

# WESTTOWN TOWNSHIP PLANNING COMMISSION MEETING

East High School Auditorium  
450 Ellis Lane, West Goshen Township  
February 13, 2017 – 6:30 PM

## **Present**

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

## **Call to Order**

Mr. Pomerantz called the meeting to order at 7:00 and led those present in the Pledge of Allegiance. He apologized for having to reschedule and move the meeting to East High School due to inclement weather conditions on February 9, 2017. Mr. Hatton then introduced the Planning Commission (PC), PC Solicitor Kristen Camp, Toll Representatives and Township staff in attendance at the meeting.

## **Announcements**

The first CU Hearing will start at 6:00 PM on February 22 at Stetson Middle School.

## **Planning Commission introductions**

Mr. Hatton first provided for some “rules of the road,” the PC mandate and a brief synopsis of the previous three PC meetings. Mr. Pomerantz stated the principal mandate of the PC is to determine the proposed plans compliance with the 2001 Growth Management Plan, the Open Space and Recreation Plan as well as the overall physical development of the Township. He further stated the final decision rests with the BOS and the PC will make recommendations on the application to them through the utilization of all available resources.

Mr. Hatton and Mr. Pomerantz discussed the content of the previous meetings and the overall timeline of the project. He emphasized the mandates of the process as prescribed by the MPC and provided for a brief overview of previous meetings. Next, each PC member made an initial statement for the evening. Mr. Lees also agreed with the prior PC members and asked everyone to continue to come to PC meetings.

Mr. Yaw noted that the PC is an advisory board and the CU hearings are as or more important than the meetings the PC has held to date. Mr. Yaw commended Mr. Pomerantz, Hatton and Patriarca for the amount of time they have put in around this application. Mr. Rodia echoed Mr. Yaw’s statements. Ms. Camp commended the PC and the public for engaged throughout as well as the applicant for allowing this process to occur in such a comprehensive manner.

Mr. Pomerantz first thanked all the members of the PC for their dedication and professionalism and all the Township Staff and consultants for their efforts. He specifically thanked Mr. Hatton and Mr. Yaw for their insightful contributions throughout their many meetings. Lastly, he thanked the public for their attention and passion on this application. He read a prepared statement about the value of foresight by elected officials as well as the value of land preservation for both past and future generations.



**Fiscal Impact Study/ Todd Poole**

Mr. Yaw first noted the study is available on the Township Website and pointed out the breakdown of school classifications (elementary, middle, & high) are different in the West Chester Area School District (WCASD) are different than those he used in his study and that he may need to revise those figures for the CU hearing.

Mr. Pomerantz stated the study claims the total population would be approximately 960 people based on the number of homes. He stated that during the comp plan update stakeholder interviews, the Superintendent of the WCASD noted that 27% of the student population goes to school outside the WCASD. He stated that there was no reference to that in the Impact Study.

There was no further public comment.

**Application Condition(s)/ Westtown Township Planning Commission**

Mr. Pomerantz explained the PC would be reviewing and discussing and eventually deciding on a series of conditions to be forwarded to the BOS for their consideration during the CU hearing. Mr. Pomerantz requested the audience hold their comments until the end. He explained the draft of conditions was the culmination of all the reports, plans, insights and public comments throughout the entire process. The second step of the process was the making of a motion by the PC to forward the finalized list of conditions to the BOS for the CU hearings. The third step would be a second to the motion. The PC would then again have the opportunity to discuss the motion presented. During this step, the public will be permitted to comment on the motion on hand.

Ms. Camp noted she reached out to all the township consultants and requested that they provide a list of conditions they felt was important to specific disciplines. It was compiled into this list of draft conditions for the entire PC to review in public.

Mr. Pomerantz read the following conditions:

1. **The flexible development shall contain a maximum of 319 dwelling units, which shall include the two existing dwellings on the Property, provided that Applicant demonstrates to the satisfaction of the Township Engineer that the density of the proposed development meets the criteria in §170-904.E(1)(a) and §170-904.E(1)(c) of the Ordinance.**

There was no further comment.

2. **Plan A shall be revised to preserve a larger contiguous area of land on the western portion of the Property in the area designated in purple and labeled "Brandywine Battlefield Swath" on the review letter submitted by the Chester County Planning Commission ("CCPC") dated December 7, 2016, specifically Figure 3 of such letter, which letter is attached hereto as Exhibit "A". This area has been identified by Sean Moir of Western Heritage Mapping as the location of a portion of the 2<sup>nd</sup> Light Infantry Battalion and the Hessian Jaegers March en route to their engagement with the Continentals as part of the Battle of Brandywine (aka the Hessian March).**

There was no further comment.

