

**WEST WHITELAND TOWNSHIP
PLANNING COMMISSION
MINUTES**

Minutes of the first January meeting

January 8, 2019

Members Present

Anita Nardone
Glenn Marshall
Raymond McKeeman
Mark Gordon
Rajesh Kumbhardare

Township Personnel Present

John Weller, Director of Planning & Zoning
Justin Smiley, Township Planner
Mimi Gleason, Township Manager
Ted Ottenj, Public Works Director

I. CALL TO ORDER

Anita Nardone called the meeting to order at 7:00 p.m.

II. REORGANIZATION

MOTION: To appoint Anita Nardone as Chairman. (Gordon/Kumbhardare)

ACTION: Passed, 5-0

MOTION: To appoint Mark Gordon as Vice-Chairman. (Marshall/Kumbhardare)

ACTION: Passed, 5-0

III. REVIEW OF MEETING MINUTES

MOTION: To approve the minutes for the meeting of December 4, 2018, as revised by Mrs. Nardone (Gordon/McKeeman)

ACTION: Passed, 5-0

IV. PUBLIC COMMENT

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

V. PLANS

1. 109 Coeway Lane
Address: 109 Coeway La.
First Review: Land Development
Request: Construction of a 2,160 sq.ft. pole barn

Property owner and applicant Todd Schneider and engineer Dave Rentschler of JMR Engineering were in attendance to discuss the project.

Mr. Weller described the plan to construct a 2,160 sq.ft. pole barn on the lot located at the east end of Coeway La., a private dead-end street. The lot is currently developed with a structure that was originally a residence but is now used as a business office. The proposed barn will be used for storage related to the business and of personal items belonging to the Applicant. The project includes a new driveway to Coeway La. and a paved vehicle maneuvering area on the east side of the barn; the existing building will remain. There are no significant environmental constraints on the property. In September 2017, the Township approved a plan for a hotel on the lot south of the Applicant's property. Although

construction of the hotel has yet to begin, it could start at any time. The hotel plan features a new driveway onto Sunrise Blvd. and reconfiguration of the parking lot on the Applicant's property, connecting it to Sunrise Blvd.

Mr. Weller recommended that the Commission provide guidance regarding sidewalks and application of the Town Center Design Standards in addition to the concerns raised by the consultants. Due to three consultants stating that they need additional information in order to complete their reviews, Staff is not recommending action on the plan tonight.

Mr. Rentschler responded that the proposed barn was solely for private use and would not be rented out. He added that there was no intention to connect to Sunrise Blvd. Mr. Weller pointed out that when the hotel plan was approved, the Township specifically stated that no such connection was desired, except for emergency use.

Mr. Rentschler said the proposed barn would be between 20 and 25 feet tall with a gable and pitched roof. The Commission noted that there were other storage units on the property, one of which was in disrepair, and asked if they would be removed. Mr. Schneider asked if he would be able to replace them if he did remove the structures. This led to discussion on the regulations for accessory structures, and Mr. Weller stated that, while there is no limit on the number of accessory structures, there is a limit on impervious coverage, which would restrict the number of buildings. Mr. Schneider agreed to remove the storage unit that was in disrepair.

The Applicant agreed to comply with the SSM review letter of December 11, 2018, except for comment #5 regarding sidewalks along Coeway La. The Commission agreed that a waiver from the sidewalk requirement was appropriate given the conditions along Coeway La.

The Theurkauf review of December 6, 2018 requested additional information in order to determine the applicable landscaping and screening requirements; the Applicant agreed to provide the information.

Referring to the Traffic Planning & Design (TPD) review of December 11, 2018, Mr. Rentschler said there will be no additional trips on Coeway La. since the proposed barn will only be used for personal storage. It was noted that there is already a "No Outlet" sign as recommended. There will be no exterior site lighting. Mr. Rentschler confirmed that there will be no sewer or water connections for the barn; infiltration testing showed no evidence of karst geology.

The Applicant advised that the remaining consultant concerns were all "will comply" items. They will provide the additional information as requested and return to the Commission for further review.

2. Ski Properties II, LP (dba, Buckman's Ski and Snowboard Shop)

Address: 403 N. Pottstown Pk.

