

**WEST WHITELAND TOWNSHIP  
PLANNING COMMISSION  
MINUTES**

Minutes of the first November meeting

November 4, 2021

**Members Present**

Mark Gordon, Chair  
Brian Dunn  
Jeff Glisson  
MaryFrances McGarrity  
Ray McKeeman  
Andy Wright

**Township Personnel Present**

John Weller, Director of Planning and Zoning  
Justin Smiley, Township Planner  
Mimi Gleason, Township Manager  
Ted Otteni, Director of Engineering  
Joshua Anderson, Board of Supervisors

**I. CALL TO ORDER**

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

The Commission observed a moment of silence to honor our nation's military and first responders.

**II. REVIEW OF MEETING MINUTES**

MOTION: To approve the minutes for the meeting of October 19, 2021. (McKeeman/Glisson)

ACTION: Passed, 3-0-3 (Mr. Gordon, Ms. McGarrity, and Mr. Wright abstaining)

**III. PUBLIC COMMENT**

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

**IV. PLANS**

**1. 690 E. Lincoln Associates, LLC**

**Address: 690 E. Lincoln Hwy.**

**First Review: Land Development**

**Request: Construction of a convenience store with gas station and 68 townhouses at the former Entenmann's bakery site**

Mr. Gordon introduced the project, noting that the Board of Supervisors granted conditional use approval for this project on February 10, 2021, and the Historical Commission recommended approval with the condition that materials and colors for the convenience store and canopy be found satisfactory prior to the issuance of a building permit.

John Weller provided an overview of the plan and noted the following consultant issues:

- SSM - Minor concerns.
- Theurkauf - Does not support the waiver requested from parking lot landscaping, but supports waiver of compensatory planting requirement for trees removed to accommodate the Couplet since it is a public improvement. Minor remaining deficiency in compensatory plantings can be addressed by increasing the size and/or the number of trees.
- Stubbe - Lighting plan did not include building-mounted fixtures for the convenience store or under-canopy lighting; this could be evaluated after construction.

- McMahon - Notes that traffic impact study should be updated and that some curb radii are smaller than required; while they do not object to this, they caution that PennDOT may not accept the design.
- Public Works Director - Minor concerns.
- Fire Marshal - No comments.
- Chester County Planning Commission - Suggests a handicapped-accessible parking space near St. Mary's Chapel.

Mr. Weller suggested that the Commission provide guidance on the following:

- landscaping for the convenience store parking lot,
- resolution of the compensatory planting deficiency,
- when complete lighting information must be provided, and
- whether the curb radii are acceptable.

Joseph Brion, attorney for the applicant, was in attendance and introduced Dave Gibbons, project engineer; Greg Richardson, traffic engineer; Patrick Stewart, landscape architect; and Eli Kahn (via Zoom) and Matt Adams representing the applicant.

Mr. Gibbons described the plan, noting that the 68 townhouses all have garages in the back that will be accessed from an alley. A 12-foot-wide multi-use trail will be constructed from Lincoln Highway almost to the Aqua parcel with a blanket easement provided through the open space to facilitate connection to the proposed extension of the County's Chester Valley Trail. The convenience store will have 66 parking spaces; a separate parking area is provided for use by the Chapel.

The applicant's team presented the requested waivers and the Commission provided feedback:

- §281-16.B to allow plan sheets larger than 24"x36;" the Commission agreed.
- §281-25 to allow the street widths as shown; the Commission agreed.
- §281-32.B such that curbs need not be provided along all new streets in the interest of optimizing stormwater management. Ted Otteni indicated his support for this waiver; the Commission agreed.
- §281-32.C to allow 6" curb reveals rather than 8" as required by the Ordinance. The applicant stated that 6" is better for promoting accessibility by the handicapped; Ted Otteni agreed. Mr. Gordon suggested curb stops to prevent vehicles from overrunning and damaging the edges of the paving; the applicant agreed to consider this.
- §270-15.T to allow disturbance within the riparian buffer zone. Mr. Weller explained that disturbance of the riparian buffer is necessary to accommodate the Couplet, an improvement first planned by the Township. He clarified that riparian zones are not the same as floodplains but have been established as a water quality measure to reduce sedimentation and heat pollution of streams. He noted that the design will still provide these benefits, despite the intrusion into the buffer. The applicant pointed out that a portion of the new road is within the floodplain, but it will be graded and raised to minimize chances of flooding. The Commission agreed to support the waiver.
- §270-20 to waive the stormwater infiltration requirement. This waiver is typically granted for systems in areas of carbonate geology - such as this one - in the interest of preventing sinkholes. The Commission agreed to support the waiver.
- §281-28.D to allow curb radii smaller than required. Greg Richardson assured the Commission that the design was sufficient to accommodate the trucks that would come through the site, and they were confident that the design shown would satisfy PennDOT. He also noted that in several cases,

the smaller radii were used to discourage improper turning motions. The Commission agreed to support the waiver.

