

**WEST WHITELAND TOWNSHIP
PLANNING COMMISSION
MINUTES**

Minutes of the first August meeting

August 4, 2020

Members Virtually Present

Anita Nardone, Chairman
Dan Cote
Mark Gordon
Mary Frances McGarrity
Ray McKeeman

Township Personnel Virtually Present

Justin Smiley, Township Planner
Pam Gural-Bear, Asst. Township Manager

Rajesh Kumbhardare, Board of Supervisors Liaison

I. CALL TO ORDER

Anita Nardone called the meeting to order at 7:01 p.m. She explained that due to the ongoing coronavirus pandemic, the Commission has been meeting via Zoom with the most recent meetings being a “hybrid” meeting with some attendees at the Township building and others attending virtually. However, due to scheduling issues, tonight’s meeting is entirely virtual. She explained the “raise hand” feature of Zoom and asked that any public wishing to make comments use this feature. Ms. Nardone also thanked Township Staff for their support throughout the pandemic.

II. REVIEW OF MEETING MINUTES - July 14, 2020

MOTION: To approve the minutes for the meeting of July 14, 2020.
(McKeeman/McGarrity)

ACTION: A roll call vote was taken, and the motion passed 5-0.

III. PUBLIC COMMENT

Matthew Caffrey of Lennar advised the Commission of revisions made to the Sketch Plan for the Weston Tract as a result of feedback received from Commission members at the June 16, 2020 meeting and discussion with Staff. Density was reduced from 104 to 75 dwellings and will be developed in two sections; the “Estate” section with larger lots to help showcase the area around the historic Mansion, and a “Village” section with smaller lots. The historic Mansion, Gatehouse, and Farmhouse will all be retained. Areas for stormwater management and walking trails were created. Mr. Caffrey acknowledged that there is still more work to do on the plan, and alternatives were discussed.

Commission members provided their comments:

- Mr. McKeeman - while he liked the overall concept and variety of the plan, he encouraged the Applicant to talk to the adjoining property owners about what they would like to see for the surrounding buffers.
- Mr. Cote - felt it was a step in the right direction. He liked the reduced density and additional trails.
- Ms. McGarrity - applauded the efforts in buffering the adjacent older neighborhood.
- Mr. Gordon - asked about the proposed use for the historic Mansion. Mr. Caffrey said it has not yet been determined if it will be adaptively reused as condos or a single-family home. Mr. Gordon

would like to see the property be developed as per R-1 regulations to match adjacent tracts but is open to hear the evolving plan.

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

IV. PLANS

1. **Raj Real Estate, LLC**
Address: 4 Tabas Lane
First Review: Land Development
Request: Construction of a 13,300 s. f. retail/storage building

Mr. Smiley provided an overview of the plan to construct a 1-story retail and storage building covering 13,297 sq. ft. on a 3-acre lot. The existing retail commercial building (Apna Bazar), will remain. The property is located in the Town Center zoning district along the east side of Tabas Lane, a private street.

The Applicant previously proposed several different uses for the site, including a hotel and self-storage facility. In each case the Commission expressed concern about the intensity of the development. The current plan is less extensive and is not large enough to require conditional use approval.

Mr. Smiley noted that the Applicant has not yet submitted a landscaping or lighting plan, no architectural renderings, and no documentation of compliance with the carbonate district regulations. Outstanding concerns from Consultants include a lack of pedestrian accommodations, unclear internal circulation, lack of a traffic study, and lack of compliance with Town Center design standards. The project will be subject to payment of a traffic impact fee and an open space fee.

The Applicant and owner, Kulraj Singh, introduced attorney John Jaros, and Nick Vastardis, project engineer. Mr. Singh said the smaller building will be used for storage for the existing market with 4 smaller retail spaces (813 sq. ft. each) in front.

Mr. Jaros acknowledged that additional information is needed and will be submitted. Two issues he wished to discuss with the Commission were traffic impact and pedestrian accommodations. He noted that a traffic study was previously submitted for the more intense hotel use and wished to use that study. Mr. Jaros maintained that there would be little or no pedestrian traffic coming to the site.

