

WESTTOWN TOWNSHIP BOARD OF SUPERVISORS REGULAR MEETING
STOKES ASSEMBLY HALL 1039 WILMINGTON PIKE
April 4, 2005, 7:30PM

In attendance were Supervisors Chairman Kenton S. Stokes, Vice-Chairman L. Charles Scipione and Carol De Wolf Police Commissioner; Township Manager Robert Layman; Township Building Inspector Gerald R. DiNunzio; Planning Commission Chairman Don L. Verdiani; Parks Advisory Group member John Messersmith; and Friends of Oakbourne Chairman Walter Pavelchek. There were eighteen guests in attendance.

I. Call to Order.

As there was a quorum present Chairman Stokes called the meeting to order.

II. Approval of Minutes (March 7 and March 21, 2005 Regular Meetings).

Mr. Scipione made a motion, seconded by Ms. De Wolf, to approve the minutes of the March 7, 2005 regular meeting. Dr. Stokes asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the minutes as presented.

Mr. Scipione made a motion, seconded by Dr. Stokes, to approve the minutes of March 21, 2005 as corrected (Section IV. C. paragraph 2 should read "Edgmont"). Dr. Stokes asked for public comment. There was no public comment. The Board of Supervisors approved the minutes as correct. Ms. DeWolf abstained as she was not in attendance at the March 21st meeting.

III. Departmental Reports.

A. Township Building Inspector – Gerald R. DiNunzio.

Mr. DiNunzio presented the March Building Report. He stated, at the request of the County Assessment office, he has added a category to the report which shows why the permit was issued. The Liberty Square project is moving forward with four houses sold. Mr. DiNunzio said there are still problems with false automatic fire alarms in the Township.

B. Township Roadmaster – Mark S. Gross.

As Mr. Gross was on vacation Mr. Layman reviewed the March Road/Parks report. He stated the Department filled pot holes created by winter storms and repaired the sanitary sewer line at the Mansion. Dr. Stokes asked about the GIS data base collecting shown on the Report. Mr. Layman said the Township does an annual inventory of stop signs etc as required by our insurance company. Mr. Scipione asked who is responsible for replacing the bulb in the street light at Johnny's Way and Route 352. Mr. DiNunzio stated that the Township is responsible for four street lights and this could be done by Lobec.

C. Township Planning Commission – Don Verdiani.

Mr. Verdiani stated that the Commission reviewed John Snook's memo on the rezoning of the AC/O district as it pertains to the Crebilly Farm property. The landowner has asked that the Commission consider the concept of a free standing medical facility or a hotel. As the Commission has already considered a continuing care facility for the property it could be expanded to include a medical facility to serve the care unit not necessarily a full service hospital. The suggested hotel could be on the order of a Ronald McDonald House. Mr. Verdiani stated that the landowner's concept is similar to the Fox Chase Cancer Center complex. He stated that a hotel or hospital would have to be part of a master plan that would be consistent with the Township's vision for the property. The Commission does not envision one large hospital or one large hotel on the property. Ms. De Wolf said she feels there is a difference between a hotel and a Ronald McDonald House. Mr. Verdiani said there would have to be limitations in a definition for hotel zoning. Mr. Verdiani said that Mr. Peppelman, 1140 Old Wilmington Pike, has

asked if the six properties on Old Wilmington Pike could be included in the re-zoning of the AC/O district. He stated changing the zoning from residential might not be beneficial to the current residents.

Mr. Verdiani stated that this weeks Planning Commission meeting has been canceled as Mr. McCawley (The Fountains) and Westtown School (Athletic Building) are still working on revision of their plans.

D. Parks Advisory Group – John Messersmith.

Mr. Messersmith reported on the March 12th Parks Advisory Group meeting. He asked if the Gate House was under the jurisdiction of the Parks Group as they would like to see the Gate House restored. He suggested that the Gate house be rented with the rent going to the renovations. Dr. Stokes said the Board has been discussing the disposition of the Gate House for several years. As it is a small house with small rooms the rent that could be charged would not offset the renovations and upkeep. Dr. Stokes stated the Board, at this time, is considering selling the Gate House. An appraisal has been done and the property will be surveyed. The Board will keep the Parks Advisory Group informed on the Gate House disposition.