- §281-36.G such that compensatory trees will not be required for trees removed to construct the new Couplet road and related stormwater basins. Patrick Stewart stated that a number of trees in this area were poor quality. The applicant was agreeable to increasing the street trees to 2½” caliper to resolve the remaining deficiency, as recommended by Theurkauf. After discussion, the Commission agreed to support the waiver such that compensatory trees would not be required for those removed to construct the public improvements (Couplet road, including the trail and related storm basins); with the increased caliper of the street trees, no further waiver is needed.
- §281-35.A to allow the landscaped buffer for the commercial area to occupy a portion of the residential area. An easement will be provided to allow the owner of the commercial lot to do maintenance, and that responsibility will be included in the landscaping restrictive covenant. The Commission agreed.
- §281-35.E such that no perimeter buffer need be required around stormwater basin #3. While it does not qualify as a “naturalistic” basin, Theurkauf supported the waiver due to the landscaping proposed in the basin. The Commission also noted its location next to a natural area and agreed to support the waiver.
- §281-37.B(1), 281-37.B(4), 281-37.D to allow the parking lot landscaping as shown on the plan. While Theurkauf did not support this waiver, the Commission was agreeable to it based upon statements from the applicant regarding the need to facilitate vehicular circulation and minimize tracking of mulch and dirt into the store.

The applicant presented elevation drawings of the store and gas pump canopy. Skip Brion advised that Wawa is not yet under lease for the site and that they are concerned about the completion of the north leg of the Couplet; Matt Adams echoed this concern, noting that both the north and south legs need to be complete for the site to be fully accessible. Mr. Otteni responded that the Township owns the property for the northern leg, has the money to construct it, and the design is nearly complete. Eli Kahn said that Wawa may need to hear that from the Township; Mr. Otteni agreed to provide a written statement to that effect.

Regarding condition #13 of the conditional use Decision and Order, the applicant advised that the church is not interested in eliminating the access points to St. Mary’s Chapel from Lincoln Hwy. or Ship Rd. Mr. Otteni responded that church representatives have told him that they are agreeable to eliminating the access from Ship Rd. closest to the Lincoln Hwy. intersection.

Regarding the lighting issues, Mr. Brion said Wawa will want its standard lighting design and will prepare plans for that. It was agreed that the plans could be provided to the Township for review prior to issuance of a building permit.

There was discussion regarding the usefulness of a handicapped-accessible parking space in the lot near the Chapel as suggested in the County’s review. It was noted that such a space might be more useful in the front of the Chapel, but the Chapel itself may not be ADA-compliant, making the issue moot. Mr. Brion noted that as shown, the lot will significantly improve visitor safety. Eli Kahn said that there will be no pedestrian connection from the lot near the Chapel to the Wawa and that Wawa does not need nor will they be using the lot; he added that the lot was first suggested long ago in case Lincoln Hwy. or Ship Rd. were widened. The Commission confirmed that the number of handicapped-accessible spaces shown satisfy our regulations and agreed that the Chapel parking lot did not need to be revised to provide additional spaces.

Mimi Gleason said the Township is trying to secure an agreement from the County to own and maintain the trail proposed along the Couplet, but the County is not willing to take it over until the proposed Chester Valley Trail Extension is completed and the connection is made. Ms. Gleason asked if the homeowners’ association for the townhouse community could maintain the trail along the Couplet until

the Extension is completed. Mr. Kahn responded that that would be infeasible for an HOA of only 68 homes. Ms. Gleason will discuss this further with the County, noting that the County first suggested the proposed trail.

MOTION: To recommend that the Board of Supervisors approve the land development plan entitled "690 E. Lincoln Highway & Ship Road" as depicted on the 30-sheet plan set prepared by D.L. Howell & Associates, Inc. dated July 16, 2021, and most recently revised October 6, 2021 ("Plan") with the following waivers and subject to the following conditions:

1. The Plan is approved as a final plan pursuant to §281-10.H of the West Whiteland Township Subdivision and Land Development Ordinance ("S/LDO").
2. Waiver of §270-15.T of the Stormwater Management Ordinance to allow disturbance and grading within the riparian buffer zone, pursuant to comment #3 of the Spotts, Stevens, and McCoy ("SSM") review dated October 28, 2021.
3. Waiver of §270-20 of the Stormwater Management Ordinance from the stormwater infiltration requirements, pursuant to comment #1 of the SSM review dated October 28, 2021.
4. Waiver of §281-16.B of the S/LDO to allow plan sheets larger than 24" x 36", pursuant to comment #2 of the SSM review dated October 28, 2021.
5. Waiver of §281-25 of the S/LDO to allow the street widths as shown, pursuant to comment #8 of the SSM review dated October 28, 2021.
6. Waiver of §281-28.D of the S/LDO to allow curb radii as shown.
7. Waiver of §281-32.B of the S/LDO such that curbs are to be provided only to the extent shown on the Plan in the interest of facilitating stormwater runoff, pursuant to comment #4 of the SSM review dated October 28, 2021.
8. Waiver of §281-32.C of the S/LDO such that curbs may have a reveal of not less than six (6) inches, pursuant to comment #9 of the SSM review dated October 28, 2021.
9. Waiver of §281-34.G of the S/LDO such that no compensatory plantings need be required for trees removed to accommodate public improvements being constructed as part of the Plan, pursuant to comment #8 of the review by Theurkauf Design and Planning ("Theurkauf") dated October 25, 2021.
10. Waiver of §281-35.A of the S/LDO to allow the landscaped screen buffer as shown between the commercial and residential areas of the project, pursuant to comment #2 of the Theurkauf review dated October 25, 2021.
11. Waiver of §281-35.E of the S/LDO to the extent that complete perimeter buffer plantings need not be provided for Stormwater Basin 3, pursuant to comment #3c of the Theurkauf review dated October 25, 2021.
12. Waiver of §281-37.B(1), -37.B(4), and -37.D of the S/LDO to allow the parking lot landscaping as shown.
13. Pursuant to condition #1 of the Conditional Use Decision and Order for this project approved by the Board of Supervisors on February 10, 2021 ("D&O"), no Use and Occupancy Permit shall be issued for the convenience store until the portion of the Ship Road Couplet south of Lincoln Hwy. (labelled "Couplet (one-way)" on the Plan) is constructed and open for public use.

