

# WESTTOWN TOWNSHIP PLANNING COMMISSION MEETING

Stetson Middle School Auditorium  
1039 Wilmington Pike, Westtown Township  
December 15, 2016 – 6:30PM

## **Present**

Commissioners – Rodia, Whitig, Adler, Pomerantz, Hatton, Lees and Yaw. Also present was Planning Commission Solicitor Kristin Camp, Township Manager Rob Pingar, Township Planning Director Chris Patriarca and approximately 200 audience members including those mentioned below.

## **Call to Order**

Mr. Pomerantz called the meeting to order at 6:40 and led those present in the Pledge of Allegiance. He then introduced the Planning Commission (PC) and Township staff in attendance at the meeting.

## **Planning Commission introductions**

Mr. Hatton started by asking who had attended the November 16 meeting, and both he and Mr. Pomerantz noted there were more returning persons than new ones in attendance. He then made a brief presentation on the PC role in the conditional use (CU) process in conjunction with Mr. Pomerantz. He then stated the three subjects to be discussed included the Battle of Brandywine, other historic features and overall planning concerns relevant to the Crebilly property. Mr. Pomerantz further stated the discussion will focus only on the 317 plan and not the 397 unit plan for a potential recommendation as not enough information has been provided to produce a recommendation on the 397 plan. Mr. Hatton then stated the PC looks forward to review a 397 plan if made by the applicant in the future. Mr. Pomerantz then stated the focus of the meeting would be on the PC and their questions for the consultant team first and foremost. Both he and Mr. Hatton stated their intention to have a very transparent and open dialogue on the project in an effort to make the best possible recommendation to the Board of Supervisors (BOS).

Mr. Pomerantz next introduced all of the Planning Commissioners, Kristen Camp as PC Solicitor and Chris Patriarca as Township Planning Director. He then followed by providing an overall timeline of the project to date and also announced two January meetings. He emphasized the PC will provide a recommendation that will be considered by the BOS as part of the hearing process. He then invited the Planning Commissioners to make opening statements if they chose to do so. Mr. Rodia thanked everyone for their attendance and looked forward to the discussion to be had. Mr. Yaw reiterated the PC is aware of the various issues facing the Township as a result of this project and encouraged those in attendance to continue to have their voice heard and participate in future meetings. Mr. Lees stated his primary concerns with the application are traffic and the location of the connector road, and also encouraged those in attendance to continue to come to future meetings.

Ms. Adler stated she was looking forward to hearing what the consultant team has to say on a variety of issues and also encouraged the audience to continue to participate in the process. Mr. Whitig stated he would like to hear about how open space, traffic congestion, sewer infrastructure, the Battlefield and other environmental constraints will be addressed. Mr. Hatton stated the importance of the residents to speak up to provide for additional perspectives on the project that have previously been considered. He further thanked all for their attendance and

participation.

Mr. Pomerantz first thanked those in attendance for their participation in the process, and stated this has brought more awareness to the process as well as media attention to it. He then spoke of the role of all parties involved and expressed a hope that what results is the best that was able to be gained for all parties. He then spoke of a pair of personal experiences. The first was the reactions experienced while visiting Vimy Ridge, a WWI battlefield where Canadian forces defeated the Germans. He noted how powerful it was to be on hallowed ground where persons lost their lives in battle. He then spoke about a meeting with the mayor of Milwaukee and what the loss of the MLB Braves meant to the city. The mayor stated the most important takeaway was you will want to look back and tell all involved that common sense prevailed in the process and that once something is lost, it is lost forever. Mr. Pomerantz then spoke of the importance of the Crebilly Farm to the overall fabric of the Township.

### **Sean Moir Battle of Brandywine presentation**

Mr. Pomerantz introduced Mr. Moir as the president of Western Heritage Mapping and described some of his previous involvements with projects involving the Brandywine and other engagements of the American Revolution. Mr. Moir stated he develops maps depicting military battles of the American Revolution and stated he worked with the County in 2009 to map the Battle of Brandywine, the longest single-day battle of the Revolution. He noted the British victory paved the way for their occupation of colonial Philadelphia.