3. **The area designated as the “Brandywine Battlefield Swath” on the CCPC review letter shall be limited to disturbance necessary for the development and installation of facilities for sewage disposal, stormwater management, access, utilities, agricultural or equestrian use, recreational areas, or historic interpretation and trails. The existing historic resources that are located on the Property in the area designated as “Brandywine Battlefield Swath” shall be maintained and adaptively reused in accordance with condition 25 below.**

There was no further comment.

4. **Plan A shall be revised to reduce the minimum building separation distance to 30 feet between clusters of carriage homes. This revision will permit further clustering of the development and allow the development to be shifted further to the east. In order to permit this reduction in building separation distance, the Planning Commission recommends that the Board approve a modification pursuant to §170-904.E(10)(d) of the Ordinance.**

There was no further comment.

5. **Applicant shall satisfactorily address the comments raised by the Township traffic engineer in his correspondence dated December 27, 2016 and February 6, 2017.**

Mr. Yaw noted the PC has three options in terms of their recommendations; denial, approval with conditions, or approval as presented. Mr. Yaw does not feel that the applicant has not provided significant proof to show they can mitigate the added traffic impact. There was no further comment.

6. **Plan A shall be revised to provide a more continuous connector road (the “Connector Road”) which shall connect W. Pleasant Grove Road through the Property to PA Route 926 generally consistent with the recommendation in the Township’s Growth Management Plan. The Connector Road should be immediately west of Westminster Presbyterian Church and align with the proposed access to the Orvis commercial tract on the north and Bridlewood Boulevard on the south. The Connector Road shall be circuitous in design with the exact configuration, location and design being determined during land development with input from PennDOT and the Township engineer. If feasible, Applicant shall limit the number of homes which have direct access to the Connector Road.**

Ms. Adler noted that if feasible the applicant shall limit the number of homes which have direct access to the Connector Road. That stipulation was added. Ms. Camp stated that there are many different opinions on the connector road and that the conditions present are the applicant’s responsibility to determine what is feasible and how best to comply and react to the conditions. There was no further comment.

7. **The Connector Road shall be offered for dedication to the Township and shall be designed to adequately accommodate heavy equipment and truck traffic.**

**Appropriate weight limitations for the Connector Road shall be determined during land development. The Planning Commission does not support the use of the Connector Road by heavy truck traffic after it is constructed.**

There was no further comment.

8. **Applicant shall construct a traffic signal at the intersection of the Connector Road and PA Route 926 and Bridlewood Boulevard, including fiber-optic interconnection to and coordination with the adjacent traffic signals along PA Route 926 at US Route 202 and New Street. If not immediately permitted by PennDOT as part of the development's Highway Occupancy Permit, funds for the future design, permitting and construction (including contingency and 10 years' escalation) of a traffic signal at this location shall be placed in an escrow account with the Township as beneficiary prior to the release of the final approved subdivision and land development plans for recording. The amount of money to be placed in escrow shall be determined by the Township Engineer and shall be posted by Applicant as part of the financial security which is posted pursuant to Section 509 of the Pennsylvania Municipalities Planning Code ("MPC"). The funds shall be used by the Township for installation of this traffic signal when permitted by PennDOT.**

There was no further comment.

9. **Plan A shall be revised to remove the proposed access to US Route 202. The development shall have no ingress or egress to US Route 202.**

There was no further comment.

10. **Applicant shall obtain all permits for design and construction of the following turn lanes (and ancillary infrastructure modifications including but not limited to traffic signals, drainage and pedestrian facilities):**
  - a. **A southbound right turn lane, 150' in length or as otherwise required by PennDOT, on US 202 at PA 926, and**
  - b. **An eastbound left turn lane, 500' in length or as otherwise required by PennDOT, on PA 926 at US 202.**

**The Planning Commission is aware that these traffic improvements were contemplated to be constructed by PennDOT and have been in the preliminary design phase for several years. These improvements must be completed as part of the proposed development, whether by Applicant or PennDOT.**

There was no further comment.

