

UWCHLAN TOWNSHIP BOARD OF SUPERVISORS MINUTES OF REGULAR MEETING JULY 2008

JULY 14, 2008

The meeting was called to order at 7:31 p.m. by Chairman Frederick W. Gaines and the Pledge of Allegiance was recited.

Present: Supervisors: Frederick W. Gaines, Joseph E. Toner and Milton H. Bozarth; Township Manager Doug Hanley; Building/Zoning Officer Tom Cooke; Township Secretary Lynda Phiel; Treasurer Susan Bernhard; Township Solicitor Guy Donatelli and Sergeant Dave Balben.

Minutes: *The minutes of June 9, 2008 were approved by a motion made by Mr. Toner and seconded by Mr. Bozarth. Mr. Gaines asked for public comment. There being none, the motion was carried.*

BUSINESS:

REPORTS:

Police: Sergeant Balben reported that there were 201 traffic citations, 24 criminal arrests and 31 auto accidents during the month of June.

Treasurer: Ms. Bernhard has submitted her report for the month of June. The following is a list of revenues and expenses:

<u>Fund</u>	<u>Revenues</u>	<u>Expenses</u>
General	\$569,708.77	\$472,999.22
Hydrant	943.09	7,974.00
State Liquid Fuel	768.55	255,040.12
Sewer	98,575.51	332,780.93

Ms. Bernhard reported that the Township has collected almost 61% of its budgeted revenues and spent 47% of its budgeted expenditures.

Road Department: Mr. Hanley reported that for the month of June the Road Department completed the 2008 paving program; repaired and rebuilt catch basins in the High Meadow development; cut brush and tree limbs; repaired sinkholes; repaired and replaced signs; cleaned out culverts; started work on u-drain on Wm. Salesbury Dr.; and serviced and repaired various equipment.

Mr. Hanley also reported that the 2008 paving program was completed under budget, and that the Township has been talking to the blacktop plants to see if they will honor the bid prices agreed to earlier this year. If the companies will honor the bid prices, the Township Road Department will extend the paving program to include additional roads.

Sanitation Department: Mr. Hanley reported that for the month of June:

Daily Average Flow	
Downingtown	1.57 million gpd

There was one sewer connection to DARA and none to the Eagleview Plant during the month of June.

The Township received 1.98 inches of precipitation during the month of June. Year-to-date, there is a deficit of 2 inches.

Fire Marshal: Mr. Hanley reported that Mr. Holmes answered 29 fire calls during the month of June, 7 of which were during work hours; spent 10 hours of work time handling Fire Department activity; conducted fire drills in commercial buildings; and reviewed plans for commercial buildings and inspected those under construction.

Lionville Fire Co.: Mr. Hanley reported that the Fire Company answered 59 alarms during the month of June, 32 of which were in Uwchlan Township. Also, the Fire Company will be getting a delivery of a new fire truck sometime in November.

Mr. Gaines asked Mr. Hanley to find out if false alarms have gone down.

Uwchlan Ambulance Corps: Mr. Toolan reported the Ambulance Corps responded to 224 calls during the month of June, 80 of which were in Uwchlan Township. They have also hired a new Executive Director who will be starting in August.

Mr. Bozarth thanked the Police, Fire, Ambulance, Township staff and volunteers for another successful Community Day.

Resolution No. 2008-13: Saxby's - Final Land Development Plan

Eric Kuhn, Developer, presented the Final Land Development Plan for Saxby's, which will be located in the old Swiss Farm store on Eagleview Blvd. As discussed at a prior meeting, the Orth-Rodgers comments in their review letter of March 20, 2008 have been incorporated into this plan, which also shows a two-way access onto Ruark Rd. and shared dumpster area with Charlees Hamburgers.

The Applicant has also received review letters from E.B. Walsh dated July 2, 2008 and the County dated July 1, 2008, and has no problem complying with any of the comments.

Mr. Gaines asked when is their busiest time? Mr. Kuhn said that early morning and late afternoon are their busiest times, with close to 200 customers/day.

Since the Applicant has received clean review letters, Mr. Toner made a motion to approve the Final Land Development Plan for Saxby's (Resolution No. 2008-13) and Mr. Bozarth seconded. Mr. Gaines asked for public comment. There being none, the motion was carried.

Hankin Group:

1. Wharton Boulevard: Street Lighting

The Hankin Group has previously requested permission on behalf of the Eagleview Homeowners Association to place street lights along Wharton Blvd. between the Town Center and the apartments. There was discussion at that time as to the type and number of fixtures. They have now concluded that the most efficient plan shows 8 Bishop Hook fixtures on 14 foot poles, with lights going on at dusk and turned off around midnight. The style is exactly what is currently in the Live Work area of Wharton Blvd.

