

EAST WHITELAND TOWNSHIP  
REGULAR MEETING  
June 10, 2015

William Holmes, Chair, called the meeting to order at 7:00 p.m. John Mott, Vice Chair, William Wrabley, William Lincke, Esquire, Township Solicitor, John Nagel, Township Manager, Gene Dooley, Police Chief, Cathy Palmer, Finance Director, Bill Steele, Public Works Director, were present. There were thirty (30) people in the audience at the start of the meeting.

Everyone recited the Pledge of Allegiance.

APPROVAL OF MINUTES

Mr. Mott made a motion to approve the Minutes of the May 13, 2015 meeting. Mr. Wrabley seconded and the vote was unanimous.

ANNOUNCEMENTS

- The Chester County Household Hazardous Waste Collection Event of 2015 will be held on Friday, June 26<sup>th</sup>. Coatesville Learning Center, 1425 E. Lincoln Hgwy, Coatesville, PA between 9am and 3pm at the. **NO Electronics will be accepted at this collection event.** For more information on “acceptable” waste check out [www.chestercountyswa.org](http://www.chestercountyswa.org)
- Conestoga Road will continued to be closed between 9 am to 3 pm from Deer Run Lane to westbound Swedesford Road as Phase 3 of the sewer project continues. Lane closures will continue for approximately four weeks.
- Virginia McMichael, former Township Supervisor, donated four antique maps of the Township for display in the meeting room. The maps depict the parcel owner changes from 1897 to 1933.
- Mr. Holmes presented to Ms. McMichael with a gift from the Township acknowledging her fifteen years of service to the Township.
- Rosalie Dietz, Director of the Malvern Public Library expressed her appreciation of the Township’s yearly donation.
- Friends of the Summer Stage will kick off the first event on June 17<sup>th</sup> at the Valley Creek Park on Route 29. See the Township website for all scheduled events.

### PUBLIC COMMENT

Mr. Cockerham asked how he might acquire a township vehicle currently not in service. This vehicle's parts would help him repair the same vehicle model now being used for the Fire Police. Mr. Nagel stated that all township vehicles are placed on Municibid for sale.

Ms. Morrow, 10 Deer Run Lane, expressed her appreciation for the traffic control implemented during the construction of Conestoga Road Sewer Replacement project.

Ms. Sherman, Planebrook & Elk Roads, asked if the township would consider putting a walking path down Planebrook Road, to access the Battle of the Clouds Park. Discussion ensued.

### REPORTS AND COMMUNICATIONS FROM BOARDS, COMMISSIONS AND TOWNSHIP OFFICIALS

Gary Sheridan, President of the EWT Volunteer Fire Association, advised that they responded to 131 calls, 44 fire and 87 medical incidents for May. There were 96 incidents in East Whiteland Township, 13 in Charlestown Township and 22 in other Townships.

Bill Steele stated that the Public Works building is progressing. The biggest problem is getting the extension for gas from PECO. He has had trouble getting a response from PECO. Gary Sheridan stated that the Firehouse is currently on propane and it is costly.

The Sewer project is now in Phase 3 from westbound Swedesford Road to top of the Conestoga Road. Mr. Steele stated that shortly he will be closing the road at both portions of Swedesford Road.

Restoration at Valley Creek Park House is ongoing. The cornice and painting work is completed.

Mr. Steele advised that he responded to a resident's inquiry about a sewer flow on Mill Lane. There is a manhole cover and under it is a saucer to catch rainwater. This is what the resident saw being poured on the road and not a flow of sewer.

Ken Battin, Fire Marshal advised that on the agenda there is a Resolution when adopted will update the Emergency Management Plan which is need due to personnel changes. Also, Chester County has implemented a new mass notification system called "ReadyChesco.org". Those who had registered under the old system will need to re-register. Mr. Battin stated that this system could be used internally for resident notification of snow removal, road closures etc.

Mr. Battin asked the Board to approve placing a used Ford Expedition on Municibid. He advised that the vehicle is not road worthy. Mr. Holmes made a motion to have a 2001 Ford Expedition placed on Municibid. Mr. Wrabley seconded and the vote was unanimous.