11. **Applicant shall revise Plan A to offer for dedication right-of-way along:**

- a. **US Route 202, PA Route 926, New Street and West Pleasant Grove Road as appropriate to comply with § 170-1511, and**
- b. **Along US Route 202 and PA Route 926 as appropriate to accommodate the improvements required by Condition #10 above.**

There was no further comment.

12. **Applicant shall improve the cart way of W. Pleasant Grove along the property frontage to:**
- a. **Comply with § 149-903.A(2) for width,**
  - b. **Comply with § 149-910.D for paving,**
  - c. **Provide landscaping in accordance with a plan to be developed in coordination with and approved by the Township, and**
  - d. **Implement traffic calming measures in accordance with a plan to be developed in coordination with and approved by the Township. This may include roundabouts at the site accesses.**

There was no further comment.

13. **Applicant shall design, permit and construct the following turn lanes (and ancillary infrastructure modifications including but not limited to traffic signals, drainage and pedestrian facilities):**
- a. **A southbound right turn lane, 75' in length or as otherwise required by PennDOT, on US 202 at West Pleasant Grove Road;**
  - b. **A southbound left turn lane, 100' in length or as otherwise required by PennDOT, on New Street at PA 926; and**
  - c. **An eastbound left turn lane, 75' in length or as otherwise required by PennDOT, on PA 926 at New Street.**

There was no further comment.

14. **Applicant shall implement traffic calming measures in accordance with plans to be developed in coordination with and approved by the Township(s) along the following roads:**
- a. **Dunvegan Road;**
  - b. **Bridlewood Boulevard (in conjunction with Thornbury Township); and**
  - c. **Jacqueline Drive (if supported by post development traffic counts, completed following 50% and 100% occupancy, showing increased volumes).**

There was no further comment.

15. **Applicant shall eliminate the easternmost access onto W. Pleasant Grove Road which is proposed to be directly across from Hidden Pond Way. The secondary access to the development from W. Pleasant Grove Road shall be the Connector Road immediately west of the Westminster Presbyterian Church.**

There was no further comment.

16. **Any trees that are located within the right-of-way of W. Pleasant Grove Road and S. New Street that are determined to create an unsafe condition or pose a traffic hazard to vehicles traveling on such roads shall be removed by Applicant. The**

**determination of which trees create an unsafe condition shall be determined by the Township engineer and road master and shall be marked on the final subdivision and land development plans.**

Mr. Yaw asked if the trees can be on both sides of the road, or just on the specific site. Ms. Camp noted that any tree within the Township right-of-way is an acceptable request. There was no further comment.

17. **Applicant shall implement an access and routing plan for construction vehicles to be developed in coordination with and approved by the Township. This plan should include the inspection and video documentation of all roadways adjacent to the site prior to the start of construction.**

There was no further comment.

18. **Applicant shall minimize the use of cul-de-sacs and eliminate the two cul-de-sacs in the northeastern portion of the Property.**

There was no further comment.

19. **The Connector Road shall include a pedestrian walkway on one side of the road and a multi-use paved pathway on the other side.**

There was no further comment.

20. **Plan A shall be revised to provide an integrated trail network which includes a perimeter trail in the locations generally consistent with the Township's Growth Management Plan. This perimeter trail shall loop along Pleasant Grove Road, New Street and Street Road and connect to the trail or sidewalks on the Connector Road. This perimeter trail shall be paved in accordance with specifications approved by the Board during land development and shall be dedicated to the Township for public use. The exact location, design and specifications for the perimeter trail on the Property shall be finalized during land development approval. The Planning Commission recognizes that Applicant will be required to provide proper crossings of wetlands to install this perimeter trail and obtaining such permits shall be a condition of final plan approval.**

There was no further comment.

21. **Applicant shall provide a trail connection to the trail in the Arborview development and a crosswalk on W. Pleasant Grove Road to connect the perimeter trail to the Arborview trail. Applicant shall provide a trail connection to the proposed trail in Thornbury Township on the Spackman parcel.**

There was no further comment.

22. **All trails shall be paved except for those trails located within environmentally sensitive areas where a different treatment may be used upon approval by the Township. Internal trails shall be dedicated to the homeowners association which is created for the development. The exact location, design and specifications for all internal trails on the Property shall be finalized during land development approval.**

There was no further comment.

23. **Plan A shall be revised to provide sidewalks on one side of the streets and suitable pedestrian connections to community facilities. The exact location of the sidewalks shall be determined during land development.**

There was no further comment.