Mr. Moir first noted the formal National Historic Landmark boundary does not extend into Westtown, but that subsequent planning boundaries have been revised in 1989 and 2010 based on new information and does extend the Battlefield into the western portion of the Crebilly property. He stated the National Historic Landmark boundary has remained unchanged. He then stated his presentation would focus on the Hessian Jaegers flank that traversed the Crebilly property en route to battle against the Continentals. He illustrated this with an animated map he developed to show troop movements of the Battle.

He first showed where the British troops broke early in the morning on September 11, 1777. Later in the day, he illustrated where British troops under Cornwallis convened in East Bradford prior to their southward march. During this march to Birmingham Hill, the Hessian Jaegers crossed through the western end of what is now the Crebilly Farm, and illustrated this movement by including an overlay of the proposed Toll development on the map. Mr. Moir stated the depicted troop movements were developed from the diaries of the British engineer Archibald Robinson. This mapping was only discovered ten years ago in England and provided the foundation for the 2010 study.

Mr. Moir noted Robertson's map did not specifically state gunfire occurred at the Crebilly site. However, Mr. Moir noted the elevations present on the farm as well as previous wooded areas, and he suggested based on this as well as diaries from the Hessian Lieutenant Colonel Ludwig von Wormb that shots were likely fired on the Crebilly property. He stated that Americans were driven from a site on the Crebilly property which suggests shots were fired in order for this to occur. Mr. Moir stated it is clear the Hessian Jaegers marched across the Crebilly property, and that in his opinion shots were fired at the site of the present-day farm.

Mr. Whitig stated the presentation was very informative and that what was learned would help with the discussion of the proposed layout of the project to keep as much development as possible away from the area in the Battlefield. Ms. Adler and Mr. Lees also echoed this

sentiment. Mr. Yaw asked about the availability and reliability of the documentation utilized in the creation of his mapping. Mr. Moir stated these records are generally not very detailed for the American Revolution, but that the Robertson map utilized in the making of his animations was the best he had seen associated with the Battle of Brandywine. He attributed this to the makers' status as an engineer as well as the British occupation at the time allowing for him to make a more detailed map. Mr. Yaw asked if he also relies on journal entries such as those from the Hessian Jaegers in the development of his maps, and Mr. Moir stated they were utilized for his mapping, and noted the Hessian account matched what he produced in 2010.

Mr. Rodia thanked him for his presentation and noted the overall difficulty of source materials for the American Revolution, and asked how much of an engagement he believes occurred on the Crebilly property. Mr. Moir stated approximately 300 Hessian Jaegers crossed the property, with only a few Americans present that may have fired shots on site. Mr. Hatton asked if there is a likelihood that the national boundary may be extended to include the Crebilly property. Mr. Moir stated the landmark boundary is very difficult to change, but that information learned in 2010 should be located within a revised boundary for the battlefield. Mr. Hatton asked if the Hessian Jaegers did anything more than march across the Crebilly property. Mr. Moir stated they marched across the property over a time period of about half of an hour with possible shots fired. Mr. Hatton then asked what kind of recommendations would he suggest be made. Mr. Moir stated he would like to see as much of the area of the Hessian march preserved as possible. He further noted the hill where shots may have been fired is proposed to be part of open space integrated into the proposed development. Mr. Moir stated preservation is important as the other areas where the Hessian Jaegers marched have since been developed, and stated ground penetrating radar can result in artifacts being found associated with the battle. He further suggested the historical record could be revisited further to identify issues significant to the battle.

Mr. Pomerantz, putting himself in the position of Toll, asked Mr. Moir what this information means for the proposed development. Mr. Moir stated that if the development is done correctly, a large percentage can be preserved and incorporated into the site as a whole, and he noted the troops marched across at least half of what is the present-day farm and that at least 1/3 of the property is where troops marched. Mr. Pomerantz asked if there were fatalities on the property, and Mr. Moir stated there was the possibility of shots fired but that he was unsure of fatalities. Mr. Pomerantz then asked why the developer should find this information relevant to the battle as being important if there were no confirmed fatalities on-site. Mr. Moir stated it is subjective to determine if troop movements are worthy of preservation. Mr. Pomerantz concluded by asking what the PC should take away from his presentation. Mr. Moir stated the takeaway is that a piece of the Battle occurred on the Crebilly site where shots may have been fired, and it is up to the Township to determine if this is worthy for preservation.