Second Review: Land Development

Request: Construction of an 8,280 sq.ft. addition to the existing building

Property owner Jeff Buckman and architect Kim Kryder of Bursich Associates were in attendance to discuss the project. Mr. Weller summarized the plan as the construction of a two-story addition to the existing historic structure at the northeast corner of Pottstown Pk. and Rockland Dr. The Township Historical Commission reviewed the plan on December 10, 2018 and passed a motion recommending that the plan be approved. Mr. Weller added that most of the consultant issues from the prior review have been resolved, with the exception of sidewalks. Mr. Weller confirmed that Rockland Dr. is a Township road, so it is not necessary to get approval from the Whiteland Hills Homeowners' Association to construct sidewalk across the Rockland Dr. frontage. Following considerable discussion on the matter, it was agreed that:

- Sidewalk will be required only along the Rockland Dr. frontage. No sidewalk will be required along the Pottstown Pk. frontage since (1) the Bicycle & Pedestrian Circulation Plan shows no

sidewalk there, (2) such a sidewalk would end at the Applicant's property line near the middle of the jughandle, and since the remaining property is owned by the Whiteland Hills HOA it is unlikely that there would be any future developer to complete it, and (3) environmental constraints of slope and woodland.

- It was noted that the 6-foot buffer between the curb and the sidewalk shown in the Subdivision and Land Development Ordinance could not be accommodated for a 5-foot wide sidewalk due to existing features. It was agreed that the sidewalk will be 5 feet wide, but the buffer may be narrower where needed in order to accommodate those features.
- The sidewalk across the driveway will be indicated by decorative paving. There will be ADA-compliant ramps on both sides of Rockland Dr., and the crossing itself will be marked by painted white stripes.

Regarding the site furnishings required by the Town Center Design Standards, the Commission agreed that it would be sufficient for the Applicant to provide one bench; the Commission will recommend waivers from the other requirements. The Commission also agreed to recommend a partial waiver from the site element screening requirement (noted in comment #2 of the Theurkauf review) in order to avoid obscuring the building from public view.

The Applicant pointed out that the letter of adequacy from the Conservation District referenced in the SSM review is not required since the area of disturbance is less than one acre. The Applicant will provide a written response to SSM to that effect.

The TPD review suggests that the algebraic change in the driveway grade relative to Rockland Dr. should not exceed 8%. The Commission noted that (1) the proposed condition is an improvement over the existing condition, (2) the 8% limit is an engineering standard, not an ordinance requirement, and (3) reducing the change would require moving the driveway closer to Pottstown Pk., which is not desired. The Commission agreed to allow the driveway location and slope as shown.

MOTION: To recommend that the Board of Supervisors approve the land development plan for Buckman's Ski and Snowboard Shop for the construction of a 2-story addition to the existing building at 403 N. Pottstown Pk. and other improvements as depicted on the 15-sheet plan set prepared by Bursich dated September 14, 2018 and most recently revised on December 18, 2018 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 §281-17.D(13) of the S/LDO such that the details and supporting calculations for the retaining wall design may be provided with the building permit application, pursuant to comment #4 of the Spotts, Stevens and McCoy review dated January 3, 2019.
3. Waiver of §281-32.C of the S/LDO to allow a radius of not less than fifteen (15) feet for the curb return at the east side of the driveway intersection with Rockland Dr., pursuant to comment #7 of the Traffic Planning and Design review dated January 3, 2019.
4. Waiver of §281-34.F(1) of the S/LDO to allow an existing spruce tree to be counted toward the street tree requirement, pursuant to the Theurkauf Design and Planning ("Theurkauf") review dated December 27, 2018.
5. Waiver of §281-33.D(4) of the S/LDO to allow the shrub species as shown, pursuant to comment #11 of the Theurkauf review dated December 27, 2018.
6. Waiver of §281-37.B(4) of the S/LDO to allow the parking lot landscaping as shown, pursuant to comment #6 of the Theurkauf review dated December 27, 2018.
7. Waiver of §281-69.C(1) of the S/LDO to allow the sidewalk along Rockland Dr. to have a minimum width of five (5) feet, pursuant to comment #1c of the Theurkauf review dated December 27, 2018.

8. Waiver of §281-69.C(2) of the S/LDO to allow the internal walkways and sidewalks to have a minimum width of five (5) feet, pursuant to comment #1d of the Theurkauf review dated December 27, 2018.
9. Partial waiver of §281-70.A of the S/LDO to accept the site element screen along Pottstown Pk. as shown.
10. A five-foot wide sidewalk shall be provided along the Rockland Dr. frontage to the stop bar at the Pottstown Pk. intersection, including two ramps and a painted crosswalk to accommodate crossing of Rockland Dr. The buffer between the sidewalk and the curb may vary as needed to avoid existing infrastructure. No sidewalk will be required along the Pottstown Pk. frontage.
11. The Exton Town Center Design Standards shall be deemed satisfied by the provision of decorative paving to define the pedestrian crossing of the driveway and the provision of one bench; no trash cans or bicycle rack shall be required.
12. Payment of a fee in lieu of dedication of open space, pursuant to §28147.C(2)(a) of the S/LDO, such calculation to be based upon the net increase of floor area on the first floor.
13. Payment of a traffic impact fee pursuant to Township Ordinance No. 427, the amount of which shall be as advised by the Township's consulting traffic engineer.
14. The Commission is satisfied with the location and grade of the proposed driveway as shown, noting that it is an improvement of the existing condition and the difference between the proposed and recommended grade difference is inconsequential.
15. The remaining consultant concerns shall be addressed to the satisfaction of the Township.
16. 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.
17. 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.
18. Payment of all outstanding Township invoices within thirty days of the date of final plan approval or at time of application for a building permit, whichever comes first.

