

**WEST WHITELAND TOWNSHIP  
PLANNING COMMISSION  
MINUTES**

Minutes of the first June meeting

June 1, 2021

*This was a hybrid meeting with participants attending both in person at the Township Building and on-line via Zoom. Individuals attending via Zoom are marked with an asterisk.*

**Members Present**

Mark Gordon, Chairman  
Dan Cote  
Brian Dunn  
Jeff Glisson  
Mary Frances McGarrity  
Ray McKeeman

**Township Personnel Present**

John Weller, Planning Director  
Mimi Gleason, Township Manager  
Ted Otteni\*, Public Works Director  
Justin Smiley\*, Township Planner

Theresa Santalucia\*, Board of Supervisors

**I. CALL TO ORDER**

Noting technical issues, Chairman Mark Gordon called the meeting to order at 7:18 p.m.

A moment of silence was observed for the members of the military that protect our nation and the first responders who protect us on a daily basis at home.

**II. REVIEW OF MEETING MINUTES**

MOTION: To approve the minutes for the meeting of May 18, 2021. (McGarrity/Glisson)

ACTION: Passed, 6-0.

**III. PUBLIC COMMENT**

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

**IV. PLANS**

**1. Ship Run**

**Address: 500 E. Lincoln Hwy.  
Second Review: Subdivision/Land Development  
Request: Construction of 95 single-family homes**

In attendance on behalf of the Applicant were Attorney Lou Colagreco, project engineer Dave Gibbons, and traffic engineer Greg Richardson.

John Weller gave an overview of the project noting that it received conditional use approval on February 10, 2021, and the Planning Commission conducted its first review of the land development plan on April 6, 2021. The Historical Commission reviewed the plan on April 12, 2021 and unanimously passed a motion recommending approval subject to some additional landscaping, which has since been added and appears on the current plan.

The Applicant has revised the plan to address concerns from the April 6 meeting: there are now 5-foot-wide sidewalks on both sides of the streets; there are median islands at the main road entrances to act as traffic calming measures; and the open space and recreation areas have been reconfigured as was discussed. Mr. Weller added that the compensatory plantings now satisfy our requirements, and

that the plan now meets all 14 conditions of the Conditional Use Decision and Order to the satisfaction of staff. He concluded by stating that remaining issues include confusion over whether streetlights will be provided, ownership and maintenance of the stormwater facilities, and placement of fire hydrants as previously directed by the Fire Marshal.

Mr. Gibbons clarified that streetlights were not being proposed and said he would remove the symbol from the plan legend. In discussion about the width of the traffic lanes at the entrances, Ted Otteni said he preferred 12-foot-wide lanes rather than the 14-foot-wide lanes shown. Mr. Richardson said he would check to see whether narrower lanes would still comply with PennDOT standards and expressed concern about the ability of large trucks to maneuver the narrower cartway; mountable curbs were discussed as a possible solution to this. Mr. Richardson will work directly with the Township and PennDOT to provide a design acceptable to all parties.

Mr. Colagreco stated that all the new stormwater basins will be owned and maintained by the homeowners' association for the community; the existing basin will remain the responsibility of the Laborer's Training Facility. Mr. Colagreco offered to provide copies of the easement agreements between the parties to the Township.

In response to Mr. Glisson, Mr. Weller explained the revised configuration of the Chester Valley Trail at the Ship Rd. entrance to the development, noting the portions that will ultimately be dedicated to the County and their relationship to the pedestrian system within the development.

Mr. Gordon asked for public comment. Virginia Kerslake questioned the proximity of the existing valve station to the residential buildings, pointing out that §325-28.3 of the Zoning Ordinance requires a 750-foot setback from residential buildings for surface land uses affiliated with pipelines and that it also allows the Township to increase the setback, depending upon the type of material being transported. Mr. Weller explained that the Ordinance addresses the development of surface land uses. In the present instance, the valve station is pre-existing. Ms. Kerslake maintained that the end result is the same, so consideration should be given to moving the proposed homes further away from the valve station. Staff will consult with the Township's Solicitor on the matter. Mr. Colagreco maintained that this was not an issue previously overlooked by the Township or the Applicant, noting that the matter was addressed during the conditional use process when the Township Solicitor opined that the ordinance regulates the placement of pipeline facilities only and not the siting of residential buildings. Mr. Gordon agreed that the matter had been previously discussed and that the referenced setback requirement applies to pipelines being constructed, not homes being constructed. Mr. Dunn was in favor of contacting the Township Solicitor again for clarification on the matter.