#### **David Walter historic resources presentation**

Mr. Walter introduced himself as the chairman of the Township Historic Commission (HC) and stated they were asked by the BOS to prepare a report of the historical aspects of the Crebilly property. He then stated that Robert Wise developed a very thorough report on all of the structures present on the Crebilly property on behalf of Toll and encouraged the PC to use it in addition to the HC report as part of their analysis. Mr. Walter first reiterated several facts previously discussed by Mr. Moir as part of his presentation on the Brandywine. He noted how the Americans stood up to the British throughout the battle as well as lessons learned by General Washington with regards to military reconnaissance. He further stated the Hessian Jaegers were on the extreme flank of the attack and extended 1,500 to the west of Birmingham

Road, placing it on the Crebilly property. He further noted in the journal of Colonel Ludwig von Wormb it stated the first shots of the battle were fired at the Crebilly location.

Mr. Walter next spoke about the historical structures present on the Crebilly property. The first structure discussed was the Westtown Inn built in 1823 and located at the 202/926 intersection. He noted the stone used in the inn was quarried from the Brinton Quarry off New Street. He noted it was initially used by persons moving livestock to Philadelphia where they were butchered for the growing city population. Mr. Walter also stated the inn was the anchor of the Darlington Corner village that saw 75 residents at its peak and was also the center of political discussions of the day. In 1908 the inn was converted to a modern residence, but the exterior has remained the same as originally constructed. In 2015, the inn was classified as being eligible for inclusion on the National Register of Historic Places.

Mr. Walter next spoke of the Hunt Home along New Street. He stated it has a serpentine façade and was completed by 1805. The next structure discussed was a tenant home that was present by 1873 and served as a store, and noted it has been altered significantly since its construction. He further noted the original springhouse was converted into a private chapel in the early 2010s. Specific to other structures on-site, Mr. Walter stated they were not provided the same access to the site that was for Mr. Wise in preparation of his report.

Mr. Whitig asked Toll Brothers if any of the historical information presented was new for them. Toll indicated they were aware of the items discussed. Mr. Lees asked Toll if they have any intention to retain any of the existing structures on-site. Toll Brother Division President Andrew Semon stated they intend on retaining the Westtown Inn, the large barn, stable, the springhouse, and the McClure House. He further stated that the ultimate ownership and use of the Westtown Inn is still to be determined, and the other structures will be owned by the HOA. Mr. Yaw asked Mr. Walter if access to the Crebilly site would have been helpful in their analysis and Mr. Walter stated it would have resulted in a more comprehensive analysis of historic structures on-site. Mr. Walter further stated the HC would like an opportunity to document the site prior to any construction commencing.

Mr. Rodia asked what buildings in addition to what Toll is already committing to preserve should also be considered for preservation. Mr. Walter stated the most important building to preserve is the Westtown Inn, and further acknowledged in his opinion that some of the other older buildings proposed for demolition may be appropriate. Mr. Rodia asked what the typical use for preserved buildings in these types of developments is. Mr. Walter stated that old barns have been utilized for everything from storage to residences and offices. He further noted income raised from the utilization of historical structures may then in turn be utilized to offset their on-going maintenance. Mr. Rodia then asked Toll what they envision the preserved structures to be utilized for, and Mr. Semon stated conceptually they envision using the inn as offices, the barn as a formal space for residents, the stable as recreational space for residents, and the chapel/springhouse would remain as it currently is.

