

# East Whiteland Township

## Planning Commission

Wednesday – July 27, 2022

*This meeting will be held in-person (not virtually) at the East Whiteland Township Building*

### Minutes

(agenda items [linked](#) to online documents)

#### **Members Present:**

Deb Abel, Chair; Todd Asousa, Vice-Chair; Tim Kelly; John Laumer; and Jeff Broadbelt.

#### **Members Absent:**

Dante Bradley

#### **Also Present:**

John Nagel, Township Manager; Zach Barner, Director of Planning & Development; Brittany Carosello, Deputy Director of Planning & Development; Bernadette Kearney, Township Solicitor; Al Vennettilli, Township Engineer; and Chris Williams, Township Transportation Engineer.

#### **Call to Order:**

Ms. Abel called the meeting to order at 7:05 p.m. and led the Pledge of Allegiance.

#### **Minutes:**

Consideration of the **June 22, 2022**, meeting minutes:

Mr. Broadbelt made a motion, seconded by Mr. Kelly, to approve the **June 22, 2022**, meeting minutes. The motion carried unanimously **(4-0)**

Mr. Asousa was not present for this motion.

#### **Presentation:**

John Nagel briefly discussed the Township's ongoing infrastructure planning initiatives along Route 30, acknowledging the Rebuilding American Infrastructure with Sustainability and Equity (RAISE) grant that the Township recently applied for through the U.S. Department of Transportation. Mr. Nagel thanked the Board of Supervisors, staff, consultants, and Ms. Abel for the hard work and quick effort that went into the grant application submission.

1. **East Whiteland Township Police Station** – Presentation regarding the proposed Police Station to be located at the existing Township Campus on Conestoga Road.

Mr. Nagel presented the Township's Campus Master Plan, and specifically the Police Station Project. Over the years, at least three feasibility studies have been undertaken to evaluate the possibility for additional space to accommodate the Township's needs. He explained that the plans have always been to expand on the residential lot on Mill Lane. Mr. Nagel introduced John Riebow, from Gorski Engineering. Mr. Riebow described the current campus layout and various improvements that will be made. Improvements including two accesses to the building: a police officer only access from Mill Lane and a public entrance from the main driveway off Conestoga

Road. The new police station will go through the Land Development, which will require the property as 6 Mill Lane to be rezoned from R-1 Residential to Institutional. Design of the building is ongoing. The team is hoping to break ground in Spring of 2023. The Township expects to have the building completed by the end of 2024.

### **Zoning Hearing Applications:**

2. [Janssen 260 and 280 Great Valley Parkway](#) (Malvern GVP Owner, LLC) – Future Zoning Hearing Board application seeking variances from section 200-36.C, 1. to provide a minimum accessory structure setback (for a generator pad) of 4 feet where there is a required 35 feet. 2. To provide less than the minimum 20-foot surface parking area setback (to match existing). If granted, Janssen is proposing to construct additional parking, an electrical generator with concrete pad, a 2,000 sq.ft. outdoor workspace, landscaping, and walkways. The property, located at 280 Great Valley Parkway, is within the O/BP (Office Business Park) Zoning District.

Lou Colagreco, attorney for the applicant, presented the application. At 280 Great Valley Parkway, the existing parking is non-conforming. Variance relief is needed for setbacks related to both the expanded parking area and the generator, which is an accessory structure.

Dave Corcoran the Building Facilitator for Janssen explained that the generator, which is a natural gas generator, will likely be used up to 20 times per year. It is an important component to the laboratory work that is performed within the building and it crucial for continuity of operations. The generator has a box around the motor and is heavily insulated. No loud noise or emissions will be released from the generator.

At 260 Great Valley Parkway the applicant will need a variance to increase the impervious coverage by 1%.

Janssen employs approximately 1,200 employees in various buildings throughout the Corporate Center.

**Action:** Mr. Broadbelt made a motion, seconded by Mr. Laumer to recommend approval of the requested variances to the Zoning Hearing Board. The motion carried unanimously **(4-0)**

Mr. Asousa was not present for the motion.

### **Development Applications:**

3. [CU-06-2022 for Feters Mill](#) (**Feters Mill Community Association**) – *Amended* Conditional Use application to request the modification of a previous condition of approval related to the spacing of perimeter landscaping and buffering. The original Conditional Use decision from 1999 (to allow for a “cluster development” of property) was previously amended in 2015 to similarly modify the landscaping and buffering requirements.

This agenda item was tabled and will be discussed at the August 24, 2022 Planning Commission Meeting.

4. [LD-02-2022 for 10 Malin Road Office / Flex Building](#) (10 Malin Road Associates, LP) – Preliminary Land Development Application to construct an 11,000 square foot office / flex building, parking, and associated improvements. The property, located at 10 (S) Malin Road, is within the I (Industrial) Zoning District.

Scott Deisher, engineer for the project, explained that the first floor of the building will contain 8,000 s.f. of warehouse, with a 3,000 sqft office on the second level. The applicant went through to the Zoning Hearing Board process to receive variance approval from setbacks and impervious coverage. The applicant also went through the Conditional Use process and received Board of Supervisors approval to disturb steep slopes.