Mr. Messersmith stated that Friends of Oakbourne will have a tree dedication at Oakbourne Park on April 23rd. A Red Oak tree will be planted in honor of A. Pierson Sill, a former Township Supervisor. He stated that a group involved in geocaching has asked to place a micro geocache in a location on the Cope Tract. The Parks Advisory Group does not see a problem with the location. He also reported that a plan is being implemented for Eagle Scout projects that gives the Parks Advisory Group more input on the projects.

E. Friends of Oakbourne – Walter Pavelchek.

Mr. Pavelchek issued an open invitation for all to attend the tree dedication in honor of Mr. Sill on Saturday April 23rd at 1:30Pm by the parking lot at Oakbourne Park. He stated that protective material will be placed around the tree to protect from deer damage. He stated that bids are being received to have stump grinding done in the area around the Mansion where the summer concerts are held.

IV. Public Comment-Non Agenda Items.

Alan Peppelman, 1140 Old Wilmington Pike, discussed the possibility of changing the zoning in this area to commercial or the benefit of leaving it as residential. Ms. De Wolf asked if the majority of the property owners wanted to retain residential zoning. Mr. Peppelman responded the homes on Route 202 would not get the value of their property if the road is widened. He stated he is trying to buy the other properties as they go for sale. Mr. Peppelman asked if the Gate House could be rented for professional uses. Ms. De Wolf responded that the Gate House is not zoned for Commercial and would have to be completely renovated for this use. She stated that Township has several options and are pursuing the selling of the Gate House.

Jeff Watkin, 1003 Ashley Road, asked what progress is being made on the stormwater issue on his property. Mr. Layman said he is working on this issue with the Township Solicitor and Township Engineer and investigating the possibility of receiving funds from the School District for this project. Ms. De Wolf said this issue needs to be expedited. Mr. Layman said the School District has indicated that it does not feel this is a School District problem. Ms. De Wolf said she has concerns as to the source of the runoff. Mr. Watkin said the runoff is getting worse and is not from the recent rains. He feels the problem is coming from Kilduff Circle. Ms. De Wolf stated the Township must address this issue now.

Leonard Tehrani, 611 E. Street Road, stated that traffic accidents, flooding and drainage problems are increasing on Route 926. He has written to PennDOT requesting a reduction in the speed limit to 35 or 40mph. He also asked PennDOT for 'no turn on red' signs at Westtown Road. He asked if the Township will be addressing these concerns. Ms. De Wolf advised Mr. Tehrani that she appreciated his concerns but at the present time the Township does not have the necessary funds in the budget for extensive road and drainage repairs. She stated that PennDOT's study on Route 926 concluded that a reduction in the speed limit was not warranted. Mr. Tehrani said he feels there is lack of speed control by our police

department. He asked that the Board of Supervisors send a letter to PennDOT in support of reducing the speed as Thornbury Township has done.

Diane Chesko, 1025 S. Concord Road, expressed her concerns about geocaching as the item to be hidden will be located in an area close to their property. Mr. Layman said as he did not attend the last Parks Advisory Group meeting he did not see the exhibits on geocaching. He stated this does not involve a large amount of people maybe five a month. He advised Mrs. Chesko to go to their website, www.geocaching.com, for additional information. Ms. De Wolf said this is a new sport similar to orienteering. The sport should not involve any more people than now use the trail on the Cope Tract.

Mark Kaptur, 1504 Manley Road, stated he sent a letter to the Township in December concerning the water runoff from Summit House onto Manley and into his property. When East Goshen Township repaved Manley Road they raised the level of the road and the berms which were installed do not keep the water off his property. Mr. Layman stated that Mr. Gross was there during a recent storm and it was obvious that the problem is coming from Summit House. Mr. Layman said that East Goshen has directed Summit House that they must do work on their drainage. The work is to be done this spring.

