

WESTTOWN TOWNSHIP BOARD OF SUPERVISORS REGULAR MEETING
Westtown Township Municipal Building, 1039 Wilmington Pike, Westtown
Monday, November 4, 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 Dick Pomerantz, and Township Engineer Christie Pace (McCormick Taylor). There were 16 guests present.

I. Call to Order

Chairman Haws led the Pledge of Allegiance and called the meeting to order at 7:40pm.

II. Approval of Minutes (Board of Supervisors, October 21, 2013)

Ms. DeWolf made a motion to approve the October 21 minutes with corrections to reflect that she was present at the last meeting, and that she seconded the motion to approve the Police Merger RFP. Mr. Barber seconded the motion to approve the minutes. There was no public comment and the motion passed.

III. Summary of Board of Supervisors Workshop – November 4, 2013

Chairman Haws summarized the Supervisor's workshop, which began at 6:00pm. There were 5 items on the agenda, and one addition:

- Ongoing discussion of the On-Lot Management Program w/Stan Corbett, URS
- MS4 Permit Year Eleven proposal from Christie Pace, McCormick Taylor
- West Chester Regional Planning Commission (WCRPC) disbursement of funds
- URS Phosphorus Reduction Contract increase
- Amendments to the Building Code
- Bozzuto development

Mr. Haws stated that the MS4 Permit Proposal and the URS contract increase would be added to tonight's agenda under Old Business. The WCRPC funds disbursement will be added under New Business.

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

IV. Departmental Reports

A. Township Building Report – Bob Layman

Mr. Layman reviewed the monthly permit report for October. There were 10 building permits issued, two of which were commercial. There were 7 residential Certificates of Occupancy and 7 Zoning permits (2 sheds, 2 fences, and 2 detached garages).

There were no questions or comments.

B. Township Roadmaster – Mark Gross

Mr. Gross reported that the Road Crew spent about a week working on the stormwater collection system on Carrie Lane. The entire system was jet cleaned and vacuumed, a new outfall structure was poured with a concrete swale to reduce the velocity of the water flow,

and the ground to the outfall was re-contoured. The stormwater collection system at Oakbourne Park was also jet cleaned to remove a large accumulation of debris.

Trees were elevated at Dunvegan Road and John Anthony Drive, the crew hauled stockpiled fill dirt, and annual testing of backflow prevention devices was performed.

Mr. Gross mentioned that the Tahoe has been taken out of service due to age; and a replacement vehicle will need to be considered.

Mr. Barber asked about the status of the mansion boiler. Mr. Gross replied that it is still being worked on, but hopefully will be operational by the weekend. Propane will be used until PECO extends the gas line from Gaudenzia.

There were no other questions or comments.

C. Township Planning Commission – Dick Pomerantz

Mr. Pomerantz reported that the Commission has not met since the last Board meeting, but will meet Wednesday to review the Rusi 2 lot Subdivision, the Rustin Flexible Development Conditional Use application, the Act 167 Stormwater Management Ordinance, and the Zoning Amendment for the proposed Visual Arts Center.

Mr. Pomerantz will also be presenting to the PC several articles regarding solar panels and how they can impact fire suppression. There were no questions or comments from the public.

D. Township Historical Commission – Bob Layman

Mr. Layman reported that the commission did not have a quorum at their last meeting, Wednesday, October 30. Those present discussed the Historical properties project and the viability of an "Images of Westtown" publication.

There were no questions or comments from the public.

V. Public Comment on Non-Agenda Items

Mr. Haws mentioned that a township supervisor position is open and encouraged residents to vote tomorrow.

There were no other comments.

VI. Old Business

A. RiteAid/PNC Development

Mr. Michael Gill was present to get Board approval of the Developer's Agreement, the Stormwater Operations & Management Agreement, the Highway Occupancy Permit (HOP), and the Plans, pending receipt of the Financial Security Agreements Bonds from PNC and Eckerd (RiteAid), which he thought should be received by the end of the week.

Ms. DeWolf and Mr. Haws asked for feedback from Christie Pace regarding the HOP. She said they concurred with PennDOT. Ms. Pace mentioned that we are still waiting for DEP approval of the underground tank removal. Demolition permits have been issued by Bureau Veritas.

Ms. DeWolf made the motion to approve signature of the plans and agreements for the RiteAid/PNC development, contingent upon receipt of the financial security bonds. Mr. Barber seconded the motion.

There was no public comment and the motion was approved.

B. McCormick Taylor (MT) – MS4 Permit Work & Road Program Proposal

During the workshop, Ms. Pace presented a proposal for work on the MS4 Permit Year 11. The Act 167 Stormwater Management Ordinance must be adopted by January 2, 2014.