Mr. Nagel stated that he is considering a vendor to provide a monthly electronic newsletter. He also stated he is working to acknowledge the Township's 250<sup>th</sup> anniversary. A project is being coordinated with West Whiteland in sharing an event called a "Make a Difference Day" to be held in September. The Park Board is looking into a commemoration acknowledging this anniversary.

Ms. Keyes, Chairman, Park & Recreation Board, advised that the summer camp is scheduled to begin on June 22<sup>nd</sup>. She also reminded everyone of the summer concert program will begin on June 17th. She expressed her concerns with the proposed land development projects in the township and asked that the Board consider obtaining property for open space.

#### ACCEPTANCE OF THE TREASURERS REPORT

Ms. Palmer outlined the Treasurer's report ending May 31, 2015. She is monitoring a budget shortfall in permitting funds as compared to last year.

#### APPROVAL OF PAYMENT OF BILLS

Mr. Wrabley made a motion to approve the payment of bills as reported. Mr. Mott seconded and the vote was unanimous.

#### PLANS

##### RLD/Atwater, JV – Re-submission of a Preliminary Subdivision & Land Development Plan for Commercial Properties - in O/BPS – Turnpike Interchange Overlay Zoning District

Mr. Colagreco stated that this is the same plan as approved by the Board as Master Plan. This resubmitted plan was approved at the Planning Commission meeting held on May 27, 2015. The site is located in an O/BP Office Business Park and O/BPS Turnpike Interchange Overlay zoning districts. There will be four commercial buildings totaling 85,111 sq. ft. and 369 parking spaces at this location on four lots. The only change to this plan is that the re-submission of the Wawa building size has decreased by 700 sq. ft. A waiver was requested under the Township's Section 175-31 and 175-39B(4)(c) which requires a 32 ft. wide non-residential private driveway/street. Vehicle traffic on South Atwater Drive will be a right-in/right-out only onto Route 29. They have designed this street to be 24 feet in width which will provide traffic calming. They are withdrawing their waiver request in having to provide clear site triangles at street intersections. Remaining waiver requested is Section 175-35(a) to allow for Belgian block curbing which would be consisted with the other areas of the development. These waivers were approved by Arro in their letter, dated May 21, 2015.

Mr. Mott made a motion to approved the RLD/Atwater, JV Resubmission of a Preliminary Subdivision & Land Development Plan for Commercial Properties in an O/BPS – Turnpike Interchange Overlay Zoning District and requesting three waivers: 1) Section 175-27H for prohibit cut and fill within 5 feet, 2) Section 175-31 and 175-39B(4)(c) requirement for a 32 ft cartway to a 24 ft cartway width and 3) Section 175-35(a) permitting Belgian block curbing in lieu of concrete block. Also, that all requirements of Arro's letter dated, May 21, 2015 be met. Mr. Wrabley seconded and the vote was unanimous.

Planebrook Partners Final Land Development Plan – Cockerham Property

Mr. Kelly presented the plan for 51 townhouses to be developed on 25.731 acres at 150 Planebrook Road zoned RM – Medium Density Residential District. He advised that they have submitted a revised plan which has been reviewed by Arro dated, June 5, 2015. The comments outlined are related to outstanding sewer issues. The sewer issues are concerned with the design and approval of a regional pump station to be located on this property.

Resident complaints were predominately concerned with increased traffic in the area especially during the morning and evening rush hour. Many residents stated that traffic is currently backed up on a normal day. It is further exacerbated when Route 202, Route 30 or Swedesford Road is backed up. Residents wanted to know what the process is for a traffic review, standard used to evaluate traffic, and what time of day/week the evaluation occurred. Discussion ensued.

Many questions brought before the Board were concerned with the Celia tract which was not part of this plan approval. Mr. Holmes asked that the residents contact the Township Manager so that he might set up a meeting with residents and the Traffic Engineer to address and understand their issues.

Mr. Mott made a motion to approve Planebrook Partners Final Land Development Plan for a 51 townhouse development on 25.371 acres at 150 Planebrook Road (Cockerham) “Townes at Malvern” Section 1 in a RM – Medium Density Residential District subject to Arro’s letter dated, June 5, 2015. Mr. Wrabley seconded and the vote was unanimous.

