

**WESTTOWN TOWNSHIP BOARD OF SUPERVISORS REGULAR MEETING**  
Westtown Township Municipal Building, 1039 Wilmington Pike, Westtown  
Monday, August 5, 2013 at 7:30PM

In attendance were: Chair Thomas Haws, Vice Chair Carol DeWolf, Police Commissioner Charles Barber, Township Manager Robert Layman, Roadmaster Mark Gross, Planning Commission member Jim Lees, Township Engineers Stan Corbett (URS) and Christie Pace (McCormick Taylor). There were 12 guests present.

**I. Call to Order**

Chairman Haws led the Pledge of Allegiance and called the meeting to order at 7:35pm.

**II. Approval of Minutes (Board of Supervisors, July 15, 2013)**

Ms. DeWolf made a motion to accept the minutes, seconded by Mr. Barber. There was no public comment and the motion was approved.

**III. Summary of Board of Supervisors Workshop – August 5, 2013**

Chairman Haws summarized the Supervisor's workshop, which began at 5:30pm. A significant amount of time was spent discussing Westtown School's connection to our sewer system. A meeting is scheduled this Wednesday with DEP and representatives of Westtown School and the Township. Considerable progress was made during the workshop resolving technical issues, the O&M agreement, and timing of the hook up.

Following up on the request from residents on Edgewood Chase to test soil on adjacent Township property for a drain field for their sewer system, the Board has determined that there are no restrictions on the use of the land in the deed, so they have agreed to allow the testing.

The Board did not have time to discuss the Act 537 update, or the Camp Elder Historical Marker Dedication, but those items will be covered in the regular meeting tonight.

There were no questions or comments from the public regarding the workshop.

**IV. Departmental Reports**

**A. Township Building Inspector – John Wilson**

Mr. Wilson summarized the monthly permit report. There were 25 permits issued in July, which included 15 Certificates of Occupancy.

Mike DiDomenico, 1530 Woodland Road, asked about the resale home inspection procedure. Mr. Wilson responded that according to our ordinance the Certificate of Occupancy inspection is limited to four items: mailbox number height, GFIs, smoke detectors, and sump pump or condensate lines dumping into municipal sewers. It is the seller's responsibility to provide that certificate to the buyer. Mr. DiDomenico explained that he was asking about the process because a neighbor who recently sold her house complained to him that her home was not inspected until the day before settlement. Mr. Wilson replied that realtors often don't provide adequate lead time for the inspection.

There were no other questions or comments.

**B. Township Roadmaster – Mark Gross**

Mr. Gross reported that in preparation for the paving project the Road crew replaced 31 frame and cover assemblies for all the sanitary sewer manholes and repaired 25 inlets.

He also reported on the pipe relining project on Kolbe Lane. The contractors have been doing an excellent job, and the project is on schedule for completion at the end of this week.

The curbs are complete on Pennsbury, and curb work on Larchwood began this week. Bad weather and coordinating the contractors have been issues on the project.

At the sewer plant, the mechanical retro fit for the phosphorus reduction is progressing.

Weather permitting, repointing the water tower will begin this week.

Mr. Barber asked about the phosphorus reduction project. Mr. Gross stated that the temporary system has used about double the anticipated amount of chemical to meet our permit requirement. Once the disk filter is back online and new tank is in operation, the chemical will be injected at a more effective point in the process, resulting in an expected reduction in the amount of chemical necessary.

There were no other questions or comments.

**C. Township Planning Commission – Jim Lees**

Mr. Lees stated that the Planning Commission last met on July 17. They reviewed the McFadden sketch plan for a 5 lot subdivision on Shiloh Road. The Commission has concerns about the slope of the property and sight distance, and suggested he consider shared driveways and possibly eliminating a lot.

The Commission also continued their review of the On-Lot Management (OLM) Ordinance. Stan Corbett from URS and several residents offered their constructive input. The outcome was that the PC recommends that the Board approve and adopt the ordinance with the changes that were agreed upon, subject to the Township Solicitor's final review.

The PC will meet next on Wed. August 7 to discuss Zoning Hearing Board applications for a sign at the Westtown Business Center and an emergency generator for EBS Healthcare, and the draft of the Act 537 Special Study for West Wynn I.

Mr. Haws asked about the status of the OLM ordinance. Mr. Layman stated that Bob Adams is reviewing it.

There were no additional questions or comments from the public.

**V. Public Comment on Non-Agenda Items**

There was none.