Mr. Hatton asked Mr. Semon to identify the structures to be retained and demolished in the Wise report and forward this information back to the PC. He further asked Mr. Walter look at the same report and identify structure the HC would like to see retained. Mr. Pomerantz asked Mr. Wise what he feels should be done to document the historical resources on-site and if he agrees with the Toll proposal to only preserve five of the structures on-site. Mr. Wise stated in addition to the physical structures being retained, the plan also preserves a remnant of the former Hunt farm along New Street. Mr. Pomerantz asked him as a historian, what we he

recommend they preserve. Mr. Wise stated he would recommend preservation of the five structures already proposed for preservation by Toll. Mr. Pomerantz then asked for his take on the battlefield presentation. Mr. Wise stated he has studied the battle in detail and was aware of the Hessian Jaeger flank. Specific to where the flank marched southward, he noted that its exact location was unknown as a result of differences in the accounts of the battle throughout the historical record. Mr. Pomerantz then asked what he would recommend Toll to do to preserve the area within the battlefield. Mr. Wise stated Toll has taken steps to preserve this area as they propose no construction within 600 feet of New Street.

Mr. Pomerantz next asked Mr. Semon if a site visit of the property could be arranged for the Planning Commission. Mr. Semon stated he would work with the property owners to arrange a site visit in the near future. Ms. Camp then asked Mr. Wise about the structures to be preserved along New Street and their ownership. Mr. Semon stated these properties will remain under the ownership of the Robinson family and will not be under any sort of conservation easement. Ms. Camp then asked what the on-going maintenance costs of the community facilities would be for the HOA to absorb. Mr. Semon stated a budget for this will be put together in the future and included in the HOA documents, and Mr. Wise stated he knew of issues that have arisen with the long term maintenance of historic structures. Mr. Semon indicated the proposed structures for preservation have been preliminary evaluated and all renovations will be completed Toll and not the HOA. Mr. Walter stated if the HOA did not want to maintain open space in areas of the battlefield, organizations such as Campaign 1776 may be willing to take responsibility for their on-going maintenance.

#### **John Snook planning issues presentation**

John Snook of the Brandywine Conservancy started by giving an overview of his recent review letter, and stated the letter is meant to assist the PC in their decision making process. Mr. Snook stated he reviewed all of the materials to date submitted by Toll and attended the previous meeting. He stated the focus of his presentation was on key points including: consideration of plans, conservation design, consistency with the comprehensive plan, other key issues and recommendations, and the Constitutional mandate.

Mr. Snook stated "Plan A" was submitted as a complete submission with "Plan A Alternate" and "Plan B" submitted as just sketches. Specific to the alternate plan, Mr. Snook stated it is very similar to the "Plan A" submission with the only significant difference being a waiver request to reduce the required distance between multi-family housing from sixty to thirty feet. Mr. Snook stated that he recommends this waiver request be granted as it will reduce the overall amount of land disturbed by the project as a whole. Specific to "Plan B", Mr. Snook stated bonus densities will require significant public improvements, and that it is the responsibility of the Township to identify what these public improvements entail and encouraged the PC to also provide thoughts on this issue.

Mr. Snook next spoke about the conservation design process and noted it is a specific requirement of the flexible development procedure. He further stated the conservation design process is meant to be collaborative with the PC in the identification of environmentally sensitive areas and scenic views and is to be completed prior to submission of an application. Mr. Snook stated this deficiency is not the fault of the applicant as they could not meet with the PC prior to application, but encouraged the applicant to complete this process as part of the PC review. He then spoke first of the primary conservation areas and stated these as being critical environmental features such as floodplains, wetlands and steep slopes and acknowledged these areas were identified in the Toll submission.

The mapping of secondary conservation areas is the second part of the conservation design process and involves the identification of items such as woodlands and scenic views. Specific to scenic views, Mr. Snook did acknowledge this is subjective, but they have not been mapped yet by the applicant. He further suggested this process should begin with the PC.

Mr. Snook next spoke of the Toll plans and their consistency with the current comprehensive plan, and noted its importance as the Township code specific to conditional uses requires the proposal be consistent with the comprehensive plan. Issues within the comprehensive plan specific to the Crebilly property include: the construction of a connector road parallel to 202 between 926 and West Pleasant Grove Road, public sewer connections, provision of recreational space, provision of a public trail system/loop trail, and in the broad statements of the plan it speaks of preservation of historical and scenic views.

Specific to public sewer connections, Mr. Snook recommended that the proposed development be connected to public sewer instead of utilizing a drip irrigation system as identified in the 537 Plan. He did state that the drip irrigation systems would also be effective if effectively maintained.

