

WEST WHITELAND TOWNSHIP

PLANNING COMMISSION  
MINUTES

Minutes of the second October meeting

October 31, 2023

**Members Present**

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

**Township Personnel Present**

John Weller, Planning Director  
Patrick Gorman, Assistant 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 October 17, 2023.  
(Gordon/Glisson)

**ACTION:** Passed, 4-0-2, with Andy Wright and MaryFrances McGarrity abstaining since they did not attend that meeting.

**III. PUBLIC COMMENT**

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

**IV. OLD BUSINESS**

**1. Mary C. Howse Elementary School**

**Address:** 641 W. Boot Rd.

**Second Review:** Land development plan

**Project Description:** Removal of modular classroom and construction of two additions totaling approximately 8,000 sq.ft.

Attending on behalf of the Applicant were attorney Ryan Jennings of Unruh, Turner, Burke & Frees; engineer John Grant of Stantec; Wayne Birster, Director of Facilities & Operations for the West Chester Area School District (WCASD); and Damon Gonzaga, Capital Projects Manager for WCASD.

John Weller explained that the Commission reviewed the plan two weeks ago and was generally in favor of the project but had concerns regarding the impact of stormwater runoff. The Commission recommended the Applicant meet on site with the Township engineer and interested neighbors. The site visit took place on October 26, 2023 and was attended by Commission members Dan Cote and Jeff Glisson, Kent Morey from SSM, Mr. Weller, and neighbors Larry Sipple and Ted Hartz; Mr. Gonzaga was present for the first part of the visit.

At the conclusion of the visit, Mr. Morey agreed to contact Mr. Grant to discuss how the northern part of the School property could be graded to detain stormwater and thereby mitigate its impact on the adjoining properties. Mr. Grant acknowledged the conversation, but he noted that this would adversely affect the functioning of the on-lot sewage disposal system that serves the School. He provided a drawing showing the location of the existing drainage field, explaining that detaining stormwater in that area would impede the function of the system, which currently works well. Mr. Jennings recalled that the Applicant was directed to see if any quick or easy fixes were possible. Mr. Grant added that he performed an assessment of the existing stormwater management facilities and found that there was very little debris in the pipes and no indication that any repairs were needed.

Mr. Wright asked about the feasibility of connecting to public sewer. Mr. Grant said that was not within the scope of this project. Mr. Grant added that Mr. Morey suggested two options: either grade the property to create a berm (which affects sewage disposal) or pipe the stormwater to the stream, but the latter requires crossing property that the School District does not own. The Applicant feels that neither option is viable.

It was noted that the stormwater problem is a legacy issue and that the Township's Stormwater Management Ordinance requires the Applicant to improve the existing condition. Mr. Grant stated that the project will comply with the requirements of the Ordinance. It was suggested the Applicant discuss the possibility of a plunge pool with the Township's Engineering Manager, Brannon Tupper; Mr. Gordon added that additional would also help. Mr. Gordon liked the plunge pool idea for velocity reduction, noting that it was an economical solution. Mr. Grant reminded the Commission that the plan is Code compliant now and the School is on a tight time frame to get the project done before the school year starts and students are impacted. Mr. Jennings suggested the plan is ripe for a recommendation now and added that the Applicant remains open to the engineers collaborating on a mitigation feature that could be quick and low cost.

Regarding the issue of a sidewalk or trail along Boot Rd., Mr. Jennings reported that Boot Rd. is not centered within the PennDOT right-of-way such that there is currently a grass strip between the cartway edge and the edge of the right-of-way measuring 26' 9¼" wide - more than sufficient to accommodate a trail at some time in the future. The Applicant is willing to collaborate with PennDOT and the Township at such time in the future.

In addition to placing notes on the plan regarding the student drop off pattern, the Applicant agreed to provide a narrative describing the flow of traffic through the site. Mr. Weller agreed that the proposed 22' drive aisle within the parking lot was preferable over the 24' suggested by several consultants.

Mr. McKeeman asked for public comment. Resident Larry Sipple asked if parking could be angled to reduce impervious and suggested that the engineers have not had time enough to come up with possible stormwater resolutions given that the site visit only occurred five days ago. Mr. Weller advised that there would be a condition of approval that the Township must be satisfied that all options to address the impact of stormwater on neighboring properties have been evaluated and reasonable provisions implemented.