**VI. Old Business**

**A. Act 537 Plan Report**

Mr. Haws stated that the Township is moving forward with adopting an On-Lot Management (OLM) Ordinance. As stated earlier, the Township solicitor is reviewing it and will be sending it to the Board for their review.

The DEP excluded West Wynn I from the OLM Plan put forth in the Act 537 plan, and has given 120 days to develop a plan for that area. URS has prepared a Special Study for West Wynn I and has submitted it to the Chester Co. Planning Commission, the Chester Co. Health Dept., and our Planning Commission for review. That plan includes putting West Wynn I on the OLM plan, collecting data, and evaluating alternatives for that area. The Special Study is available for review on the Township website or in the office.

The time line for the Special Study and its submission is:

- Agency reviews & public comment period done by Sept. 29
- Final report to DEP by Oct. 4.
- Ordinance adopted by Dec 7

Jack Embick, 189 Pheasant Run Road, stated that DEP's letter of June 7 approving the OLM plan applies to West Wynn I. Once the OLM ordinance is adopted, everyone w/an on-lot system will have to comply with the provisions of the ordinance. What DEP said is that the implementation of the OLM Plan alone is not sufficient for the Township to provide for the existing, and future needs of the West Wynn I area, which is why the Special Study was required. He continued, stating that the OLM ordinance alone will not be sufficient to prevent the extension of public sewer. Education and enforcement are also required. Mr. Haws agreed.

Mr. Lees asked about the timeline for the adoption of the OLM ordinance. Mr. Corbett stated that adoption of the ordinance would obligate the Township to have all the monitoring and data collection procedures up and running. He suggested it would be prudent to wait on advertising and adoption until we have the education and data collection plans in place. DEP's deadline for adoption is December 7. Based on Mr. Corbett's comments, Mr. Haws revised earlier comments and stated that the ordinance will likely be adopted in November.

There was no further public comment.

**B. RiteAid/PNC**

Ms. DeWolf made a motion to approve the settlement agreement with Pineville Pintzuk addressing the lighting variances. The motion was seconded by Mr. Barber. There was no public comment and the motion was approved.

One of the conditions of approval of the land development plan included modifications to the traffic signal at Routes 3 and 352 as part of the HOP. The developer had agreed to timing modifications, but the second review letter from PennDOT included a "wish list" of additional signal modifications suggested by McCormick Taylor. Mr. Gill stated that these additional upgrades would cost approximately \$53,000, and argued that the items are not necessary to mitigate the traffic impact of this development. Mr. Haws and Ms. Pace disagreed. There was considerable debate over the traffic signal modifications. Mr. Gill said he would be back at the August 19 meeting to seek final approval of the plan.

Mr. Gill moved on to his request to have the Board approve the lot line change so that the developer could go to settlement on the property. After much discussion, Ms. DeWolf made a motion to sign off on the subdivision portion of the land development plan with the conditions that there be a written provision to unwind the lot line change in the event the project isn't completed, that the Township solicitor review the unwind provision, and that the signing of the subdivision does not in any way effect the other conditions of the land development plan, including the traffic signal upgrades. The motion was seconded by Mr. Barber.

There was no public comment and the motion was approved.

**VII. New Business**

**A. West Chester Public Library Presentation**

Richard May, Chair of the WCPL Board, and Victoria Dow, WCPL Director, made their annual appeal for support of the WCPL. Mr. May stated that the citizens of Westtown represent about 15% of residents in their service area. Westtown residents hold 13% of their library cards, or approximately 7,000 cards. Funding from state, county, and local government sources has dropped from 66% to 48%, while circulation is up by 8%. State funding alone has dropped 12%. Mr. May requested that the Board consider allocating funds at a level of support of \$1/resident. Mr. Haws said the Board would consider their request.

**B. Camp Elder Historical Marker Dedication**

The dedication ceremony is scheduled for Saturday, September 7 from 1-3pm. The proposed procession from Oakbourne Mansion to Trellis Lane would require road closures on S. Concord and Oakbourne Roads. South Concord Road is a state road which cannot be closed, so other safety precautions will need to be taken by the Township. The Board will consider options at the next Workshop.

There was no public comment.

**VIII. Public Comments on All Topics**

There was none.

**IX. Payment of Bills**

The Board stated they had reviewed the bills and had no questions. Ms. DeWolf made a motion to approve the August 1, 2013 bills as presented. Mr. Barber seconded the motion.

There was no public comment and the motion was approved.

**X. Adjournment**

Ms. DeWolf made a motion to adjourn the meeting at 9:01, which was seconded by Mr. Barber.

Respectfully Submitted,  
Robert Layman,  
Township Manager