

WESTTOWN TOWNSHIP BOARD OF SUPERVISORS REGULAR MEETING  
STOKES ASSEMBLY HALL, 1039 WILMINGTON PIKE  
October 15, 2007, 7:30Pm

In attendance were Supervisors Chair Carol R. De Wolf, Vice Chair Thomas A. Foster, and Charles P. Barber Police Commissioner; Township Manager Robert Layman; Westtown-East Goshen Police Chief John M. Dumond; Township Solicitor Stacey Fuller; and Township Planning Commission Member Elaine Adler. There were twenty-four guests in attendance.

**I. Call to Order.**

As there was a quorum present Chair Carol De Wolf called the meeting to order at 7:43 PM and led those present in the pledge of allegiance to the flag.

**II. Approval of Minutes (October 1, 2007 Regular Meeting).**

Mr. Foster made a motion, seconded by Mr. Barber, to approve the minutes of the October 1, 2007 regular meeting. Ms. De Wolf asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the minutes as presented.

**III. Departmental Reports.**

**A. Westtown-East Goshen Police Chief – John M. Dumond.**

Chief Dumond reviewed the September Police Statistics for Westtown. He stated that there was police coverage at Oakbourne for Chester County Day and also in Thornbury for the Duck Race at Goose Creek Park. There were no incidents at either event. Chief Dumond reported that there was a fatality early this morning when a car ran into the back of a tractor trailer on Route 3 near Summit House in East Goshen.

**B. Township Solicitor – Stacey Fuller.**

**1. Conditional Use Hearing – Exxon/Juna, Inc.**

Ms. De Wolf advised those present that the Hearing for Exxon/Juna has been continued from October 1<sup>st</sup> to this evening. Ms. Fuller said at the request of the applicants counsel and Mr. Adams the Hearing would be opened, the record closed for this evening, and the Hearing continued to the Board of Supervisors November 5, 2007 meeting. Ms. Fuller opened the Hearing (Transcripts, when completed, available at the Township Office).

**C. Planning Commission – Elaine L. Adler.**

Mrs. Adler reviewed the October 3<sup>rd</sup> Planning Commission Meeting. She stated that they did not have a quorum for the meeting and expressed the need to fill the vacancy on the Commission. The Commission reviewed the revised landscape plan for the Gardens at Westtown. The landscaping was revised as the current Board of Supervisors did not feel that a water fountain in the jughandle is appropriate. Also, the previous proposed landscaping was interfering with sight lines at the driveway entrances. Mrs. Adler stated that the applicant has agreed to compute the cost of the original landscaping and the revised landscaping and offer the difference to the Township in the form of a fee. Mrs. Adler stated that the Commission will have their first review of the Presby Homes project, McKemie Ridge, at their meeting on October 17<sup>th</sup>. The Commission will complete its review of the Gardens at Westtown and will be making a recommendation to the Board for final plan approval. The Commission will also review an application to the Zoning Hearing Board for a special exception to have a family day care at 1551 Carmac Road. Ms. De Wolf advised Mrs. Adler that the Board had interviewed candidates at their

Workshop for the opening on the Planning Commission and would be making an appointment to the Commission in the near future.

**IV. Public Comment-Non Agenda Items.**

Mr. William Steele, 1005 E. Niels Lane, stated that the 2" of rainfall last week was a good test of the stormwater basin at the Arbors which has been affecting his property. He stated that the drainage system worked correctly. He thanked Mr. Pingar, Mr. Layman, and the Board of Supervisors for all they have done to have this situation corrected. Ms. De Wolf thanked Mr. Steele for his comments.

**V. Old Business:**

There was no old business at this time.

**VI. New Business:**

**A. Approve Advertising Ordinance 2007-6 Sidewalks and Curbs.**

Mr. Layman asked for the Board's approval to advertise the Ordinance which pertains to the resident's responsibility for snow and ice removal from sidewalks after a storm. Mr. Foster asked if the Ordinance addresses replacing of damaged curbs and sidewalks. Mr. Layman responded when the specifications for repairs of sidewalks/curbs are prepared the Ordinance would be amended.

Mr. Foster made a motion, seconded by Mr. Barber, to approve advertising of Ordinance 2007-6 Sidewalks and Curbs pertaining to snow/ice removal by residents. Ms. De Wolf asked for public comment. There was no public comment at this time. The Board of Supervisors unanimously approved advertising of Ordinance 2007-6.