Ms. Nardone asked for clarification of truck traffic and use of the garages. Mr. Singh said only smaller box trucks would service the retail units. Ms. Nardone expressed concern for the interior pedestrian circulation to get shoppers safely from the parking spaces to the retail stores and market. She asked if the Applicant would not find it desirable to encourage pedestrian discovery of the site. Mr. Singh felt the narrow nature of Tabas Lane combined with vehicles coming to the warehouse and market would be dangerous for pedestrians. He offered to apply the sidewalk money to a park or playground elsewhere in the Township instead.

Ms. Nardone then asked the Commission members for their feedback taking into consideration the Township's ultimate goal for the site as a part of the Town Center district.

- Mr. Gordon felt that the retail use will generate pedestrian traffic and advised that he has seen pedestrians from the Chester Valley Trail going to the market. The goal is to keep pedestrians safe and off of Route 30. With regard to traffic, he suggested conducting a traffic count to see what kind of traffic is coming into the site and to check with the Police Chief for accident counts at the site. Mr. Smiley confirmed that the County was agreeable to visit the site to discuss what safety measures could be implemented to aid trail users and shield them from truck traffic turning onto Tabas Lane.

- Ms. McGarrity said foot traffic is already significant in the area of the trail and the proposed retail will only increase that. There has to be a safe pathway for pedestrians to the retail use, and the proposed plan does not show that.
- Mr. McKeeman agrees with Mr. Gordon and Ms. McGarrity but questioned whether there was adequate space for sidewalks given the narrow width of Tabas Lane and the buildings being located so close to the edge. Mr. Gordon said there was room, but the real challenge is that Tabas Lane has no right-of-way.
- Ms. Nardone emphasized that the site is within the Town Center district and while it may not be used as such today with the various warehouse uses, that could change in the future and felt a revised plan needs to show a safe way to walk pedestrians through the site. She further noted that the area already has the light poles required by Town Center standards.
- Mr. Cote said he does not see a lot of pedestrian traffic in this area and did not feel a need for sidewalks but did express concern from vehicles exiting Tabas Lane not looking out for pedestrians using the trail crossing. He suggested a speed bump for exiting traffic.

Mr. Kumbhardare said the site only sees vehicle traffic at this time. He felt the warehouse and storage facility owners would not agree to install sidewalks. He added that the problems with the Tabas/Route 30 intersection were not the Applicant's responsibility to solve as his tract is two properties away from the intersection.

Ms. Nardone said walkability is a big feature of the Town Center district. Mr. Jaros said while the Applicant cannot fully comply with all Town Center requirements, he will strive to get closer, but added that the Applicant has no legal right to make improvements to the Tabas/Route 30 intersection.

Mr. Singh offered to eliminate the retail use and utilize the entire space for storage for the market.

Ryan Jennings spoke on behalf of Baker Properties (owners of the adjacent 1 & 2 Tabas Lane properties). He expressed concern with site access and circulation and suggested the narrow nature of Tabas Lane may not lend the area to further development. He called for a new traffic study to be done, noting that the present proposed plan is so different than the hotel plan for which the previous study was done. Oliver Goldstein, also with Baker Properties, said there are nine loading docks associated with 2 Tabas Lane and was concerned that sidewalk would take away from the space needed by trucks accessing the docks. He also had questions about the effect on water pressure and moving gas lines.

Mr. Jaros said they will reassess the plan, provide landscape and lighting plans, a traffic study, and make a best effort for all owners on Tabas Lane. The Commission took no action on the plan.

2. Fedor Tract

Address: 1250 Ship Rd.

Second Review: Subdivision

Request: Construction of a two-family building (twin) on 1.7 acres

Mr. Smiley provided an overview of the plan to construct a 2-unit residential building on a 1.69 acre lot located at 1250 S. Ship Road, adjacent to the Amtrak/SEPTA rail line. The tract is a narrow, wedge-shaped lot resulting in being heavily constrained due to its shape, the rail line, and a Sunoco pipeline easement. The Commission previously reviewed several sketch plans for the site. The present plan is consistent with the Commission's guidance at the December 3, 2019 meeting. The stormwater facility has been relocated to the west and sidewalk has been added along the Ship Road frontage. The Public Works Director's review requests clarity on maintenance of the site and a relocation of the sidewalk out of PennDOT's right-of-way to simplify permitting. SSM's review requested minor revisions to the

stormwater management facilities. The property is outside of the Transportation Service Area, so no traffic impact fee is required, but there will be an open space fee of approximately \$7,000.