Mr. Deisher went through each of the consultant review letters, as well as the applicant's waiver requests. The applicant discussed the Three Tun Road extension and Malin Road extensions which were previously studied by the Township. The applicant is not able to accommodate the road extension without significant impact to the site layout. Ms. Abel asked Mr. Williams for his input. Mr. Williams explained the Malin Road Extension Study from 2010 and outlined its findings. Malin Road has a public right of-way on both sides of the road up until it turns into the private right-of-way on the 10 Malin property. The Commission members discussed the probability and feasibility of a road ever being constructed. The Commission members agreed that there is a low likelihood that a road extension would be feasible. The applicant is amenable to providing an easement along the existing right-of-way to the Township for a future trail.

Mr. Kelly asked about the lighting proposed along the backside of the building. He asked whether they would point towards the structure and whether lights would be seen across the back of the lot into the neighborhood. Mr. Deisher explained lighting would be pointed downwards for the parking lot, and downwards towards the building.

Mr. Deisher reviewed the waiver requests and explained the applicant is requesting a waiver from completing a traffic study. Mr. Williams said technically the project requires a traffic study, but that McMahon does not have a strong opinion on one being completed. Ms. Abel doesn't believe a traffic study for this site is necessary.

**Action:** Ms. Abel made a motion, seconded by Mr. Kelly to recommend Preliminary Land Development approval and approval of the waivers to the Board of Supervisors. The motion carried unanimously **(5-0)**

5. [LD-13-2021 for Knickerbocker Tract Redevelopment](#) (DP Whiteland, LLC) – Preliminary Subdivision & Land Development application to construct 280 single-family attached (townhouse) and semi-attached (twin) dwellings, a clubhouse and amenity space, trails, stormwater management, and associated improvements. The property, which is comprised of several parcels of land located between Mill Lane, Lapp Road, Old Morehall Road, Liberty Drive, and Swedesford Road, is within the RMH (Residential Medium-High Density) Zoning District. These parcels, known collectively as the "Knickerbocker Tract," total approximately 176 acres.

Jason Dempsey began by reviewing the waiver request letter. The applicant submitted a revised the waiver request prior to the meeting. The new letter, the formatting was changed to distinguish the waivers that apply to the existing Knickerbocker Way. Mr. Dempsey explained that many of the waivers are related to the restrictions imposed on the site by the landfill post-closure plan. The waivers requested include requirements related to width, slopes, curves, streetlights, street trees along Knickerbocker Way. The trees will be relocated in other locations of the site.

The Applicant is requesting consideration by the Planning Commission to recommend combined Preliminary/Final Land development approval rather than go through the two-step process of Preliminary approval and then Final approval.

Mr. Broadbelt asked for clarification on the roadway waivers related to curves. Denny Howell, engineer for the applicant, explained how centerline radii are measured and how it relates to the design and function of the road. Signage along Knickerbocker Way and function of the stream crossing were also discussed.

Ms. Abel asked about the DEP regulations and restrictions. Mr. Dempsey explained that an extensive review of the environmental reports and land fill documents was performed by the Township's environmental consultant and the Solicitors office.

Trails and the service road were discussed. The service road #3 will be open to emergency vehicles only and is not meant as an access for neighborhood traffic. The township will own the service road #3, however the applicant will be the one improving it.

The tree survey and sampling report were reviewed, along with a discussion the landscaping buffers. The applicant explained that portions of the site are heavily wooded, especially to the south along Rt. 202. Mr. Barner explained that it is difficult to consider the existing vegetation as satisfying the specific buffer requirements of the ordinance since a survey of the individual trees has not been performed. The applicant has requested a waiver to employ a sampling approach, where smaller plots of trees are surveyed and the results are then averaged and extrapolated over the entire site.

The water line depicted on Mill Lane needs to be further detailed. Mr. Dempsey advised that a full survey of Mill Lane will be needed. The Mill Lane right-of-way will be verified once the survey is completed. A completed survey will also address the concerns outlined in the email from the adjacent property owner (Martin Lutz) regarding the legal right-of-way on Mill Lane.

The sewer pump station will need to be upgraded and the applicant will work with Pennoni regarding the sewer line upgrades. A survey of this pump station will be completed.

Ms. Kearney asked the applicant about Road A and the frontages of the property. The applicant stated both access easements are to be clarified on Final Land Development. Ms. Kearney asked if there were any future obligations the township should be made aware of – (i.e., maintenance of roads). The applicant does not foresee maintenance obligations for the township. All improvements will be maintained by the HOA and clarified in the HOA documents.

Ms. Abel read through Mr. Lutz's email comments. The email was discussed among the applicant and Commission members. Martin Lutz commented he and the applicant have exchanged emails and phone calls, and he believes solutions have been found for each of his concerns.

**Action:** Mr. Asousa made a motion, seconded by Mr. Kelly, to recommend Preliminary Land Development approval including waivers requested, with the exception of the request for combined Preliminary/Final Plan Approval, subject to compliance with all Township review letters. The motion carried unanimously **(5-0)**

**Public Comment:**

**Adjournment:**

Ms. Abel adjourned the meeting at 9:35 p.m.

~ Next Meeting ~  
Wednesday –August 24, 2022