

EAST WHITELAND TOWNSHIP
REGULAR MEETING
January 14, 2015

William Holmes, Chair, called the meeting to order at 7:05 p.m. John Mott, Vice Chair, William Wrabley, Member, Bereth Graeff, Township Solicitor, Terry Woodman, Township Manager, Gene Dooley, Police Chief, Cathy Palmer, Finance Director, Bill Steele, Public Works Director and Maureen Perri, Township Secretary were present. There were fifteen (15) people in the audience at the start of the meeting.

Everyone recited the Pledge of Allegiance.

APPROVAL OF MINUTES

Mr. Wrabley made a motion to approve the Minutes of the Regular Meeting of December 10, 2014. Mr. Mott seconded and the vote was unanimous.

ANNOUNCEMENTS

Mr. Holmes announced the following:

- The Township Building will be closed on Monday, January 19, 2015 in observance of Martin Luther King Day
- Reconstruction of the Conestoga Road Sewer Main is scheduled to begin in early February in the vicinity of Peoples' Light & Theater and will continue until July 2015. Road closures will occur between the hours of 9 am to 3 pm. All traffic detour signage will be set up to divert the traffic onto Pa state roads and not through local neighborhood roads.

PUBLIC COMMENT

Gail Keyes – Lancaster Avenue – wished to address the following issues:

- 1) Citations for Karen's K9 – she expressed her displeasure with the Certificate of Occupancy hearings being continued – Mr. Reed advised that a hearing before the District Justice was rescheduled to January 29, 2015;
- 2) Wood burning stove smoke – impacting her property – she felt that this is a violation in commercial building. She was advised to contact Ken Battin relative to this issue;
- 3) Right to Know Request – she stated that she had not received a response in the five days as mandated by state law. She stated that this is a violation of the law and questioned who she could appeal to relative to this violation.

REPORTS AND COMMUNICATIONS FROM BOARDS, COMMISSIONS AND
TOWNSHIP OFFICIALS

Gary Sheridan, President of the EWT Volunteer Fire Association, advised that they responded to 111 calls, 50 fire and 61 medical incidents in December.

Bill Steele – Public Works facility – construction is ongoing and concrete is still being poured.

Mark Harman, ARRO Engineers – presented a revised plan to the connector path at the Deer Run pump station. The plan show a design reducing the slope from 28% to 10% by looping the path to the trail. There will be trees added to the area for screening. He also stated that stormwater impact will be minimal. The Township Manager was asked to confer with the adjacent property owner concerning the landscaping issues. Mr. Holmes made a motion to direct the Township Manager to discuss these proposed landscaping changes with the abutting property owner. Mr. Wrabley seconded and the vote was unanimous.

Township Manager – Comprehensive Planning Task Force – Ms. Woodman stated that the next step is to arrange a meeting and to review the proposals submitted by the consultants. Mr. Holmes directed Ms. Woodman to survey the members for a convenient meeting date.

ACCEPTANCE OF THE TREASURER’S REPORT

Ms. Woodman summarized the Treasurer’s Report. Mr. Wrabley made a motion to accept the Treasurer’s Report dated December 31, 2014. Mr. Mott seconded the motion and the vote was unanimous. The Treasurer’s Report balance totals as of December 31, 2014 are as follows:

General Fund	\$ 5,701,928.52
Street Light Fund	21,769.79
Sewer Fund	2,581,945.06
Sewer Fund Reserve	6,646,643.83
Park Development Fund	314,500.56
Capital Improvement Fund	9,470,153.74
State Fund	109.52

APPROVAL OF THE PAYMENT OF BILLS AND PAYROLL

Mr. Mott made a motion to approve General Fund Voucher No. 2014-12G, Sewer Fund Voucher No. 2014-12S, and Payroll Fund Voucher Nos. 2014-26, 2015-1, and 2015-2, which included two check runs. Mr. Wrabley seconded the motion and the vote was unanimous.

OLD BUSINESS

Malvern Meetinghouse Restaurant update – Ms. Graeff stated that a docket date has not been scheduled for Sheriff's sale at this time.

Status of Birch Road Property – Mr. Reed stated that the house has been cleaned out. Expenses for this cleanout will be sent to the property owner for payment. There is a possibility of structural damage due to the property being open to the elements. Ms. Graeff stated that the Township still has authority over the property until we received certification from vector control.

NEW BUSINESS

Mr. Mott made a motion to enter into a contract with Chester County SPCA for stray animal control and housing for 2015. Mr. Wrabley seconded and the vote was unanimous.

Mr. Holmes made a motion to authorize the advertisement of a public hearing to consider an amendment to the Township Zoning Map changing the Zoning at 18 E. Lancaster Avenue from R-3 Residential to FC – Frontage Commercial. Mr. Wrabley seconded and the vote was unanimous.