Mr. Snook next stated the density proposed by the plan appears to generally be consistent with what the ordinance affords. He noted a small discrepancy with regards to soil type, but acknowledged this will likely not significantly impact the plan overall. Mr. Snook then acknowledged the plan does contain the required 60 percent open space. However he did note that much of it has been fragmented throughout the site leaving the overall appearance that less than 60 percent has been preserved and further degrades scenic views and areas impacted by the Battle of Brandywine. Mr. Snook stated his belief that preservation of the area within the Battlefield as being very significant and worthy of preservation. He cited specifically of the significance of the flanking movement by the Hessians as well as the overall significance of the Battle as it related to the American Revolution as a whole. He further stated the National Landmark designation has no bearing on the importance of the Crebilly location. He also spoke of the importance of shots being fired on-site as suggested by Mr. Moir and suggested that artifacts are likely present underneath the soil. As such, Mr. Snook suggested additional archeological considerations be given to areas being disturbed with construction within the battlefield area.

Mr. Snook next presented his initial recommendations. His first recommendation was for the completion of the conservation design process in an iterative fashion with the PC. This process should be completed prior to the PC making a formal recommendation. His second recommendation was to agree with the one waiver request for the reduction in spacing of carriage homes and reiterated this will open up more land for potential preservation as well as allow Toll to have a higher proportion of end units. His third recommendation is to concentrate the open space in the western portion of the tract to maximize scenic views and preserve the area where the Hessian flank movement occurred. Specific to sewer, he did not feel strongly to either approach for handling the waste as each works well. He did recommend that the connector road be constructed in some form as part of the development and that a parkway be constructed as part of it. Mr. Snook suggested this area could be utilized as part of the required active recreational space. He finally suggested a public trail system be constructed inclusive of a perimeter trail, and that only areas adjacent to 202 be required to be paved.

Mr. Snook next discussed a 3-D model he and his staff are producing to illustrate the visual impacts of the proposed development as it relates to the current landscapes and topography.

The model is inclusive of homes representative of the heights that Toll proposes. He stated a full demonstration will occur at a future meeting, but did provide an example of the presentation utilizing a view of the proposed development from 926. He chose this location for the demonstration as it is the likely location where the Hessian Jaegers crossed the creek during the Battle of Brandywine as well as to illustrate the impacts of the new homes on the existing farm cluster.

Mr. Snook next noted there are not many homes proposed within the area of the Hessian march and suggested alternative placements be considered to move them from this area. Additionally, he suggested the preserved stable should be preserved as a public view instead of being located behind several of the proposed homes.

Mr. Snook concluded his formal presentation by reciting Article One, Section 27 of the Pennsylvania State Constitution that guarantees the right of the people to clean air, clean water and to the preservation of the natural, scenic, historic, and aesthetic values of the environment. This section further states Pennsylvania's natural resources are the property of all citizens now and into the future and also mandates these resources shall be preserved. Mr. Snook further noted recent court cases have mandated Townships take this section seriously when considering development applications.

Mr. Pomerantz first asked if his recommendations relevant to the trail system, parkway, connector road, contiguous open spaces, etc. are related to the base plan only and not considered to be public improvements in excess of what the development requires. Mr. Snook stated that these attributes should be included as part of "Plan A", but he could not state that the connector road and parkway completed in full to Stetson would meet this criteria as it would be designed to serve the broader public. Mr. Pomerantz then noted his comment that "Plan A" had not completed the conservation design component specific to scenic views or engaged the PC in the process as required by ordinance. He followed by asking if this omission discounts the validity of the application as a whole. Mr. Snook, stated although not an illogical conclusion is a harsh one as the applicant was unable to meet the PC prior to submission and further stated that process should commence now. Mr. Pomerantz then asked if more than four meetings will be necessary for the PC to thoroughly complete their review. Mr. Snook suggested the applicant should provide an extension if necessary.