Ms. De Wolf announced that Chester Ridley Crum Creek Watershed Association will be having their annual stream cleanup on May 7th on Chester Creek, Ridley Creek and Crum Creek. Anyone interested in helping with the cleanup should contact Ann Murphy at 610-892-8731.

Ms. De Wolf asked Mr. Layman to follow up on the following issues: Extension of the Jake Brake Ordinance into Westtown Township; and implementation of financial practices suggested by our Auditors, Mingis & Gutowski. She asked that all emails to the Supervisors website be forwarding to her. Ms. De Wolf asked that it be noted in the record that she did not receive an email that was sent to her by Representative Eleanor Taylor. She also asked the status of the placing of Grass Carp in the Pleasant Grove pond at Piedmont Road. Mr. Layman said the State is requiring remedial measures are done to insure that the Carp cannot escape before this can be done. Ms. De Wolf asked that the Township evaluate the request of residents on Jacqueline Drive and General Greene Drive to have speed humps installed.

V. Old Business.

There was no old business at this time.

VI. New Business.

A. West Chester Area School District Request Shiloh Road Closure.

In attendance representing Alan Myers Construction were Wyatt Hazy, Project Manager and George Stayton, Superintendent.

Mr. Hazy asked that the Township allow them to close Shiloh Road commencing on April 25th for 90 days. The road will remain opened for all local traffic and emergency vehicles. He stated that the work should be completed in six weeks depending on weather conditions. Reducing the traffic on Shiloh Road will help the job be completed faster and more efficiently. The route for detouring traffic from Shiloh Road was discussed. Dr. Stokes asked that traffic not be directed from Five Points Road to Little Shiloh Road but be directed to use Westtown Road to Route 926. Dr. Stokes also asked that they contact the Police Department and work with them on the road closing and traffic control. Mr. Scipione asked about the work on Route 926. Mr. Stayton said minimal traffic control would be needed for this work as the road will not be closed. Ms. De Wolf asked that they provide the Township with a traffic control plan for work on Route 926. Ms. De Wolf also stated that Alan Myers must notify the residents who will be affected by this closing. Mr. Stayton stated they will be handing out flyers. Ms. De Wolf asked that they have a representative attend the Police Commissioner's meeting on April 13th to discuss the closing and detour.

Mr. Verdiani asked if the traffic signal will be changed from Shiloh Road to Westbourne Road at this time. Mr. Hazy responded that it would.

Robert Ferguson, 916 Hunt Drive, asked if the Board of Supervisors had approved the improvements to be done to Shiloh Road and will the hump at Hunt Drive be removed. Ms. De

Wolf stated that all of Shiloh Road is not going to be improved at this time. Mr. Ferguson asked about funds the Township had received for Shiloh Road. Mr. Layman said when the Township took over Shiloh Road they received Turnback funds from the State that are being held in a special account. These funds are not sufficient to take care of the additional improvements needed beyond what is being done for the school. Dr. Stokes stated that Mr. Capuzzi did a cost estimate for improvements from Farm Lane to Little Shiloh Road which amounted to over \$500,000. Mr. Ferguson said he thought at the time of negotiations with the School District there were funds allocated for the road improvements. Mr. Layman said the school agreed to allocate funds for specific improvements on Shiloh Road. He will review the Agreement with the District and report on this at the next Board meeting.

Mr. Scipione made to motion to give Alan Myers approval to close Shiloh Road for 90 days. Ms. De Wolf said she could not second the motion without the conditions she previously stated. Mr. Scipione withdrew his motion.

Ms. De Wolf made a motion, seconded by Mr. Scipione, to give Alan Myers approval to close Shiloh Road for 90 days conditioned on Alan Myers installing detour signage that will direct traffic to the major roads in the area, similar to the detour used when the Singing Bridge was closed, notification to Township residents in the Daily Local News and Inquirer, notification by flyers to residents in the Shiloh Road area, submission of a traffic control plan for the road improvements on Route 926 and a representative to attend the Police Commission meeting on April 13th.