14. Pursuant to condition #3 of the D&O, surface materials and colors of the north, east, and west façades of the convenience store and of any canopy over the gas pumps shall be found satisfactory to the Township as advised by the Township Historical Commission prior to the issuance of a building permit for the convenience store or the said canopy.
15. Pursuant to condition #6 of the D&O, the Applicant shall provide a document defining ownership and maintenance responsibilities for the stormwater management facilities, such document to be found satisfactory to the Township.
16. Pursuant to condition #12 of the D&O and Township Ordinance No. 427, the Applicant shall receive a credit towards the traffic impact fee otherwise due to the Township in an amount not to exceed the construction cost of the Ship Road Couplet in accordance with the Township's Transportation Capital Improvements Plan.
17. Pursuant to condition #13 of the D&O, the Applicant shall provide the Township with a copy of the agreement between the Applicant (including their successors in interest) and the owner of St. Mary's Chapel regarding maintenance responsibilities for the parking lot and surrounding easement area on the Applicant's property south of the Chapel property.
18. Prior to issuance of a building permit for the convenience store, the Applicant shall demonstrate compliance with the lighting standards of §281-48 of the S/LDO.
19. All remaining consultant and Staff concerns shall be resolved to the satisfaction of the Township; the drawings shall be corrected to show the proper front yard setbacks from the Couplet and Ship Rd. for commercial development.
20. The Applicant shall execute and provide to the Township a recordable, notarized copy of a memorandum containing a metes-and-bounds description of the tract approved for subdivision and land development hereby, stipulating the terms and conditions of the D&O and shall consent to the recording of the said memorandum by the Township in the office of the Recorder of Deeds of Chester County no later than at the time of recording of the approved subdivision and land development plan.
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 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, 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.
23. Payment of all outstanding Township invoices within forty-five days of the date of final plan approval or at the time of application for a building permit, whichever comes first.

(McKeeman/McGarrity)

ACTION: Passed 6-0

## V. ANNOUNCEMENTS:

Mr. Weller announced that Mr. Otteni is now the Township's Director of Engineering, and Scott Ryle is Director of Public Works; Mr. Otteni will continue to review development plans. Congratulations to Ted and a warm welcome to Scott!

Brian Dunn will be leaving the Planning Commission at the first of the year as he starts his duties as the newly elected member of the Board of Supervisors. Andy Wright has been appointed to fill the seat on the Planning Commission vacated by the resignation of Joe Altimari. Mr. Wright served on the Commission previously, and we welcome his return!

Mr. Weller stated that Township staff met with East Whiteland Twp. staff to discuss issues and pending development projects around our shared border, including the active adult community proposed by McKee Group for a portion of the Valley Creek Corporate Center ("VCCC") tract and data centers proposed on the former Whiteland Village site in the East Whiteland. Ms. Gleason added that East Whiteland is seeing renewed interest in office projects and encouraged the Commission to be thinking about the potential for updating our business parks.

Our next meeting will feature discussion on amending our Comprehensive Plan to accommodate the age-restricted development proposed for the VCCC property. This will require at least a revision to the Future Land Use Map, which currently shows the property as "Business Park," but text changes may be needed too.

Mr. Weller informed the Commission that he had recently attended the annual conference of the Pennsylvania chapter of the American Planning Association and got the impression that what we are doing in West Whiteland was worth presenting at next year's conference, particularly our public education and information initiatives like "Development by Design," our open houses, newsletters, and use of social media.

On November 17, the Township will be hosting a meeting - both virtually and in-person - to discuss the Exton Crossroads area. We are calling it a "Community Conversation" and intend for it to be an opportunity to hear public concerns and get feedback about the future of this location. Justin Smiley shared results from a survey conducted earlier this year. Priorities among those who responded include improving the look and feel of the area, providing public gathering places, having a safe environment for pedestrians and bicyclists, and easy connections to public amenities, such as the library.

## ADJOURNMENT

The meeting adjourned at approximately 8:00 p.m.

Recording Secretary,



John Weller, AICP  
Director of Planning