Mr. Pomerantz next referenced the lack of a narrative on how the historic and natural resources will be incorporated into the site. Specific to scenic resources and their preservation as part of the conservation design process, in the letter it was stated these were not considered as part of their overall plan as the iterative process had not occurred with the PC. Mr. Snook stated in their supplemental materials submission, Toll asserted this requirement had been met to which he disagreed as there has not been a formal written narrative as to what is being preserved. Mr. Pomerantz asked how this gets resolved, and Mr. Snook stated the Township and applicant need to work together to resolve this issue. He did acknowledge the missing elements can be resolved before the PC in an informal meeting, and stated he wants to know what the quality of the views that are being preserved is, not just what quantitatively what they are. Mr. Pomerantz asked the applicant for their initial reactions to what Mr. Snook has presented. Mr. Semon stated although he does not agree with everything stated, Toll is open to refining the plan further. Specific to scenic views, he stated he has several renderings to illustrate views to continue to move forward in the conservation design process.

Mr. Hatton asked Mr. Snook to define active and passive recreation. Mr. Snook stated he views

active recreation as open space used for programmed recreation and/or other activities such as pick-up games, historical interpretative sites, trails, etc. He further stated the Township has some discretion to determine what constitutes active versus passive open space. Mr. Hatton next asked if the proposed open space will only be available to the residents of the development, could it be considered as something eligible for bonus densities. Mr. Snook stated they could not as they would not constitute a public improvement in excess of what is required by the ordinance. Mr. Hatton further asked if items such as ballfields would necessitate additional features such as parking, fencing, etc. Mr. Snook did agree to this, but acknowledged this would be unlikely due to the overall design of the site. Specific to the connector road, Mr. Hatton asked how he envisioned traffic flows if not completed. Mr. Snook stated the roads of the development will interconnect, but will not help solve the issue of people accessing 202 northbound from the western portion of the Township.

Mr. Rodia asked if he had seen the CCPC letter issued previously and noted the juxtaposition between what the County suggests and what Toll proposes. Specifically he noted the County proposal to concentrate the development closer to 202 in an effort to preserve the western portion of the tract and asked if this layout would generally resolve the deficiencies addressed in his letter. Mr. Snook did generally agree with this sentiment, but would not specifically recommend their proposal as it does not represent a full redesign of the plan in terms of unit count mixes. Mr. Rodia asked if what the CCPC produced as well as what the applicant proposes could be refined into his vision for the development. Mr. Snook stated this is the case, and specifically stated that if sewered the areas proposed for drip irrigation near 202 could be used for home construction. Mr. Snook further acknowledged the view presently from 202 is nice, but that the view is minimal due to the location of the Inn, tree lines and existing topography. Mr. Rodia then asked if conservation is an option, and if he had seen developers in his experience work to preserve land. Mr. Snook stated he has seen this and spoke of the recent experience of the preservation of Beaver Valley. He further noted at times it can be easier to work with a developer instead of the property owners. Mr. Rodia then asked Toll with their experience at the corporate level with regards to land preservation. Mr. Semon stated they have done this in the past, but stated with this project he has contractual obligations and this type of option is not on the table.

Mr. Yaw first asked if in his view the connector road is necessary for the development of "Plan A". Mr. Snook stated he does believe it necessary, but acknowledged its full public impact will not be realized until the northern portion is completed. He further stated only the northern piece between Pleasant Grove Road and Stetson could be considered a substantial public improvement. Mr. Yaw also stated that in PennDOT's review they recommend the construction of a connector road. He then asked if in his opinion it makes planning sense to align the connection with 926 with the existing Bridlewood intersection. Mr. Snook stated he does think this makes better planning sense in order to provide for a full signalized intersection beyond the stacking distance experienced at the 202 intersection. Mr. Yaw then noted if the full connector road is completed and lined up at Bridlewood a motorist would be able to fully bypass the 202/926 intersection. Mr. Snook acknowledged this would result in frustration for the current residents of Bridlewood as a result of increased traffic. Mr. Yaw next asked from the standpoint of preservation of scenic views and historic resources does what the County propose best meet this end. Mr. Snook did state this is the case with the caveat that Toll revisit the allocation and mix of unit types to best make the layout work. He also reiterated critical views such as those of the Westtown Inn and barn cluster off 926 need to be fully evaluated. Mr. Yaw then asked if the PC agreed to the reducing in distance between multi-family clusters, would this help accomplish the preservation needs, and Mr. Snook stated this would allow for much greater flexibility in the

siting of the carriage homes that will potentially result in additional open space to be preserved.

