

**WEST GOSHEN TOWNSHIP
PLANNING COMMISSION MEETING
AUGUST 15, 2006**

Planning Commission - James L. O'Brien, Chairman; Dean K. Diehl, Paul D. Spiegel, Jeffrey A. Laudenslager, Michael P. McKie

Supervisor – Dr. Robert White

Administration – Richard J. Craig, Township Engineer

Diane E. Clayton, Asst. Zoning Officer (Recording Secretary)

A stated meeting of the West Goshen Planning Commission was called to order by Chairman, James O'Brien, at 7:04 p.m. on Tuesday, August 15, 2006, at the West Goshen Township Administration Building.

Following the Pledge of Allegiance to the Flag, the floor was opened for public comment. There being none, the Chairman called for approval of the Minutes from the July 18, 2006 meeting. On motion made by Paul Spiegel and seconded by Jeffrey Laudenslager, the minutes were approved unanimously.

Final Plan Reviews:

Scott Honda

Location: 706 Autopark Blvd.

Plan Represented by: Dave Gibbons, D.L. Howell Associates

Rick Craig introduced the plan that had been presented to the Planning Commission at its July meeting for a 17,576 sq. ft. addition to the existing showroom facility. The Planning Commission had made a recommendation that the land development plan be checked as to the actual green area on the site. Mr. Craig informed the Board that pursuant to their instruction the applicant reevaluated the plan as to the required 30% green area, and found that the previous plan was deficient. However as the site contains two lots, both owned by the applicant, the lots will be combined to resolve the issue. A section of ground on the northeast portion of the second lot, which currently contains a gravel and asphalt paving area, will be turned into grass to accommodate the green space requirements. Paul Spiegel asked whether this would cause a problem with parking requirements, to which Mr. Gibbons responded that the site still had over 100 parking spaces. Mr. Craig added that the remaining parking spaces meet the Township requirements. Additionally the removal of the impervious surface will facilitate the stormwater conditions at the site. Mr. Craig also added that the owner had been informed that he could use grass pavers, but has decided against this. They will require an erosion and sedimentation permit if installed in the future. A motion was made by Paul Spiegel and seconded by Dean Diehl that the plan be approved for recommendation to the Board of Supervisors as submitted. Motion was carried unanimously.

West Goshen Town Center

Location: 1115 West Chester Pike

Plan Represented by: Jack Wuerstle, Esquire

Cornelius Brown, Engineer

Lance Billingsley

Paul Spiegel began by stating to the Chairman and Board members that he felt uneasy when an amended agenda was presented moments before a meeting was to begin. It was his belief that this did

not provide the Planning Commission members with adequate time to research the items thus enabling them to make an informed decision. Mr. Craig responded by stating that the inclusion of this plan was due to the fact that the plan has been before the Board on prior occasions and the only changes were those, which were a result of comments made by the Planning Commission. Jack Wuerstle, attorney representing the applicant stated that the plan before the Board was comprised of minor changes, since last seen by them. Primary mention would be the outdoor seating provisions for Panero Bread Company and the barriers to protect patrons as per the Planning Commissions suggestions. The barrier will consist of several stone piers with 4ft. 81/4-inch aluminum railings. Cornelius Brown added that in addition to the stone piers and aluminum rails, the curbing acts to protect pedestrian & vehicle encroachments. Mr. Brown pointed out that the traffic flow within the drive aisles adjacent to the proposed restaurant has been reconfigured to limit congestion by creating a one-way circulation route and by the inclusion of angled parking. Paul Spiegel questioned whether there is enough parking at the site, as this had been an earlier issue. Mr. Craig responded in the affirmative pointing out that there is actually a small amount of additional parking available. Michael McKie stated he was surprised the drive lanes were wide enough for the proposed traffic pattern. Mr. Brown stated that the width was 24 feet, which was more than enough. The Board asked what new changes were to be done at the bank site. Mr. Brown stated that the traffic design has also been reconfigured there to allow for a safer vehicular flow as well as vehicle stacking at the drive through. Mr. Brown stated that the site would be upgraded with landscaping such as various shrubs, trees, and plantings. Dean Diehl asked what happens if these plantings die? Are there any guidelines in place to replace them? After some discussion, Mr. Wuerstle stated that as his client has invested quite a sum in the upgrading of this site, it would be in their best interest to replace the plantings and to maintain them. Mr. Craig pointed out that, as these plantings will be part of an approved landscape plan they will need to be maintained. On another note, Mr. Craig wanted to make known to the Board that PennDot has made a recommendation that the pedestrian signals for the shopping center at Route #3 (West Chester Pike) be upgraded. This request was prompted by the increase in the volume of pedestrian traffic. Mr. Craig recommended that the Planning Commission suggest this as a condition of approval. Mr. Wuerstle informed the Board that his client has been in contact with PennDot, requesting signaling information, which has yet to be received. Due to the fact that the utility has a reputation for taking its time and since the Brandolini Company would like to proceed with as little delay as possible, they are willing to make a monetary donation of say \$5000 to West Goshen Township. The Township could then assume responsibility of upgrading the signalization while the applicant would be able to proceed with their site improvements. Dean Diehl asked Mr. Craig if this would be an acceptable approach. Mr. Craig responded affirmatively, stating that it did not matter who was responsible for the signalization as long as it was completed. He added that the upgrades are fairly simple, consisting of changing the light heads to include those of a hand and a man walking, as well as the installation of a push button on the pole. A motion was made by Paul Spiegel that the plan be approved for recommendation to the Board of Supervisors subject to the developer making an effort or contribution to the requested signaling changes. Jeffrey Laudenslager inquired if the amount (\$5,000) was an adequate amount. Paul Spiegel pointed out that his motion contains no dollar amount. Michael McKie seconded the motion. Jim O'Brien stated that before the Board vote on the motion before them, he wanted it known that he felt it necessary to vote in opposition, on principal rather than on the plan itself. He stated that while the site looks better than it has previously, he is still opposed to "tinkering" with our Zoning for one parcel. It is his belief that this sets a dangerous precedent by creating "exception to the rules, which may eventually come back to bite us." Motion was carried 4:1, with Jim O'Brien in opposition.