ACTION: Passed, 5-0 (Kumbhardare/McKeeman)

VI. NEW BUSINESS

1. Zoning change to accommodate proposed development at 500 E. Lincoln Hwy.

Mr. Weller reviewed his memorandum dated January 4, 2019, noting that the Planning Commission has been discussing this Zoning change since the spring of 2018. Mr. Weller showed a sketch plan of the site, including the intersection of Lincoln Hwy. and Ship Rd., the redevelopment of the former Entenmann's property for commercial use proposed by E. Kahn, and the residential development proposed by NVR Homes for the southern portion of the Laborers' Training Facility site. Eli Kahn, Matthew Adams, and attorneys Joseph Brion and Tom Oeste were present on behalf of E. Kahn; Sebastian Ferrer and attorney Lou Colagreco were in attendance representing NVR Homes.

Mr. Weller recalled that, following earlier discussions, the Commission and Staff were generally in favor of the concept, and Staff had drafted an amendment to the Zoning Ordinance that would accommodate the projects. Mr. Weller noted that the sketch plan included improvements to the intersection of Ship Rd. and Lincoln Hwy. consistent with the Capital Improvements Plan ("CIP") adopted by the Township in September 2015 pursuant to Pennsylvania Act 209. Specifically, the CIP shows a new configuration for southbound traffic on Ship Rd., diverting it to the west after crossing the Chester Valley Trail, making a new signalized intersection with Lincoln Hwy., and joining the existing cartway north of the US Route 30 bypass. This "couplet" design is expected to alleviate existing congestion at this intersection and to accommodate additional traffic as well.

It was noted that the proposed amendment would allow the development of single-family homes at a higher density than currently allowed, but that this was significantly less than the number of townhouse or apartment units allowable by the existing zoning. By way of illustration, Mr. Colagreco noted that the sketch plan showed 90 single-family homes on lots of approximately 7,000 sq.ft., but the site could accommodate about 250 townhouses. In addition to allowing single-family homes as shown on the plan, the Zoning amendment proposed by NVR and E. Kahn would allow commercial development at the intersection, specifically including convenience stores.

Ms. Nardone stated that the draft was being presented for discussion only and that the Commission would not be taking any action tonight. She then asked for public comment.

Tim Hubbard of 697 Stonegate Ct. said that he and many other residents only recently become aware of this project and encouraged the Township to consider a more holistic view. He believes the proposed solution to the intersection congestion will only bring another set of problems. He added that if the higher density plan were more profitable to the developer, then that is what the developer would be proposing. Ms. Nardone asked what specific problems he envisioned, Mr. Hubbard responded that the schools, roads, and volunteer fire service will all be adversely affected. Mr. Kumbhardare pointed out that a previous plan with higher density was submitted to the Commission and the Commission asked the developer to lower the density. He added that the developer is following the regulations for the property, and the Commission must look at that side also. Mr. Colagreco added that the legal public hearing process required under Pennsylvania law has yet to begin. Mr. Marshall noted that the "couplet" design was not proposed by any developer, but came out of the Township's own Transportation Capital Improvement Plan, developed years ago to explore means to mitigate traffic congestion at the Ship Rd./Lincoln Hwy. intersection as well as other locations. This particular intersection is difficult as there is no way to add lanes without adversely affecting the adjacent historic resources. Because of the significant construction cost, Mr. Marshall said the Commission would be remiss as planners if they did not carefully consider this opportunity to have developers construct this significant portion of the couplet.

Supervisor Michelle Moll asked Mr. Weller to explain the couplet concept in greater detail. After doing so, Mr. Weller informed the audience that the Planning Commission meeting of February 5 will be dedicated to the topic of the couplet and its potential impacts.

Comments continued from the audience.

Maria DeMarco of 1408 Granby Way expressed concern about the impact of the proposed plan on the Ship Rd./King Rd. intersection.

Bill Coffey of Gary Terrace expressed frustration with the existing traffic on Ship Rd. and his inability to make a left-hand turn out of Gary Terrace because of the backup created at the 4-way stop on Ship Rd. He said the proposed plan will make his situation even worse. Township Manager Mimi Gleason responded that the Township has received concerns in the past about this intersection and has considered various options, noting that such options are constrained

by how close the existing homes are to the intersection: adding lanes or even a traffic light is not possible. She said that the Township will look at the area again.

