the vertical curb required by this section.
5. Waiver of §281-40.E and §281-44.A(3) of the S/LDO to allow a single driveway to provide access to not more than three (3) dwellings, pursuant to comment #4 of the McMahon review dated July 26, 2023.
6. Waiver of §281-41.G of the S/LDO to allow a low-pressure sanitary sewer system.

7. Prior to final plan approval by the Board of Supervisors, the Applicant shall receive the approval of the Pennsylvania Department of Environmental Protection for the proposed sanitary sewer system, should such approval be found necessary, pursuant to comment C of the Carroll Engineering review dated July 28, 2023.
8. Payment of a fee in lieu of preservation of permanent open space pursuant to §281-47.B(2) of the S/LDO. 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.
9. All remaining consultant and Staff concerns shall be resolved to the satisfaction of the Township.
10. 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 should authorize the Township Manager to sign these forms on behalf of the Township.
11. 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, which 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.
12. Payment of all outstanding Township invoices within 45 days of the date of final plan approval.

(Gordon/Glisson)

ACTION: Passed, 6-0

V. NEW BUSINESS

1. Informal discussion: Rezoning of Weston Tract

Mr. Weller advised that Willow Hill Development Group has submitted a Petition to amend the Zoning Ordinance to allow for the residential development of the Weston Tract. The amendment will accommodate the development previously presented to the Commission as a sketch plan, to which the Commission reacted favorably. Mr. Weller noted that tonight's discussion was strictly informal since the Petition application is not yet complete.

The Petition includes a map amendment to re-zone their property from O/L Office/Laboratory to R-1 Residential. Mr. Weller noted that there are several small residential lots adjacent to the Applicant's property that are also now in the O/L zone; Staff advises that these should also be rezoned R-1. Mr. Weller confirmed that this would not adversely affect the Knights of Columbus facility in this area.

Tom Kessler of Willow Hill and attorney Alyson Zarro of Riley Riper were in attendance. Ms. Zarro said the Applicant has no objection to the other properties being included in the rezoning provided it does not hinder the Applicant's ability to move forward in a timely manner should the residents object. Mr. Weller agreed, adding that Willow Hill will not be responsible for any additional costs due to expanding the area of the map amendment. Staff will send letters to the affected residents advising them of the proposed change, explaining that the rezoning would not affect their taxes or result in any other cost to them. Mr. Weller added that the Future Land Use map in the Township Comprehensive Plan was

amended in March 2022 to include all these properties in the “Low Density Residential” category, which is equivalent to the R-1 Residential zoning district.

The text amendment will add a “large tract residential cluster option” to the R-1 district regulations for tracts of fifty acres or more. Mr. Weller said the only other existing tract in the Township that would be eligible for this option is the Whitford Country Club property.

Andy Wright questioned the proposed minimum lot size of 9,000 sq.ft., saying he thought it too small relative to the surrounding residential development. He also felt the minimum side yard setbacks were too small and would not provide enough privacy for residents. Mr. Weller responded that the required open space reduces the overall density, making the project compatible with the neighborhood. Mr. Kessler added that smaller lots requiring less yard maintenance are in high demand. Raj Kumbhardare noted that there is also a market for homes on lots of half an acre and more.

Mr. Wright said he supports the redevelopment of the site but finds the small lot size and setbacks incompatible with the surrounding neighborhood. Mark Gordon responded that the site is currently under-utilized and is better suited for residential use. He agreed that the proposed lot size is small but noted that the plan keeps the historic resources and would almost be “its own little hamlet.” He noted that other developers have walked away from the site, not being able to make the numbers work. Mr. Weller expressed a concern that the surrounding neighborhood will be worse off if no change is made to the site, and the office park is left to deteriorate.

There was no public comment on the matter.

2. Ordinance Revisions: Electric Vehicle Charging Stations

Mr. Weller reviewed a draft of a proposed amendment to the Zoning Ordinance to regulate electric vehicle (“EV”) charging facilities.

Subsection A establishes three categories of EV facilities, based upon land use:

- Private Non-commercial - The most common example of this would be what a homeowner would have in their home for their own use. These would be permitted in all zoning districts.
- Private Commercial - An example of this type would be a charger in an apartment complex for use by the residents; that is, the facilities are shared, but private and not accessible to the general public. The property owner can restrict the use and charge for it as well.
- Commercial - These chargers are available to everyone for a fee.

No charging station will be allowed in any location where it creates an obstruction of physical hazard to pedestrians or drivers of other vehicles. Mr. Weller said no minimum number of stations is proposed as this will change with the market. He also was not in favor of charging stations with large LED panels for advertising.

Planning Commission members agreed with the proposed draft.

VI. OLD BUSINESS

In response to a question by the Commission, Mr. Weller stated that there has been no official submission regarding the Exton Square property.

VII. TOWNSHIP ANNOUNCEMENTS:

Mr. Weller announced that a conditional use application has been received for a townhouse project for the Coeway La. property previously approved for a hotel.

With no agenda items for the second August meeting, Chairman McKeeman agreed to cancel the meeting.

Ms. O'Connor advised that the Bush Auto plan will be returning for further review at the first September meeting.

ADJOURNMENT

The meeting adjourned at approximately 8:25 p.m.


Recording Secretary,

John R. Weller, AICP
Director of Planning