**MOTION:** To recommend that the Board of Supervisors approve the land development plan entitled "Land Development Plans: Mary C. Howse Elementary School" as depicted on the 23-sheet plan set prepared by Stantec, dated August 31, 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 §281-35.A of the S/LDO such that the required 50 foot buffer need not be provided along the west property line, pursuant to comment #5c of the Theurkauf Design and Planning (“Theurkauf”) review dated September 26, 2023.
3. Waiver of §281-35.D of the S/LDO such that no additional buffer plantings need be provided along the north property line, pursuant to comment #5b of the Theurkauf review dated September 26, 2023.
4. The sidewalk requirement of §281-31 of the S/LDO shall be deemed satisfied by the Applicant agreeing to cooperate with Township plans to provide a public, multi-modal, non-motorized trail within the existing Boot Rd. right-of-way.
5. The landscaping shall be revised to enhance the buffer plantings along the western property line, pursuant to comment #5c of the Theurkauf review dated September 26, 2023, and to the satisfaction of the Township.
6. The Applicant shall revise the Plan and provide a narrative to clarify how traffic will move through the site in the interest of minimizing congestion both on the property and on Boot Rd. The Township is satisfied as to the adequacy of the 22-foot-wide drive aisle within the proposed parking lot.
7. Prior to approval by the Board of Supervisors, the Board shall be satisfied that the Applicant has thoroughly evaluated options to address the impact of stormwater runoff upon adjacent properties and has implemented reasonable provisions, if any, to mitigate such impact.
8. All remaining consultant and Staff concerns shall be resolved to the satisfaction of the Township.
9. 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.
10. 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 Spotts, Stevens and McCoy and by 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.
11. Payment of all outstanding Township invoices within 45 days of the date of final plan approval.

(McKeeman/Wright)

ACTION: Passed 6-0

## V. PLANS

### 1. 1430 Grove Ave.

Address: 1430 Grove Ave.

First Review: Subdivision plan

Project Description: Subdivision of a 4.4-acre lot in the R-1 zoning district into 4 lots: 1 to accommodate an existing home, 2 to be sold as home sites, and 1 for conveyance to an adjoining property.

Mr. Weller provided an overview of the plan, which proposes subdivision of a 4.4 acre, L-shaped lot located on Grove Ave. into 4 lots: one to accommodate the existing single-family detached dwelling, two to be sold as building lots for one single-family home each, and one to be conveyed to the adjacent property at 537 W. Boot Rd. The proposed lots comply with the R-1 zoning regulations. Lot 4 is smaller than the required minimum, but since this lot will be conveyed to the adjacent lot, the matter is moot.

Mr. Weller said the most significant issue may be the configuration of the water and sewer connections: the Applicant should demonstrate the feasibility of a gravity connection to ensure that grinder pumps will not be needed. The Bicycle and Pedestrian Plan shows no sidewalks or trails along this section of Grove Ave., so a waiver of the sidewalk requirement is reasonable in exchange for a contribution to the sidewalk fund. The property is outside of the Transportation Service Area, so no traffic impact fee is required. The project is subject to the open space requirement, but Staff recommends paying the fee in lieu of providing a very small area of open space that would not be useable.

Jack Robinson of JMR Engineering was in attendance on behalf of the Applicant. Mr. Robinson explained that the proposed land-locked lot will share an access with lot #2. He also confirmed that the property slopes toward the road, thereby assuring a gravity connection to sewerage. Each lot will have its own stormwater management facilities.

Mr. McKeeman called for public comment. Gary Scerni, owner of an adjacent property, asked for clarification of the proposed layout, noting that cars currently line up in this area for the school bus stop. Other residents expressed concern about existing issues with stormwater runoff. Mr. Robinson and Mr. Weller both explained that the Township's Stormwater Management Ordinance requires the Applicant to reduce the current rate of stormwater runoff; the rate cannot increase. Regarding problems described with an existing pipe, Mr. Robinson explained that the pipe is within the street right-of-way and is undersized, adding that the Township is responsible for this pipe and not the Applicant. Neighbor Michael Pomante showed several Commission members a video of stormwater conditions and was advised to discuss the matter with the Township's Public Works Department. When asked how residents can know that stormwater management will be addressed when the new lots are built upon, Mr. Weller explained that it will be part of the building permit application: no building permit will be issued until the requirements of the Stormwater Management Ordinance are met.