Zoning Ordinance Text Amendment Review:

Applicant: John H. Robbins Company

The proposed amendment would modify setback requirements for properties in the C-2, with less than five acres from 100 feet to 50 feet. Mark Damico, attorney representing the applicant, presented a revised site concept plan to the Board. He noted that the Planning Commission had raised several issues in regard to density and parking for the site, located at 849 Paoli Pike. These concerns were taken under advisement and a new plan was before them. While the applicant is still planning to utilize the property with office/ retail/ restaurant use/and a bank, the new plan has eliminated one of the restaurant uses. This

change minimizes impact on the site and reduces the overall parking requirements. Mr. Damico stated that it was his client's intent to utilize the design standards in Section 84-23. J., which allows for two or more contiguous lots, to be considered as one lot. This will enable the applicant to meet the parking requirements for all of the proposed uses with 27-28 parking spaces being added. The Township has advised that parking would be considered behind the existing Acme as well, as the office use will have an entrance there. Dean Diehl asked if the only change to the plan was the elimination of the restaurant use. Mr. Damico replied affirmatively, noting that the only significant change before the Board was that in reference to the proposed bank, which the text amendment addressed. Paul Spiegel commented that he wanted to echo the Chairman's sentiments in regard to changing zoning to suit a particular site or plan. While he did feel that the changes were warranted at the previous site due to safety considerations, "...here we are doing it to accommodate a bank." He added that he felt this was not a good precedent, especially to do so over and over again. He did however like the changes that had been made to the plan. Michael McKie agreed with Mr. Spiegel's remarks. Rick Craig stated that he needed to point out that this site was an old site. The shopping center and additional buildings were built with setbacks that may no longer function. Dean Diehl commented that he sees the Boards purpose as follows: "When a site needs changing, an initial plan comes in and those changes may not be very good. The plan comes back, and the new changes are better, and this process continues. There are compromises in life, and if we say no initially when it doesn't quite work, look how much better a plan can become. This plan is a good example. However, if we allow plans to just go through, then we are ignorant, because we allowed it." Jim O'Brien stated that he did not feel he could accurately give an opinion, as he was unable to visualize the site. He also stated that he has a major problem with traffic concerns at the site. The intersection at Paoli Pike and Turner Lane is already a problem for large tractor-trailers turning. Furthermore, he did not see how the traffic flow could occur without moving the curb and the right-of-way. Mr. Craig stated that an educated guess would be that it is doable. Dr. White commented that a valid point had been made about truck turning, and that possibly traffic improvements at the intersection could be included in land development. Additionally, any changes to zoning in support of traffic improvements could be made contingent to approval. Mr. O'Brien stated that he would support this ordinance if he knew we would get such improvements. Dean Diehl commented that "We" continue to lower our standards by making exceptions or when Zoning Hearing Boards continue to allow variances. Dr. White recommended that the Planning Commission table their decision until a plan is presented that everyone is in agreement with. A motion was made by Dean Diehl to table the discussion until the following meeting and seconded by Michael McKie. The motion was carried 4:1, with Paul Spiegel in opposition.

Committee Reports:

There were no reports presented.

There being no further business, on motion by Dean Diehl and seconded by Paul Spiegel, the meeting was adjourned at 8:06 p.m.

Respectfully submitted,

Diane E. Clayton
Recording Secretary