**B. Approve Payment Application No.1 Shiloh Road Reconstruction/Sewer Line Installation Nick Falcone & Sons, Inc., in the Amount of \$232,582.80.**

Ms. De Wolf stated that the payment application has been reviewed by URS and the Township Engineer and they are recommending approval of the payment.

Mr. Barber made a motion, seconded by Mr. Foster, to approve payment application No. 1 in the amount of \$232,582.80 to Nick Falcone & Sons, Inc., for reconstruction of Shiloh Road /Sewer line installation. Ms. De Wolf asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the payment.

**C. Approve URS Program Management Plan in the Amount of \$5,300.**

Ms. De Wolf stated there was a surplus of \$7,700 carried over from 2006 for the Program Management Plan but that has been exceeded because of additional work requested by the Township. Mr. Foster explained that this is for work that URS does that is not a specific project. Ms. De Wolf asked that URS provide the Township with more documentation in the future if an increased cost is necessary.

Mr. Foster made a motion, seconded by Mr. Barber, to approve the additional cost for the URS Program Management Plan for 2007 in the amount of \$5,300. Ms. De Wolf asked for public comment. There was not public comment. The Board of Supervisors unanimously approved motion.

**D. Approve Preliminary/Final Land Development Plan Tract 2007-1 WaWa.**

In attendance for WaWa were Susan Bratton, representing the applicant, and Ronald Klos, Bohler Engineering.

Ms. Bratton stated that WaWa is proposing to redevelop the site of the old car dealership at Route 3 and Manley Road into a Super WaWa. They are here this evening to ask for

preliminary/final plan approval. Mr. Klos reviewed the proposed plan. There will be three access points to the WaWa: one across from Market Place on Route 3 and two on Manley Road. The market will be 6,000 square feet with six islands (12 pumps) for gas sales. Mr. Klos stated that the impervious coverage will be reduced. There are proposed rain gardens for runoff at the corner intersection and the driveway off West Chester Pike. There will also be curbing and stormwater facilities on Manley Road between the two driveways. Mr. Foster asked if the right in-right out issue on Manley Road has been resolved. Mr. Klos stated that the driveway aligns with the driveway from the apartments and the traffic study that was done shows no interference with movement of traffic at that location. He stated that WaWa has agreed to reevaluate this after the WaWa is operating and if there are incidents that the Township has concerns about. Ms. Bratton stated that oversized vehicles will be able to park in a location west of the gas pumps away from other vehicle traffic. Mr. Barber asked if the sign issue has been addressed. Ms. Bratton stated that East Goshen has accepted the monument sign on Manley Road. There is also a free standing pole sign on West Chester Pike which is in compliance with Township Ordinance.

Mr. Foster made a motion, seconded by Mr. Barber, to grant preliminary/final plan approval for the land development plan for Tract 2007-1 WaWa conditioned on the Planning Commission Letter of September 15, 2007, August 31, 2007 letter from McCormick Taylor, resolution of escrow, and granting of the seven requested waivers as itemized in the August 31, 2007 letter from McCormick Taylor. Ms. De Wolf asked for public comment.

Carmen Battavio, 1607 Williams Way, member Board of Supervisors East Goshen Township, thanked Westtown's Planning Commission for addressing East Goshen's concerns with the impact that the WaWa would have on Manley Road. He stated that all their concerns were addressed and the plan shows mutual cooperation in local government even though Westtown is not mandated to do this. He feels that Westtown's Planning Commission, Board of Supervisors, and WaWa worked well with East Goshen and this is a good plan that will benefit both Townships and WaWa. Ms. De Wolf thanked Mr. Battavio for his comments. The Board of Supervisors unanimously granted preliminary/final plan approval to WaWa.

**VII. Public Comment (All Topics).**

Gabrielle Santella, 1157 Fielding Drive, stated she is a student at Villanova University and was attending the meeting for a project in a journalism class. Ms. De Wolf advised her if she had any questions the Board would be glad to answer them after the meeting.

**VIII. Payment of Bills.**

On the motion of Mr. Foster, seconded by Mr. Barber, the Board of Supervisors unanimously approved payment of the bills as presented.

**IX. Adjournment.**

On the motion of Mr. Foster, seconded by Mr. Barber, the meeting was unanimously adjourned at 8:20Pm.

Respectfully Submitted,

Robert Layman  
Township Manager

At this time Ms. Fuller opened the Hearing for Presby Homes. (Transcripts available, when completed, at the Township office).