Mr. Lees asked if Toll were to pursue an alternate plan, would either make a better finished product. Mr. Snook stated once the comprehensive design process is completed, the final product will likely be the best option and further suggested the Township embrace the setback reduction waiver to allow for greater ability to preserve open space. He further stated the proposed bonus density plan would need significant evaluation and discussion prior to any formal consideration.

Ms. Adler asked if "Plan A" proceeded if access issues presented by the units proposed at the western end of the development could be addressed through a relocation of units out of the Battlefield portion of the property. Mr. Snook stated if the units were moved to the east, this would help with this access issue, and further suggested the construction of the connector road will also assist in this internal circulation issue. Ms. Adler asked if this situation would be significantly improved if his proposed changes were utilized, and Mr. Snook suggested it would be as more units would be in closer proximity to the connector road.

Mr. Whitig first stated his agreement with the proposed reduction in the setback between multi-family clusters and would be consistent with other projects that have been previously approved. He then asked Toll if the waiver was granted, would they be open to pushing the density towards the east in an effort to preserve more of the western end of the tract. Mr. Semon stated this is something they could look into, but that he would likely only be able to have for the PC by the next meeting a redline sketch to review due to the holidays.

Ms. Camp asked Mr. Snook if he believes a site walk will assist the PC in the identification of critical, scenic views of the site as part of their review, and he concurred this would be very beneficial to this end. Mr. Snook further suggested things such as balloons at the height of the proposed dwellings could also be used to further illustrate visual impacts, and he also stated that distance from the surrounding roads can also dramatically impact scenic views. Mr. Snook stated the only outstanding issue for the conservation design process the consideration of public views, and Ms. Camp noted the applicant had brought renderings to illustrate some of this as a start to this process.

#### **Toll Brothers renderings/scenic views presentation**

Mr. Semon presented a series of five renderings that his team produced to illustrate visual impacts of their development from adjoining locations. The locations they illustrated included views from the 926/Crebilly entrance, the northwest corner at New and Pleasant Grove, the proposed intersection with Dunvegan, from Westminster Presbyterian, and from the southeast across from the CVS.

#### **Public comment**

William Rappolt – 1156 Eleni Lane (Birmingham): Mr. Rappolt asked if the next meeting will discuss stormwater runoff and where that water goes and impacts other areas. Mr. Patriarca stated that the detailed discussion on stormwater will occur as part of a land development process. However, a general stormwater report has been developed and reviewed by the Township engineer.

A resident then spoke about the recent Toll project in Philadelphia on Jewelers Row and how Toll did not stay true to their word and asked the PC to consider this as part of their deliberation. Mr. Semon stated he could not speak to this situation as he is not involved with the office

developing this project. He did state that Toll has been very open with the Township on this project and requested a formal meeting within 48 hours of initial contact with the Township on this issue. Mr. Pomerantz asked how can the public be assured that what is approved is what will be built, and Mr. Semon stated what is built will be to the specifications set forth in the approved plan and development agreements with the Township.

Bill Vosburgh – 1151 Lake Drive (Westtown): Mr. Vosburgh commented he is scared of the finality of the decision and with the overall density of the proposed development. Mr. Vosburgh first asked if this is a done deal. Ms. Camp stated they have an application under review and that if Toll can meet set specific legal standards, some form of the development will likely proceed. Mr. Pomerantz stated the PC has not made any formal decision on the project. Specific to open space, Mr. Vosburgh asked if it is inclusive of undevelopable land. Mr. Snook stated the gross area of open space includes land that is considered unbuildable, but that a percentage of this land is excluded from the overall calculations.

Ken Lawson – 334 King Street (Malvern): Mr. Lawson had several questions for Mr. Moir regarding the engagement of the flanking Hessian troops on Crebilly. He asked in his opinion how far spread apart would 300 Hessian soldiers be across the tract. Mr. Moir stated he believes the flank covered the western third of the tract. Mr. Lawson next asked how many Continentals may have actually been present on the Crebilly property. Mr. Moir stated his expertise is in the map mapping, not speculating on what may have occurred, but did state from the Hessian perspective, they marched on the site and there were shots of some sort fired.