The TMDL Implementation Plan has not been approved by DEP yet. Once it is approved, the township has 1 year to prepare design details (drawings) for what has been planned. The timeline of the MT proposal is dependent upon approval of the TMDL Plan from DEP.

Mr. Haws asked about the pending suit West Goshen has against DEP, and whether it would have any impact on our TMDL plan. Ms. Pace said that if West Goshen's suit is successful, then we will definitely look at how that might affect us.

Moving on to the road program, Mr. Haws stated that the Board is committed to getting the Township on a 15-20 year replacement schedule. Accordingly, the Board felt it would be prudent to have a comprehensive road plan to aid in prioritizing road repair. Ms. Pace felt that the study could be completed in 8 weeks, depending on the weather.

Ms. DeWolf made a motion to approve \$38,000 Road Program Proposal from McCormick Taylor. Mr. Haws seconded the motion.

Mr. Pomerantz, 1005 Robin Drive, suggested that the Board consider including bike lanes in the plan. Ms. DeWolf supported the suggestion for shared use.

There was no further public comment and the motion was approved.

C. On-Lot Management Ordinance

Ms. DeWolf made a motion to advertise the On-Lot Management Ordinance, seconded by Mr. Barber. Mr. Haws stated that he would like to have the Ordinance approved at the Dec. 2 Board meeting. There was no public comment and the motion was approved.

D. Bozzuto Development Conditional Use Application

Mr. Haws made a motion to refer the Buzzuto Conditional Use Application to the Township Planning Commission (PC), seconded by Mr. Barber. This will not be on the PC agenda this week, but will be on their agenda for the November 20 meeting. There was no public comment and the motion was approved.

E. URS Phosphorus Reduction Contract Increase

Ms. DeWolf made a motion to approve the \$2600 contract increase for work to be done on the Phosphorus Reduction project at the wastewater treatment plant. Mr. Barber seconded the motion. There was no public comment and the motion was approved.

VII. New Business

A. Visual Arts Center (VAC) Proposed Zoning Amendment

Greg Adelman was present to ask the Board to accept the rezoning application for review by the Township Planning Commission. The project proposed is an office complex with at least 30% of the gross floor space dedicated to visual arts uses. The VAC is intended to promote, educate, entertain, inform, and advance the visual arts in the community.

Ms. DeWolf made a motion to refer the Visual Arts Center Zoning Amendment to the Township Planning Commission, seconded by Mr. Barber. There were no public comments and the motion was approved.

B. West Chester Regional Planning Commission

The West Chester Regional Planning Commission (WCRPC) has been inactive, and has unused funds that they would like to distribute to member municipalities.

Mr. Haws made a motion to appoint Ms. DeWolf to the WCRPC, as she is the representative on the Council of Governments. Mr. Barber seconded the motion. There were no public comments and the motion was approved.

VIII. Public Comments on All Topics

Ginny Hassler, 12 Jacqueline Drive, thanked the Board for approving purchase of a radar speed sign. She said the traffic is definitely getting worse in the neighborhood. She expressed concern that the proposed Monument Homes project will make the traffic even worse, and wanted to know how the Board plans to address this problem.

Mr. Haws stated that the data collected by the new radar speed sign will be used by the Police to help them enforce the speed limit. He also mentioned that a traffic impact study would be required as part of the Monument Homes application process. He stated that the commercial portion of that proposed development will only be accessible off Rt. 202. Ms. DeWolf added that traffic calming devices may be considered.

Walt Pavelchek, 1050 S. New Street, asked about efforts to upgrade the trails at Oakbourne to eliminate washouts. Mr. Gross stated that he plans to address the washouts by re-contouring the swales on the edge of the trails to channel the water away. Mr. Pavelchek suggested changing the surface material. Mr. Gross stated that paving the trails would create other problems such as rutting, and would render the trails less comfortable for walking and running.

Mr. Haws mentioned that the Oakbourne Mansion was recently featured in the online event planning magazine, It's About Details.

Mr. Pomerantz suggested that the Board take advantage of the talent of the candidates for Township supervisor, both winner and loser.

There was no additional public comment.

IX. Payment of Bills

The Board stated they had reviewed the bills. Ms. DeWolf made a motion to approve the October 31 check registers, seconded by Mr. Barber. There was no public comment and the motion was approved.

X. Adjournment

Mr. Haws made a motion to adjourn the meeting at 8:37, seconded by Ms. DeWolf.

Respectfully Submitted,

Robert Layman, Township Manager