OLD BUSINESS

Malvern Meetinghouse Restaurant update – Mr. Lincke stated that the property is listed for Sheriff’s sale on June 18<sup>th</sup> at 11 am. Discussion ensued about a future plan for this property.

Status of Birch Road Property –

Mr. Lincke stated that there was a discussion concerning demolition of the property but the property was found to be structurally sound. There is a contractor who is willing to work with the homeowner to provide repairs. Therefore, the Township’s only alternative is to continue to press the homeowner to have the property livable and safe.

NEW BUSINESS

Mr. Nagel stated that the firm of Ballard Spahr has handled Labor Relations issues for many years for him and, therefore, he is recommending that the Township appoint them as our solicitor for personnel matters. Mr. Holmes made a motion to appoint Ballard Spahr as the Township’s solicitor in matters of labor relations. Mr. Mott seconded and the vote was unanimous.

Mr. Holmes made a motion to advertise an Ordinance to approve the Certificate of Termination of the Municipal Authority. Mr. Mott seconded and the vote was unanimous.

Mr. Holmes made a motion to advertise a Zoning Ordinance Text and Map amendment for Swedesford Partners for rezoning their current property located east of Malvern Hunt from Industrial to RHM – Medium High Density Residential District. Mr. Wrabley seconded and the vote was unanimous.

Mr. Battin stated that Resolution No. 20-2015 is presented to provide updating of the Emergency Operations Plan due to personnel changes. Mr. Mott made a motion to adopt Resolution No. 20-2015 – Updating the Emergency Operations Plan. Mr. Wrabley seconded and the vote was unanimous.

Mr. Holmes made a motion to advertise a hearing for August 12<sup>th</sup> for Liberty Property Zoning Ordinance Text and Map amendment establishing a new section GVR – Great Valley Revitalization Overlay District on west side of Route 29. Mr. Wrabley seconded and the vote was unanimous.

Mr. Robert Lotz is the homeowner requesting adoption Resolution No. 22-2015 to obtain a permit which would permit him to install a holding tank at 3 Golf View Lane. He stated that the County Health Department would permit him have a holding tank with a letter from the Township stating that a sewer system would be provided within five years. Mr. Nagel and the Public Works Director stated that they are concerned that there currently isn't a design for this sewer system in that area within that time limit. The homeowner will also be required to have his permit reviewed by PADEP. Discussion ensued with the resident concerning this risk.

Mr. Mott made a motion to adopt Resolution No. 22-2015 authorizing the submission to the Pennsylvania Department of Environmental Protection to permit Mr. Lotz at 3 Golf View Lane the option to install a holding tank for sanitary sewers. Mr. Wrabley seconded and the vote was unanimous.

### PUBLIC HEARING

The regular meeting was continued at 9:28 pm. and the following public hearing began at 9:29 pm:

A Conditional Use hearing was opened at 9:29 pm to consider the application of Planebrook Partners, LLC to construct 64 townhouses on 12 ± acres on the northeast corner of Frame Avenue in a VMX – Village Mixed Use Zoning District. At the request of the applicant the hearing was continued to July 8<sup>th</sup> . This application was closed at 9:30 pm

A Conditional Use hearing to consider the application of Villa Maria Academy's proposed parking lot improvements, 1140 King Road, INS – Institutional Zoning District was continued from tonight's meeting at the request of the applicant.

A hearing was opened at 9:30 pm to consider the TMG Mid-Atlantic, LLC. Inter-Municipal Liquor License Transfer to Uptown Worthington for a restaurant operating as Ted's Montana Grill which will be located at 650 Carnegie Boulevard. The restaurant will be approximately 4200 square feet.

Mr. Wrabley made a motion to approve the transfer of a liquor license to TMG Mid-Atlantic operating as Ted's Montana Grill at 650 Carnegie Boulevard as provided in Resolution No. 21-2015. Mr. Mott seconded and the vote was unanimous.

The hearing concluded at 9:41 pm.

#### ADJOURNMENT

Hearing no new business the regular meeting was adjourned at 9:42 p.m.

Respectfully submitted,

Maureen G. Perri, Township Secretary