Dr. Stokes asked for public comment.

John Messersmith asked if plans were available for the improvements. Mr. Layman said they are available for review at the Township office.

Robert Ferguson said he still has questions about the funds for the road improvements. Ms. De Wolf advised him to contact Mr. Layman

Dean Orsini, 1518 Manley Road, said he has had personal dealings with Alan Myers on a project in another Township and their safety standards far out weight PennDOT.

Leonard Tehrani said PennDOT will be closing Route 926 to do work at North Gate Road this spring and suggested the projects be coordinated. Mr. Layman will contact PennDOT.

Lee Hartwig, 1001Russell Lane, does not see a problem with the road closing. He asked that the residents be notified and good signage installed.

Walter Pavelchek, 1050 S. New Street, said all the plans for the high school project were signed by the Board of Supervisors.

The Board of Supervisors unanimously approved the closing of Shiloh Road for 90 days.

B. Approve Escrow Release No. 11 Tract 2001-5 McCawley/Jefferson Center Malvern Bank in the Amount of \$13,562.22.

Mr. Layman stated the escrow has been reviewed and approved by Mr. Capuzzi for release this evening.

Mr. Scipione made a motion, seconded by Ms. De Wolf, to approve escrow release No.11, in the amount of \$13,562.22 for McCawley/Jefferson Center/Malvern Bank. Dr. Stokes asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the escrow release.

C. Approve Resolution 2005-9 Planning Module 1503 Charles Road.

Dr. Stokes stated this is a planning module for an on-site system. The Township is required by DEP to approval the module. Mr. Layman said this is being done in order to settle an estate and they do not wish to wait for public sewer. Ms. De Wolf asked the condition of the on-site system. Mr. Layman said they have been unable to sell because of the failing septic system.

Mr. Scipione made a motion, seconded by Ms. De Wolf, to approve Resolution 2005-9 Planning Module 1503 Charles Road. Dr. Stokes asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the resolution.

D. East Goshen Rezoning.

Mr. Layman said East Goshen was required by the Chester County Planning Commission to notify the Townships that might be affected by the zoning change. The zoning change is to allow parking facilities for a project to extend into an adjacent Township. Don Verdiani stated that the Planning Commission has reviewed the zoning change and does not have any concerns. If parking is extended into our Township our regulations would still have to be followed.

Ms. De Wolf made a motion, seconded by Mr. Scipione, that East Goshen's zoning change is acceptable. Dr. Stokes asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the motion.

E. Approve Change Orders Westtown-East Goshen Police Station EL 11.01, EL 12.01 EL 13.01; GC 33.01, GC 34.01, GC 35.01, GC 36.01 and PL 2.01.

Mr. Scipione stated that both he and the architect have reviewed the change orders and they are acceptable for approval this evening. The total amount of the change orders is \$2,250.00.

Mr. Scipione made a motion, seconded by Ms. De Wolf, to approve the following change orders for the Police Station in the amount of \$2,250.00; EL 11.01, EL 12.01, EL 13.01; GC 33.01, GC 34.01, GC 36.01 and PL 2.01. Dr. Stokes asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the change orders

VII. Public Comment (all topics)

There was no public comment.

Ms. De Wolf suggested to Mr. Verdiani that protection against a "Big Box" retail center be included in the zoning changes. Mr. Verdiani said that there are no regulations in our current zoning that would allow this and would discourage this as a condition in the AC/O. There are no commercial areas in the Township for this type of center.

VIII. Payment of Bills.

On the motion of Ms. DeWolf, seconded by Mr. Scipione, the Board of Supervisors unanimously approved payment of the bills as presented.

IX Adjournment.

On the motion of Mr. Scipione, seconded by Ms. DeWolf, the meeting was adjourned.

Respectfully Submitted
Robert Layman,
Township Manager