24. **Prior to issuance of grading permits, Applicant shall cause to be conducted an archeological survey including ground penetrating radar survey of any areas proposed to be disturbed within the Brandywine Battlefield Swath which is depicted on the CCPC review letter dated December 7, 2016, Figure 3. Applicant shall share the reports of the archaeological survey with the Township and Pennsylvania Historic and Museum Commission and preserve any artifacts discovered on the Property.**

There was no further comment.

25. **Applicant shall preserve the following historic structures located on the Property which are referenced in the Applicant's historic resource inventory titled "Physical Description of Historic Structures" prepared by Cultural Resource Consultants dated December 13, 2016 ("Historic Resource Inventory"):**

1. **Chapel/springhouse- #24 on the Historic Resource Inventory;**
2. **The old Barn- Barn #1 on the Historic Resource Inventory;**
3. **The equestrian barn- #11 on the Historic Resource Inventory; and**
4. **The serpentine house on South New Street- #3 and buildings associated with this house (old stable, garage) #4, #5 on the Historic Resource Inventory.**

**These structures shall remain in their existing location on the Property and conveyed to the homeowners association for adaptive reuse as community facilities unless Applicant procures another third-party entity who wishes to own and maintain these historic resources. Nothing herein shall prevent Applicant from conveying these historic resources to another party for adaptive reuse and subject to restrictions or easements to ensure their continued use and preservation.**

There was no further comment.

26. **Applicant shall relocate the Westtown Inn/Darlington Tavern #25 on the Historic Resource Inventory to a location on the Property where it can be used near or in conjunction with an active recreational park to be provided on the Property. The exact location for the Westtown Inn shall be determined by the Board during land development with input from the Planning Commission and Park and Recreation Board.**

Ms. Camp asked if there was a specific location that the PC wished to request the Inn be relocated to. There was not. Mr. Pomerantz asked Ms. Camp to describe what land development was. She stated that land development was a step that occurs after conditional use approval in which the fine details are discussed such as Stormwater management, public infrastructure, lot locations and any other provision of the code. There was no further comment.

27. **Applicant shall remove the metal siding on the front right section of the J.Q. Taylor Tenant House (Item #29 on the Historic Resource Inventory), above and below the porch, and entirely on the east (right side) elevation (of the main block of the house) for further examination. If it is determined that such house has valuable historic significance due to its architecture, Applicant shall preserve the same.**

There was no further comment.

28. **All of the historic resources that are preserved shall be adaptively reused for any purpose as permitted by the Ordinance, subject to Township approval with input and recommendation from the Township Historical Commission.**

There was no further comment.

29. **Applicant shall execute and record façade or conservation easements on all Historic Resources that are preserved and adaptively reused. The terms of such easements shall be determined during land development.**

There was no further comment.

30. **Applicant shall ensure that the budget for the homeowners association provides sufficient revenues to ensure adequate long-term maintenance and operational costs associated with the preservation and continued adaptive reuse of any historic structures that are conveyed to the homeowners association.**

There was no further comment.

31. **Prior to the issuance of any grading permit for the Property, Applicant shall provide access to the Property and all historic structures located on the Property for members and/or representatives of the Township Historical Commission to document and photograph these historic structures.**

There was no further comment.

**32. The flexible development shall be serviced by public water.**

There was no further comment.

**33. The flexible development will be serviced by public sewer. Applicant shall construct the necessary upgrades to the Township's public sewer system which are necessary to provide sufficient capacity for the proposed development. The specific upgrades that Applicant must make to provide public sewer service to the development shall be determined by the Board during land development, however Applicant shall at a minimum provide the following improvements:**

- a. **A sewage pump station to convey flow from the proposed development to the Township's existing sewer system. The pump station shall be designed to meet the standards provided by the Westtown Township's wastewater consultant. The pump station shall be sized to handle all proposed sewage flows from the development and an additional 35 EDU's from the adjacent Arborview Pump station.**
- b. **Extend proposed sewers in Road K north across West Pleasant Grove Road into Dunvegan Road past the north right-of-way line of West Pleasant Grove Road.**
- c. **Extend proposed sewers in Road L to West Pleasant Grove Road and then east in West Pleasant Grove Road to the Arborview Pump station.**
- d. **Reconstruct the Pleasant Grove Pump Station.**
- e. **If the existing sewer collection system leading to the Pleasant Grove Pump station does not have sufficient capacity to handle the flows from the proposed development, the Planning Commission prefers that the wastewater be pumped from the Property Eastwardly in Street Road to Tower Course Drive.**

There was no further comment.