Project engineer Tom Tran agreed to move the sidewalk out of PennDOT's right-of-way and said the Applicant is working with his attorney on a maintenance agreement that will be submitted to the Township for review and approval. Mr. Tran confirmed that all outstanding consultant comments will be addressed.

Ms. Nardone advised the Applicant to consider the grading for the sidewalk and discuss details with the Public Works Director. Mr. Tran agreed to do so.

Ms. Nardone called for Commission comments.

- Mr. McKeeman was satisfied with the plan noting that all major issues were covered.
- Mr. Gordon was satisfied with the plan and encouraged the Applicant to have the first-floor elevation as high as possible to avoid flooding.
- Ms. McGarritty asked about the driveway off of Ship Road. It was explained that PennDOT has issued a Highway Occupancy permit to allow the driveway as shown. Parking will be in the dwelling garages and surface driveways.
- Mr. Cote had no material issues and was satisfied with the plan.

MOTION: To recommend that the Board of Supervisors approve the land development plan entitled "Fedor Property" as depicted on the 5-sheet plan set prepared by Commonwealth Engineers, Inc. dated March 18, 2020 and most recently revised July 2, 2020 ("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 §281-28.E(3) of the Subdivision and Land Development Ordinance ("S/LDO") to allow the driveway location as shown, provided that the sight distance shall satisfy PennDOT requirements, pursuant to comment #2 of the Traffic Planning and Design ("TPD") review dated July 15, 2020.
3. Waiver of §281-32.A of the S/LDO such that curbs need not be provided along the Ship Rd. frontage as advised by the Director of Public Works.
4. Waiver of the plant species diversity requirement of §281-33.D(7) of the S/LDO to allow the arborvitae buffer as shown on the Plan, pursuant to comment #5 of the Theurkauf Design and Planning ("Theurkauf") review dated July 15, 2020.
5. Waiver of §281-35.E of the S/LDO to accept the landscaping as shown on the Plan as sufficient for the perimeter buffer requirement, pursuant to comment #1 of the Theurkauf review dated July 15, 2020.
6. Waiver of §281-36.D of the S/LDO to accept the landscaping as shown on the Plan as sufficient for the street tree requirement, pursuant to comment #3 of the Theurkauf review dated July 15, 2020.
7. Payment of a fee in lieu of setting aside permanent open space, pursuant to §281-47.B of the S/LDO.
8. The alignment of the proposed sidewalk shall be adjusted to be outside of the PennDOT right-of-way, pursuant to comment #1 of the memorandum from the Director of Public Works dated July 20, 2020. Details regarding sidewalk design to be discussed with Public

Works Director at a later time.

9. All remaining consultant and Township Staff concerns shall be addressed to the satisfaction of the Township.
10. 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.
11. 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 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.
12. 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.

MOTION: (McKeeman/Cote)

ACTION: A roll call vote was taken, and the motion passed 5-0.

V. ANNOUNCEMENTS:

Mr. Smiley reported that the ULI project is moving forward with the RFP for panelists having gone out and Staff reaching out to stakeholders. The Panel interview and charrette is scheduled for October 21-23 and will likely be held virtually due to COVID. There will be 15-20 panelists and 20-60 stakeholders.

Mr. Smiley announced that the Township has been awarded a Grant in the amount of \$940,000 for the construction of the northern leg of the Ship Road Couplet. An environmental consultant has been hired to conduct a Phase I Environmental Assessment, and the appraisal process has begun.

Mr. Kumbhardare and Ms. Nardone reported on the meeting with PREIT and advised that PREIT is still moving forward with the Phase II apartment plan but expressed issues with the Township's new regulations requiring a master plan and five-year commitment.

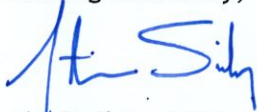
Ms. Nardone said she has requested from Mr. Weller more education for the Commission members on long-term zoning changes.

The August 18 agenda will have a review of Exton Knoll and a zoning change for Columbia Cottage. Mr. Smiley said he has compiled the information previously requested on all land within the NC zoning district and will forward that to Commission members.

VI. ADJOURNMENT

The meeting adjourned at approximately 9:00 p.m.

Recording Secretary,



Justin Smiley, AICP
Township Planner