Ms. Woodman advised the site design for the new Public Works facility was changed when we received notification of a regulation change by PADEP for the stormwater control. This redesign required Bernardon to amend the plan. Mr. Wrabley made a motion to approve the payment for additional services to Bernardon Haber Holloway associated with an expanded scope for the new Public Works facility as stated in their letter dated, August 13, 2014. Mr. Mott seconded and the vote was unanimous.

Adam Brower, E. B. Walsh & Associates – stated that the homeowners at 19 Clover Mill Lane are scheduling improvements to their property and they are requesting waivers from the Township's Stormwater Ordinance. The waivers as follows: Sections 302.A, 303, and 402.G all having to do with erosion and sedimentation control design; Section 310B.17.a, which requires a minimum pipe diameter of 18" for stormwater piping; Section 310B.17b which requires anti-seep collars, and Section 310B.17.e which requires outlet pipes to be concrete. The Township Engineer, ARRO, reviews the requested waivers and had no objection to their approval due to the small scale of the proposed project. Mr. Mott made a motion to approve the Stormwater Ordinance waivers for 19 Clover Mill Lane as recommended in Arro's letter, dated January 6, 2015. Mr. Wrabley seconded and the vote was unanimous.

Mr. Mott made a motion to adopt a Resolution authorizing the Township Manager to sign an ARLE grant application. Mr. Wrabley seconded and the vote was unanimous.

Mr. Wrabley made a motion to approve Change Order 004 for additional waterproofing at Building #1 of the New Public Works facility. Mr. Mott seconded and the vote was unanimous.

Bid for Phase 1 repairs to the Valley Creek farmhouse. Ms. Woodman advised that this bid will be advertised for work to replace windows and cornices. Mr. Mott made a motion to authorize the intent to receive bids for Phase 1 of repairs to the Valley Creek Farmhouse. Mr. Wrabley seconded and the vote was unanimous.

Settlement Agreement with Michael Ronca & Sons – Mr. Mott made a motion to enter into a settlement agreement with Michael Ronca & Sons for work on the Mill Lane Pump Station replacement project. Mr. Wrabley seconded and the vote was unanimous.

Mr. Holmes stated that at an Executive Session the Board requested that the Township Solicitor represent the Township's interest concerning a property at a hearing to be held on January 26, 2015 before the Zoning Hearing Board. Mr. Holmes made a motion to have the Township Solicitor represent them at the Zoning Hearing Board scheduled for January 26, 2015. Mr. Wrabley seconded and the vote was unanimous.

The regular meeting was recessed 7:55 pm and reconvened at 8:45 pm

The regular meeting was recessed at 9:30 pm.

PUBLIC HEARING

- a. A Conditional Use Hearing to consider an application filed by Richard M. Haly to allow construction of a utility through an area of steep slopes. The hearing was opened and immediately continued to the Board of Supervisors meeting scheduled for February 11, 2015
- b. A Conditional Use Hearing to consider the application filed by RLD Atwater JV, LLC for the construction of a hotel on a portion of the property on the east side of Rt. 29 immediately north of the intersection of Atwater Blvd. and Flat Rd. The hearing was opened and immediately continued to the Board of Supervisors meeting scheduled for February 11, 2015
- c. A public hearing to consider the application of Argus Development to amend the Zoning Ordinance Cluster Development Overlay District. The hearing was opened at 8:10 p.m. and notes of testimony were taken by Alexis Finlar. The hearing was closed at 8:30 p.m., and the regular meeting was reopened. A motion was made by John Mott, seconded by Bill Holmes and approved unanimously to adopt the Zoning Ordinance amendment proposed by Argus Development.
- d. A public hearing to consider the application of Brandywine Realty Trust to amend the Corporate Gateway Overlay Zoning District to permit mixed use development was opened at 8:34 p.m. Notes of testimony were taken by Alexis Finlar. The hearing was closed at 9:05 p.m. The applicant said they

were going to go back to the Planning Commission to propose additional changes to the draft Ordinance amendment.

- e. A public hearing to consider the application of Liberty Property Trust to amend the O/BP Zoning District to provide standards for building height increase. The hearing was opened at 9:06 p.m. and notes of testimony were taken by Alexis Finlan. The hearing was closed at 9: 25 and the regular meeting was reopened. A motion was made by Bill Wrabley, seconded by John Mott and approved unanimously to approve the Zoning Ordinance amendment proposed by Liberty Property Trust.

Master Plan for the Atwater South Commercial area. Lou Colagreco explained that the Commercial area along Rt. 29 was not included in the prior Master Plan. They currently are showing a mix of hotel, retail, restaurants, a bank pad and a convenience store layout. Michael Rufo a managing partner with Argus Developers, introduced Michael Ryan, also a partner with Argus Partners, and Sue Bratton a senior vice-resident with Wawa. Ms. Bratton talked about the history of Wawa in the Township. At the conclusion of discussion a Motion was made by John Mott, seconded by Bill Wrabley and carried unanimously to approve the Master Plan for the Atwater Commercial area.

ADJOURNMENT

Hearing no new business the meeting was adjourned at 9:50 p.m.

Respectfully submitted,

Maureen G. Perri, Township Secretary