MOTION: To recommend that the Board of Supervisors approve the subdivision plan entitled "Site Plan for 1430 Grove Avenue" as depicted on the 4-sheet plan set prepared by JMR Engineering, LLC, dated October 3, 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 §281-16.D(2)(b) of the S/LDO such that the footprints of the proposed buildings need not be shown, pursuant to comment #1 of the Spotts, Stevens and McCoy (“SSM”) review dated October 24, 2023.
3. Waiver of §281-31.A such that no sidewalks need be provided, subject to the Applicant donating to the Township sidewalk fund a sum equivalent to the construction cost of the sidewalk that could be required pursuant to the said Section. Such donation shall be made in full prior at or before such time that the Plan is recorded at the Office of the Recorder of Deeds.
4. Waiver of §281-32.A of the S/LDO such that no curbs need to be provided along the Grove Ave. frontage, pursuant to comment #14 of the SSM review dated October 24, 2023.
5. Driveways for Lot 2 and Lot 3 shall both be within the indicated easement area.
6. Prior to submission for review by the Board of Supervisors, the Plan shall be revised to show feasible alignments for connections to the water supply and sanitary sewage disposal systems; the latter shall demonstrate the feasibility of gravity connection without the need for grinder pumps. The connections shall be satisfactory to SSM and the Township’s Engineering and Construction Projects Manager.
7. Prior to action by the Board of Supervisors, the Township shall be in receipt of a review of the Plan by the Chester County Planning Commission.
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 the Plan is recorded at the Office of the Recorder of Deeds.
9. A note shall be added to the Plan stating that stormwater management plans engineered to the extent required by the West Whiteland Township Stormwater Management Ordinance shall be provided with the building permit application at such time that construction is proposed for any of the lots created by this plan, pursuant to comments #1 and #15 of the SSM review dated October 24, 2023.
10. A note shall be added to the Plan stating that Lot 4 is solely for conveyance to the adjoining property at 537 W. Boot Rd., labeled as the property of Dena M. Carbonari and Meghan L. Blair, and is not intended or eligible for development as a separate lot.
11. All remaining consultant and Staff concerns shall be resolved to the satisfaction of the Township.
12. Payment of all outstanding Township invoices within 45 days of the date of Final Plan approval by the Board of Supervisors.

(Cote/Glisson)

ACTION: Passed, 6-0

## VI. NEW BUSINESS

Mr. Weller presented the Commission members with a calendar for the 2024 meeting dates, based upon continuing to meet on the first and third Tuesdays of each month; he noted a few exceptions needed to accommodate holidays. Members will be asked to confirm the calendar at the next meeting.

Noting that the Board of Supervisors denied the proposed Zoning Ordinance amendment to rezone the Weston Tract to R-1 and add a "large tract residential cluster" option, Mr. Wright suggested that this could be a good time for the Commission to be proactive in rezoning this area from the existing O/L to R-1 but without the new development option that residents seemed to oppose. He encouraged members to think about what the best plan for the Weston tract would be. Should any O/L space be reserved? Mr. McKeeman maintained that the residents who attended the public hearing did not represent the majority and said feedback that he received indicated the majority did not want any type of zoning change. Mr. Gordon suggested finding out if the Board of Supervisors is open to a change before the Commission does the work involved. He added that the Weston Tract property owner should also be consulted. Ms. McGarrity suggested keeping the tract as industrial use noting that there are light industrial users who cannot find land.

Mr. Gordon suggested a Memo be sent to the Board of Supervisors to see if there is interest in rezoning the Weston Tract along with the adjacent residential lots previously proposed for change. Mr. Wright suggested the Commission also discuss in December how regulations for adaptive reuse of historic structures can be tightened. Mr. Weller advised that this is already addressed in the Historic Preservation regulations and falls under the purview of the Historical Commission. He added that the regulations provide as many options as possible to encourage preservation.

#### **VII. TOWNSHIP ANNOUNCEMENTS:**

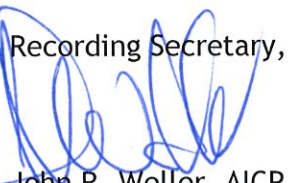
Congratulations to Dan Cote for completing the Master Planner course!

Mr. Weller advised that the November agenda will see a second review for the Villas at West Whiteland conditional use plan.

#### **ADJOURNMENT**

The meeting was adjourned at approximately 9:27 p.m.

Recording Secretary,



John R. Weller, AICP  
Director of Planning