**34. Plan A shall be revised to eliminate the proposed effluent disposal areas. The areas depicted as proposed effluent disposal areas on Plan A shall be the location of an active recreational area to be dedicated to the Township or may be used to relocate development outside the Brandywine Battlefield Swath.**

There was no further comment.

35. **Applicant shall coordinate with the Township engineer during the land development process to select vegetation and landscaping that will best assist the Township to reach the goals and requirements of the PaDEP MS4 program. Such provisions will address concerns regarding water quality and phosphorus reduction in the watersheds.**

There was no further comment.

36. **Applicant shall provide an easement as necessary to permit extension of sewer to the adjacent property, Chester County Tax Parcel No. 67-4-34, currently owned by Vasilios Moscharis. Any tap-in fee for same, as determined by the Township, shall be the responsibility of the owner of Parcel 67-4-34.**

There was no further comment.

37. **Applicant shall preserve existing trees along the property boundary with Parcel 67-4-34 and shall extend as necessary, a landscaped berm along the length of the dwelling on Parcel 67-4-34 to provide additional screening for this dwelling.**

There was no further comment.

38. **Applicant shall prepare and implement a deer management plan which shall address the effect of the proposed development on the deer population on the Property. This deer management plan shall be approved by the Township as part of land development.**

There was no further comment.

39. **Applicant shall address the comments in the Township engineer's review letter dated December 9, 2016 to the satisfaction of the Engineer and Board during land development approval.**

There was no further comment.

40. **Plan A shall be revised to add a note which restricts the total impervious cover that can be constructed on each individual lot. The total square footage of impervious coverage per lot shall be determined by the Township Engineer to be necessary to mitigate stormwater runoff from the individual lots, as determined at the land development phase. Applicant shall include in its marketing materials a note that advises the homeowners that they are limited in the total amount of impervious cover that may be developed on their lot and that they may not be able to add additional impervious cover for swimming pools, patios, decks and other hardscaping.**

There was no further comment.

- 41) **Applicant shall minimize impervious surfaces throughout the site, using green storm water management technology as applicable.**

There was no further comment.

- 42) **Applicant shall grant the Township easements across the open space on the Property for future basin upgrades that the Township may need to perform in order to comply with its MS4 permit requirements.**

There was no further comment.

- 43) **Applicant shall make every effort to balance the cuts and fills at the development to avoid the unnecessary import or export of soils during construction.**

There was no further comment.

- 44) **Applicant shall add a landscape berm along West Pleasant Grove Road from Hidden Pond Way to a point approximately 350 feet west of Dunvegan Road to mitigate the impact on the view shed from West Pleasant Grove Road.**

There was no further comment.

- 45) **Applicant shall provide an area of open space to be used for active recreation such as ballfields which shall be dedicated to the Township. The exact location of this recreational area shall be determined during land development.**

There was no further comment.

- 46) **Subject to PennDOT approval, Applicant shall install the necessary equipment to allow for traffic light preemption for use by the emergency responders along US Route 202 corridor.**

There was no further comment.

- 47) **Subject to PennDOT approval, Applicant shall install the necessary equipment to allow for traffic light preemption for use by the emergency responders along US Route 926 at the intersection with New Street.**

There was no further comment.

- 48) **Applicant shall provide an emergency access road from the Property to South New Street. Such access road shall be wide enough to accommodate the largest apparatus used by the Fame Fire Company. The details for the location, width and specifications for the emergency access road shall be determined by the Board during land development.**

There was no further comment.

- 49) **Applicant shall investigate if the western most access driveway on W. Pleasant Grove Rd. can be shifted to the east to not be directly aligned with Dunvegan Drive.**

There was no further comment.

Providing the applicant can demonstrate compliance with the following zoning ordinance standards:

§170-902(C)(1) which requires the flexible development to be located with respect to major streets, highways, or opportune transportation facilities has to provide a direct access to such developments without creating traffic along minor streets and residential neighborhoods outside of the development.

§170-902(D) & §170-2009(D)(1)(b)- the proposed flexible development is consistent with the Westtown Township Comprehensive plan.

§170-907(A)(1)- The open space in the flexible development is laid out in accordance with the principals of site design and a manner consistent with the intent of the Westtown Township's comprehensive plan and open space plan.