Cynthia White of 944 Elmwood Ave. noted that the Lincoln Hwy./Pottstown Pk. intersection is one of the largest in the County, leaving the Ship Rd. intersection as the only quieter option for getting around. The proposed development will make it harder to get around the Township.

Denise Moore of 1011 Nicholas Dr. uses Ship Road because Pottstown Pk. is always backed up. She would like to see development stop. She likes the trails but has to drive her car to access them. Mr. Marshal responded that previous Township officials did a good job in keeping the Church Farm School property as open space. This land will provide residents with opportunities for both active and passive recreation when Exton Park is completed.

Carol Bove of 1243 Ellis Cir. expressed concern about the number of apartment buildings under construction, increased traffic making travel times longer, and the lack of sidewalks.

Ken Seace of 1105 Queen Dr. said Chester County is exploding like everywhere else, and while the Township has done a good job with development along Lincoln Hwy. and Pottstown Pk., he noted that the road widths vary and that sidewalks are not provided consistently. He was concerned about how long it now takes to get from Downingtown to Ship Rd. and the strain that more development would put on the police department, schools, churches, and fire companies. He feels the Township needs to slow down and take a step back.

Martin Reilly, owner of a business at 601 E. Lincoln Hwy., feels that the projects should be treated separately and that the time frame for zoning changes should be the same for everyone.

Dan Farrell, representing a business at 120 S. Ship Rd., feels that the couplet is ill-conceived and does not properly consider the impact on the existing businesses. He feels that a Wawa and more houses on Ship Rd. may pay for the couplet, but will add more problems. For the three existing commercial businesses on Ship Rd., changing to one-way will have a negative impact on property values as well as make it harder for people to find the businesses. He added that the enthusiasm of having a developer pay for the couplet does not justify a project that hurts local businesses and property values.

Mr. Seace asked how the proposed couplet will alleviate traffic since Ship Rd. will still be just two lanes on either side of it. Ms. Gleason explained that the couplet will get more traffic through the intersection, reducing back-ups, and allowing more vehicles over a shorter time.

Ms. Moll requested that a full description of the couplet be made available to residents at the February 5 meeting. Mr. Weller stated that the Traffic Planning & Design (the Township's traffic consultant) will be attending that meeting to explain the concept and answer questions.

The Commission asked if there have been any conversations with Sunoco regarding their willingness to provide the necessary easement for the north side of the couplet. Ms. Gleason and Mr. Weller responded that they have met with Sunoco representatives regarding the couplet and that they are so far agreeable.

Paula Stiles of 444 Cardigan Terrace asked why another gas station is needed when there's one a mile away, adding that another one will just cause more gridlock.

Ms. Nardone then addressed the audience and said that as a Commission, they represent the residents, but that they must also work with Staff and the Supervisors to review projects for properties that have a right to be developed in accordance with Township ordinances. She added that Staff and the Supervisors work very hard to ensure that the rights to develop are balanced with the rights of the Township, and to require improvements that will make our Township better as well. Quoting Ms.

Gleason, Ms. Nardone said that even if West Whiteland never approved another project, our roads would still be congested because of the development surrounding our Township. Ms. Nardone said that growth is a good thing, and part of the Commission's responsibility is to see how we as a Township can work to make that growth work for us as well - it is a balancing act. She said the Commission appreciates the residents' thoughts and concerns and said they are being heard.

Returning to the matter of the proposed Zoning amendment, Ms. Nardone asked why NVR and E. Kahn were requesting amendments to the existing O/R zoning district rather than re-zoning the non-residential portion to O/C (Office/Commercial) as previously discussed. Mr. Colagreco said that his experience was that whenever a re-zoning is proposed, it raises a lot of hypothetical questions about the effect on other properties that cannot be answered. By keeping the scope of the amendment as narrow as possible and giving the Township the benefit of knowing exactly what the proposed development will look like, we may avoid speculative questions about properties that the Applicants don't own and can't speak to.

The Commission agreed with Mr. Weller that the proposed street design standards, if accepted, should be in the Subdivision and Land Development Ordinance and not the Zoning Ordinance.

Residents are encouraged to attend the Planning Commission meeting on February 5, 2019, at 7:00 p.m. to hear more about the couplet.

VII. ANNOUNCEMENTS

The next Planning Commission meeting is January 22, 2019. Agenda items include a 3-lot residential subdivision at 1250 Ship Rd., the final land development for Lochiel Farm, and a preliminary plan for an addition to the Malvern Federal Bank building.

VIII. ADJOURNMENT

The meeting adjourned at approximately 10:10 p.m.

Recording Secretary,



John R. Weller, AICP
Director of Planning & Zoning