

**WEST WHITELAND TOWNSHIP
PLANNING COMMISSION
MINUTES**

Minutes of the second June meeting

June 18, 2019

Members Present

Ray McKeeman
Glen Marshall
Anita Nardone
Jeff Glisson
Joseph Altimari

Township Personnel Present

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

I. CALL TO ORDER

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

II. REVIEW OF MEETING MINUTES

MOTION: To approve the minutes for the meeting of June 4, 2019. (Altimari/McKeeman)

ACTION: 5-0

III. PUBLIC COMMENT

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

IV. OLD BUSINESS

1. Continued discussion on open space fee regulations and policy

Mr. Weller reviewed his memorandum dated June 14, 2019, which outlined the current open space requirements from the Township's Subdivision and Land Development Ordinance (S/LDO) along with a summary of the Commission's comments from the May 7 meeting. Discussion proceeded as follows:

- **Current S/LDO standards** - We require permanent open space or a fee paid in lieu of such space is required for all residential, commercial, and industrial subdivisions and land developments. The Commission agreed that this should continue.
- **Acceptance of open space** - Clarify that permanent open space must either be owned by the public, a public agency, or by a recognized conservation organization like the Brandywine Conservancy or Natural Lands Trust. It may also be permanently deed restricted from further development and owned privately by a homeowners' association or management company.
- **When offer of land is desirable** - Generally, the Township does not wish to own more open space; where open space is provided, it should be owned by some other entity. Exceptions to this would be considered if the proposed open space is adjacent to an existing open space or park or if the Township had identified it for acquisition, but even then the final decision of whether to accept the land would be made on a case-by-case basis. Current regulations require land over two acres be dedicated to the Township: this should be revised. There was discussion on whether HOA-owned open space could be required to allow public access for trails. Staff advised that this could probably not be a stated requirement, but it could be discussed during the conditional use review and made a condition of approval if the applicant was agreeable.

- **Minimum size of open space** - Current regulations require the fee when the open space is less than one acre; the Commission agreed that this threshold should be raised to two acres. There was discussion regarding a possible combination of fee and dedication of open space depending on specific circumstances.
- **Larger projects** - Discussion favored having a dedication of open space for larger projects (i.e. Frame and Weston tracts). Ms. Gleason pointed out that accepting the fee for larger projects will result in higher density. Ms. Nardone commented on the importance of the visual relief that open space can provide. Mr. Weller emphasized the importance of having flexibility within the Ordinance to have conversations/negotiations with developers, noting that every possible scenario cannot be anticipated, and waivers can be granted from S/LDO regulations.
- **When credit should be given** - Mr. Marshall questioned the current regulations that allow up to 25% of the open space requirement to be met by land that cannot be built on (i.e. floodplain, etc.); he felt there should be no credit for such land. In response, it was noted that there have been cases where constrained lands have been used for trails, in which case a credit would be appropriate. While we don't want a lot of little trails leading nowhere, it was acknowledged that an internal trail - such as along a creek - could be enjoyed by residents of a particular development.
- **Definition of open space** - Ms. Gleason suggested a broader definition of open space that could include hardscaped public areas, particularly in the Town Center district where the space could be used for concerts and other special events. In such cases, credit could be given for not only the area, but for the cost of improvements like fountains and permanent seating. The green space near the Brickside Grille in Eagleview was cited as a good example. There was discussion about giving credit for green roofs if they were accessible for some use by the building residents or the public. The Commission did not oppose this, but it was noted that the high cost of constructing such a roof suggested that it was unlikely that one would ever be proposed here.

The Commission supported the idea of giving credit for improvements in public areas, but only in the Town Center district; also, no credit should be given for improvements unless they are open to the public. Ms. Gleason recommended getting input from the Township Solicitor on the legality of having a different provision for one zoning district. Ms. Nardone noted how crowded the local YMCA has become recently with new residential developments in the area.

- **Woodlands** - While woodlands have limited recreational use, the Commission felt they were acceptable for fulfilling open space requirements.
- **Stormwater facilities as open space** - The Commission discussed recreational improvements that are on top of or part of stormwater management facilities. There was a general feeling that if a facility - whether a basin, swale, or rain garden - was required for stormwater management, there should be no credit for open space. If the stormwater management system is underground, Mr. Otteni cautioned against any policy that would encourage placing recreational facilities on the surface, as subsurface systems require a lot of maintenance and there would be a question of how much of the time the recreational space would be useable. Mr. Weller suggested that a partial credit may be suitable in such case; the Commission agreed, noting that the percentage credit granted could be larger for projects in the Town Center district, pursuant to the earlier discussion.

- **Credit for private recreational facilities** - There was discussion regarding credit for private facilities, such as a swimming pool in a large apartment complex that is only open to apartment tenants. Mr. Glisson had previously suggested a type of pro-ration based on the number of residents who could use the facility. Mr. Marshall felt that while this was good in theory, it would not produce a meaningful reduction. If the improvements were not open to the public, no credit should be given.

There was discussion about providing incentives to developers to construct trails and other amenities included on the Official Map. The cost of construction could be credited as part of the open space fee.

Mr. Glisson emphasized the need to weight items and have flexible language that allows negotiation to achieve what's in the Township's best interests.

Ms. Nardone asked if open space funds could be used for things such as a shuttle service to recreational areas or parking lots for said areas. Ms. Gleason said it may be allowable to use open space fee revenue to build a parking lot that would clearly serve a park or a shuttle for a special event at a park, but not for mass transit in general.

Mr. Weller will draft Ordinance language for the Commission's review based upon tonight's discussion. The goal is to have a draft ready for consideration by the Board of Supervisors by early fall. The Commission said they were willing to have special meetings if needed to meet this schedule.

2. Continued discussion on updating the Township's Official Map

Since the last review, Mr. Smiley added the intersections suggested by the Commission for possible improvements and extended the streetscape enhancement area further along Bartlett Ave. He also re-organized the map legend. The Commission was satisfied by these changes and recommended that they make a point of reviewing the Map on an annual basis, especially given the pace of development we are experiencing. Staff will add this review to the agenda for the first meeting in January 2021.

MOTION: To recommend that the Board of Supervisors initiate the process for adopting the Official Map and Ordinance by directing Staff to provide copies of the June 2019 draft of the Township Official Map and Ordinance to the Chester County Planning Commission, the West Chester Area School District, and each municipality abutting the Township, pursuant to Article IV of the Pennsylvania Municipalities Planning Code.
(Marshall/McKeeman)

ACTION: Passed, 5-0

V. ANNOUNCEMENTS

1. Update regarding Meeting with property owners within TC District

Mr. Weller advised that Staff is still in the process of setting up a meeting with representatives from the Whiteland Town Center and PREIT. Staff will be meeting with Mary Frances McGarrity of the Exton Region Chamber of Commerce in the very near future.

The agenda for the next meeting includes plans for Exton Park and the Sleep Number Mattress store proposed for Eastcoast gas station property.

VI. ADJOURNMENT

The meeting adjourned at approximately 8:45 p.m.

Recording Secretary,



John R. Weller, AICP
Director of Planning & Zoning