§170-1510(B)(4)- Streets and access ways are designed in a manner that are conducive to safe entrance and exit.

§170-2009(D)(1)(h)- The proposed flexible development not result in or substantially add to a traffic hazard. Provided the applicant can demonstrate compliance to those specific standards for flexible development as well as the general standards for conditional use, the motion will be as follows:

The Planning Commission recommends to the Board that they approve the conditional use requested to allow the flexible development with single family detached dwellings and multi-family dwellings on the Crebilly Farm subject to applicants compliance to the conditions discussed this evening. The PC recommendation is one for the attached "Plan A" titled conditional use and subdivision plan for Crebilly Farm and dated October 7, 2016. The PC did not review the proposed bonus density plan. The PC requests that the BOS allow them to review the bonus density plan if they plan to act on that version.

Mr. Lees made the motion seconded by Ms. Adler. Mr. Yaw noted that the items laid out by Ms. Camp are additional conditions that have to be met.

Mr. Pomerantz opened up the floor for public comment.

### **Public comment**

Ann Helion 1164 Lake Drive (Westtown) questioned the accuracy of the 27 percent of every 100 students relating to public school attendance.

Kristine Lisi 915 Shady Grove Way (Westtown) noted that she believes that the applicant has not demonstrated that the proposed improvements will not negatively impact the community. Mr. Pomerantz replied that the feeling of the residents does not equate to what the professional consultants are saying. Ms. Camp stated that unless this flexible development has more of a negative impact on the surrounding area that what you could reasonably expect, only then could the Board deny it.

Brian Walsh 1529 Woodland Road (Westtown) started by thanking the PC for their thought and efforts. He then suggested the following for the proposed PC conditions:

1. Condition 14 - an escrow amount should be collected for the public improvement. Ms. Camp noted that that will be required.
2. Condition 16 - Any trees in the right-of-way that must removed for the project must also be replanted outside of the new right-of-way(s) so there is not a net loss of trees. Ms. Camp noted that was already required by the subdivision ordinance.
3. Condition 43 - Any grading should be limited and soil should not be shifted around on the site as much as possible. Ms. Camp noted that the condition was a result of the township engineer.

Lastly, Mr. Walsh stated the CU application does not benefit the Township or its residents. Mr. Matson, Westtown Township Engineer, stated the intention of the condition was to limit the truck traffic from the development. Mr. Matson noted that the applicant, in his opinion, did a good job in limiting the grading of the site and therefore stated he did not believe that additional language was required.

An organic chemist prepared a PowerPoint presentation and handed out copies to the PC. She was concerned with the soil qualities on the site and that they are not conducive to building. She stated that based on her research, the amount of proposed impervious coverage that is being added will be too much for the site. Mr. Matson stated that the stormwater management plan that is currently proposed is not a final or approved plan and said that the application was generally consistent with the ordinance. Mr. Matson suggested an effort be made to minimize impervious surfaces. The resident noted that the lack of an environmental consultant for the PC was an oversight.

Randel Spackman Thornbury Farm Trust (Thornbury) commended the PC on the comprehensive list conditions. Mr. Spackman asked the PC to consider a condition that would include a delayed green light for a pedestrian walkway at the RT926/ S New Street intersection. He also asked if consideration was given to rebuilding historic structures in the event of a loss.

Al Federico, Township Traffic Consultant, said that if improvements are made, they will be required to evaluate the need for pedestrian facilities at that time. At that time, the Township will have the opportunity to express its desire for pedestrian facilities.

Ms. Camp noted that there are conditions that require adaptive re-use of the existing historic structures and that HOA fees be substantial enough to cover the maintenance of those facilities.

Finally, Mr. Spackman suggested that if off-site sewage disposal is possible, than the Board should consider allowing low impact agriculture a possibility for the passive recreation areas. Ms. Camp noted that was allowed by the ordinance.

Sharon Grubaugh 1024 Dunvegan Road (Westtown) asked the PC to recommend that the proposed connector road not align with Dunvegan Road. His second question was what is required to pass a positive recommendation to the Board. Ms. Camp noted that a majority vote of 4 was required.

Mr. Federico noted that the terrain may be a constraint to moving the road and could not confidently say at that moment there would be a more suitable location.

Ms. Camp indicated that the request is feasible and the PC agreed to make it part of their conditions.