Randall Spackman – 1256 Thornbury Road (Thornbury): Mr. Spackman stated that he agrees with some of the refinements suggested by both Mr. Snook and Mr. Moir as it relates to the battlefield. He further spoke of the discoveries made as a result of archeological digs at his property. He next spoke of the impacts on his farm the development may have as the property is going from a farm to a new development.

John Helion – 1164 Lake Drive (Westtown): Mr. Helion stated of his experiences doing archeological digs and what is discovered as part of them. He further stated an organized archeological dig may result in more answers to what actually happened at the battle.

Gillian Fitzpatrick – 667 Heritage Drive (Birmingham): Ms. Fitzpatrick first asked why access has not been granted to the property for a visit and how a decision can be made without this access. Ms. Camp stated without permission of the property owner, they cannot enter the property. Ms. Fitzpatrick then commented the renderings do not represent the actual conditions with leaves off the trees in the winter and that the scenic view of the lake is not subjective.

Judy Lizza – Thornbury Township Manager: Ms. Lizza requested the PC include Thornbury Township in future discussions on this development and especially with any future discussions that may impact Bridlewood.

Myron Grubaugh – 1024 Dunvegan Road (Westtown): Mr. Grubaugh asked Mr. Snook about where the proposed connector road could interact with both Pleasant Grove Road and 926. Mr. Snook stated it would be parallel to the church and connect with 926 at some point between Caleb and Bridlewood in Thornbury. Mr. Semon stated he is unsure if they would load driveways onto a connector road.

Vince Piesetzkie – 870 East Street Road (Thornbury): Mr. Piesetzkie asked if the PC is aware of

any other projects in the area Toll has completed with similar historical impacts, and further asked for lessons learned from these projects. Mr. Pomerantz stated the consultant team incorporates this into their reviews.

Paige Worth – (Haverford): Ms. Worth stated she formerly lived in the area, but wanted to comment on how well the meeting was conducted. She further presented a sketch of a potential loop trail around the site that she would like seen open to the public.

Allison Corcoran – 1007 Dunvegan Road (Westtown): Ms. Corcoran stated she has children at the Starkweather/Stetson complex and expressed her concern with the additional traffic at an already congested intersection.

Elizabeth Roche – 102 Pennfield Drive (Kennett): Ms. Roche, representing the Neighbors For Crebilly citizen group, stated one of the questions they have asked the BOS is why money had not been raised for open space preservation. She stated the response of the BOS was they did not want to raise taxes for this purpose. Ms. Roche then presented materials that illustrate open space preservation does have a net positive tax benefit to the Township as a whole.

Pat McDonough – 7 Oakbourne Road (Westtown): Mr. McDonough stated his “Vimy Ridge” moment happened with the demolition of 1142 Wilmington Pike earlier in 2016 after the Historical Commission fought hard for its preservation as part of the Bozzuto application. He then spoke of the controversy of the Toll proposal at Jewelers Row and noted the numerous complaints levied against Toll at ConsumerAffairs.com and their low rating on the site. He further argued their corporate culture is relevant as they are the ones making the application.

Suzanne Lauer – 1154 Lake Drive (Westtown): Ms. Lauer stated as a taxpayer she would like to see a plan that preserves the Battlefield that considers additional preservation.

Richard Cole – 208 Pony Court (Thornbury): Mr. Cole asked why a 200 or 100 home plan was not considered and if the proposed density of the Crebilly plan is typical of other Toll projects. Mr. Semon stated the plan was designed to meet ordinance requirements and that construction of 300 homes is not unprecedented in their company.

### **Adjournment**

Mr. Pomerantz closed the meeting by asking Toll if the feedback learned from the PC, PC consultant team and general public will be utilized to refine the plan further. Mr. Semon stated the majority of concerns heard were already incorporated into their initial plan. Specific to refining the plan further, Mr. Semon stated he would like to wait until all feedback is heard, but that what is seen on the plan is generally what the final layout will look like.

10:30 pm (RP/RH)

Respectfully submitted,

Chris Patriarca  
Planning Commission Secretary