Mr. Otteni requested that the Applicant work with Staff and engineers to explore options regarding the configuration of the sanitary sewer due to concerns about the depth of some segments.

**MOTION:** To recommend that the Board of Supervisors approve the land development plan entitled "Ship Run" as depicted on the 40-sheet plan set prepared by D.L. Howell & Associates, Inc. dated March 4, 2021, and most recently revised May 11, 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 riparian buffer zones 2 and 3, pursuant to comment #3 of the Spotts, Stevens, and McCoy ("SSM") review dated May 25, 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 May 25, 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 May 25, 2021.

5. Pursuant to conditions #1 and #10 of the Conditional Use Decision and Order for this project approved by the Board of Supervisors on February 10, 2021 (“D&O”) and Township Ordinance No. 427, the Applicant shall pay a traffic impact fee of \$118,306.05 to be applied toward the construction of improvements to the intersection of Lincoln Hwy. and Ship Rd. in accordance with the Township’s Transportation Capital Improvements Plan. To this end, the Board may require the Applicant to enter into a transportation improvements agreement prior to the issuance of the first building permit for this project, as provided for in §295-17.A of the Township’s Transportation Impact Fees Ordinance.
6. The Applicant shall clarify the operation and maintenance responsibilities for the proposed stormwater management facilities by completing the spreadsheet provided as an attachment to the SSM review dated May 25, 2021, or by some other means as may be satisfactory to SSM and the Township.
7. The Applicant shall review the design of the sanitary sewer system with the Director of Public Works to determine whether the design of the system may feasibly be revised in the interest of reducing the maximum depth of the mains, pursuant to comment #26 of the SSM review dated May 25, 2021.
8. Fire hydrants shall be provided to the satisfaction of the Township Fire Marshal.
9. The Township, as advised by the Township Solicitor, shall confirm that the Plan is consistent with the provisions of §325-28.3 of the West Whiteland Township Zoning Ordinance.
10. All remaining consultant and Staff concerns shall be resolved to the satisfaction of the Township.
11. 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.
12. 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.
13. 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 Design & Planning. 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.
14. 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.

(Glisson/McKeeman)

ACTION: Passed 5-1, with Mr. Dunn opposing.

## V. OLD BUSINESS

### 1. Dunwoody Drive Outdoor

Mr. Weller explained that a condition of approval for the Dunwoody Drive Outdoor conditional use application was to revise the landscaping plan and return to the Planning Commission for review. While this matter will be on the June 15 agenda for full review and possible action, the Applicant asked to

make an informal presentation to the Commission tonight. Attorney John Snyder and Heather Havener were in virtual attendance on behalf of the Applicant.

Mr. Snyder said he was seeking preliminary feedback from the Commission on the recommendation by Theurkauf Design & Planning to plant seven arborvitae along Dunwoody Dr. and the Applicant's proposal to paint the pole green or black since planting the trees would not be an effective screen. Mr. Weller advised that the Commission has not yet had a chance to review the Theurkauf review, so they cannot comment at this time. Mr. Otteni had concerns about planting arborvitae close to the road due to sight distance issues.

Ms. Kerslake objected to the matter not being listed on tonight's agenda and requested that next time residents be notified. Mr. Weller explained that it was an informal request from the Applicant to appear tonight and no action was to be taken by the Commission. The plan will be on the June 15 agenda for review and possible action.

## VI. ANNOUNCEMENTS:

Mr. Glisson advised members to visit the Woodbine apartment development in Downingtown as an example of a great layout with nice amenities.

Mr. Glisson commented that the homes being constructed at Lochiel Farms do not match the renderings shown during the review process.

Ms. McGarrity asked how the Solicitor's opinion regarding the interpretation of §325-28.3 of the Zoning Ordinance as it pertains to the Ship Run development will be communicated to the Commission and others who were not involved in the previous conditional use approval. Mr. Weller explained that when the plan goes before the Board of Supervisors, he will prepare a memorandum to the Board that will include a draft motion based upon tonight's recommendation by the Planning Commission. If the Solicitor determines that the Ordinance has been properly interpreted, Mr. Weller will note in the memo that the concern was raised by the Commission and subsequently resolved, so the condition will not appear in any motion recommended by Staff to the Board.

Mr. Otteni said the contractors will begin work on Phase I of Exton Park next week. The intent is to complete the work so that grass can be planted in September or October of this year and have the park ready for use by spring 2022.

## ADJOURNMENT

The meeting adjourned at approximately 8:40 p.m.

Recording Secretary,



John Weller, AICP

Director of Planning & Zoning