Robin Rivera 153 Lydia Lane (Thornbury) expressed her concern about the through traffic the connector road will cause in the Bridlewood development. Mr. Pomerantz explained that Thornbury Township met with Westtown and PennDOT officials to discuss this issue. He then stated that PennDOT is adamant that the connector road be directly across from Bridlewood Boulevard. Further, during the meeting, PennDOT stated that they would further discuss this issue with Thornbury Township. Ms. Rivera then asked if the PC could make a condition of recommendation that no truck traffic through Bridlewood Boulevard. Ms. Camp explained Westtown had no authority to do so on Thornbury roadway.

Amy Harkins 1081 South New Street (Westtown) noted the effects this development will negatively impact already crowded schools.

A resident noted that a portable classroom is a possibility if warranted. There is also the option for redistricting. She did note that additional costs associated with the changes would be the responsibility of the tax payers.

Robert Perlsweig 1191 Carrie Lane (Westtown) asked if the fiscal impact study had any merit in terms of the numbers that were used. He noted that those numbers could change and therefore affect the validity of the study. He asked that there be a total of three drafts created, one for best case, worst case, and middle.

Pete Dufault 110 Forelock Court (Thornbury) started by thanking the PC. He disagreed with the connector road being built to accommodate heavy truck traffic. He noted that this would promote trucks using it more frequently and then continue on into Bridlewood Boulevard in Thornbury. Mr. Dufault mentioned traffic calming methods on Bridlewood Boulevard. He indicated the residents of Thornbury did want traffic calming on Bridlewood. His last comment was to require inspections of adjacent roads in Thornbury Township during construction to assure they do not deteriorate.

Mr. Federico noted that a route for construction traffic would be developed and the condition of those roads would be evaluated. Mr. Federico did state investigation of other roads not on the construction route in the chance they deviate from the assigned route may be warranted. For the connector road, Ms. Camp noted that the condition is only to construct it to withstand truck traffic during construction and it is ultimately up to the Board to determine if the road can be used for truck traffic it is accepted for dedication.

Mr. Pomerantz asked the PC if they were willing to modify condition 7 to limit construction vehicle traffic on the connector road. Mr. Federico advised the PC this would be a more appropriate conversation when the road is being designed. Ms. Camp then modified condition 7 to include weight limitations for the connector road shall be determined during land development. The PC then agreed to not support the use of the connector road by heavy truck traffic post dedication.

John Snook, Brandywine Conservancy in response to Mr. Sparkman's earlier comment on conservation easements on the historic properties noted that condition 25 prevented the structures from being conveyed. Mr. Snook then suggested that to reconfigure the condition to allow these structures to be transferred because often times an HOA is not best equipped to manage those structures.

Mr. Samboco 104 Chaps Lane (Thornbury) asked how noise from the development would be handled. Mr. Patriarca stated that it is typical for projects in the land development stage to have a developers agreement which usually outlines working hours and acceptable noise levels.

Following public comment, Ms. Camp summarized the conditions with alterations discussed during the public comment. Mr. Yaw noted the PC is an advisory board and that although he did not feel the applicant met the burden of proof for mitigating traffic impacts to satisfy the section of Township Code, the motion will pre-assume that they have met those criteria by the time of the CU application. Ms. Camp stated that the PC recommendation can be specific and add more detail.

Before the initial motion was voted on, Ms. Adler made a motion to amend the previous motion to include the items discussed during public comment. The motion was seconded by Mr. Lees.

Mr. Hatton, Mr. Pomerantz and Ms. Camp then had a discussion about the recommendation of the application to the Board because the PC feels the applicant has yet to prove they meet the minimum criteria for the application. The motion to amend the original motion passed 6-1.

The PC then voted on the amended motion which stating as follows; The Planning Commission wants to convey to the Board of Supervisors that they do not believe the applicant has demonstrated or complied to the criteria in §170-2009(D)1h which specifically talks about traffic conditions with respect to the Flexible Development. If and therefore the application can be denied on that basis. However, if the applicant at the hearing provides testimony to demonstrate they have complied with that condition, which is satisfactory to the Township's traffic consultant, then the Planning Commission would recommend the Board approve the application subject to the fifty conditions with two edits to conditions six and seven." The amended original motion passed 6-1.

### Adjournment

9:40 pm

Respectfully submitted,

Chris Patriarca  
Planning Commission Secretary