Mr. Toner made a motion to approve the street lighting as presented and Mr. Bozarth seconded. Mr. Gaines asked for public comment. There being none, a vote was taken, and passed. Mr. Gaines voted "No".

2. Preliminary Subdivision Plan: Lot #51

Neal Fisher presented the Preliminary Subdivision Plan for approximately 45.9 acres fronting on both Rt. 100 and Eagleview Blvd., behind the Hankin office building. One of the lots, Lot #57, already has a 5-story office building on it. The remainder of the property will be divided into three other lots. There is no Land Development approval requested at this time although the plan shows typical buildings and parking as shown on the original Master Plan for that area.

The Applicant has received review letters from E.B. Walsh dated June 30, 2008; Gannett Fleming dated June 23, 2008; and Orth-Rodgers dated July 1, 2008; and has no problem complying with any of the items.

Mr. Bozarth spoke of his concern that the buildings on each lot will need to meet all zoning requirements. Mr. Fisher said they will be adding notes to the plan specifying that any future land development on the individual lots must be approved by the Board.

Mr. Toner made a motion to approve the Preliminary Subdivision Plan for Lot #51 contingent on compliance with the items in the above listed review letters, and Mr. Bozarth seconded. Mr. Gaines asked for public comment.

Mrs. Gaines, from the Historical Commission, asked if there are still plans to stabilize the tenant house that is located on this acreage. Mr. Fisher acknowledged that the Hankin Group is still committed to doing this.

A vote was taken, and the motion passed unanimously.

3. Resolution No. 2008-14: Eagleview Soccer Field & Baseball Diamond Dedication

4. Resolution No. 2008-15: Eagleview Tennis Court Area Dedication

These Resolutions convey Open Space Parcels J and L, as well as the tennis courts, volleyball courts and basketball court, from the Hankin Group to Uwchlan Township.

Mr. Toner made a motion to adopt Resolution No. 2008-14 and No. 2008-15 and Mr. Bozarth seconded. Mr. Gaines asked for public comment. There being none, the motion was carried.

5. Resolution No. 2008-16: Easement & Quitclaim Bill of Sale for Wharton Blvd. Culvert

This Resolution allows Eagleview Town Center Condominium Association to take over access, inspection, maintenance, repair and replacement of the Culvert under Wharton Blvd.

Mr. Donatelli explained that this is a conveyance of concrete not real estate.

Mr. Toner made a motion to adopt Resolution No. 2008-16 and Mr. Bozarth seconded. Mr. Gaines asked for public comment. There being none, the motion was carried.

Resolution No. 2008-17: LTK Associates Park Land Dedication

This Resolution conveys Parcel No. 33-4-64.1, which is adjacent to the Target property, to the Township to be used as park land.

Mr. Toner made a motion to adopt Resolution No. 2008-17 and Mr. Bozarth seconded. Mr. Gaines asked for public comment. There being none, the motion was carried.

Calvary Chapel: Annual Special Request - Vacation Bible School and Tents

Andy Davis, representing Calvary Chapel, made his yearly request to erect tents for Bible School held on the grounds of the church located on Dowlin Forge Rd., and asked if he needs to return each year. He was told that, in the future, a letter of notification and possession of an approved building permit for the tents will be sufficient for them to conduct this special event.

Mr. Toner made a motion to approve the annual request from Calvary Chapel. Mr. Bozarth amended the motion by adding that, in the future, they need only to get a permit for the tents and send a letter of notification to the Township. Mr. Bozarth seconded the motion. Mr. Gaines asked for public comment. There being none, the motion was carried.

Moser/Rossi: Preliminary Plan Subdivision

Dave Renschler of Commonwealth Engineers presented the Preliminary Plan of Subdivision for the rear residential portion of the Rossi property. The Applicant first appeared with this proposal back in 2005 with a sketch plan showing 25 lots accessible through the Windham Dr. cul-de-sac. At that time, discussion was held regarding another possible connection through the Rossi property to W. Devon Dr. This connection is now shown on the plan as a cul-de-sac, which is extended only to the commercial zoning line/lot line of the Rossi property.

The Applicant has received review letters from E.B. Walsh dated June 2, 2008 and Gannett Fleming dated May 29, 2008; and has no problem complying with any of the items.

Mr. Bozarth asked how will future homeowners be made aware of the possibility of the development being connected to W. Devon Dr. through Rossi's commercial property? Mr. Moser answered that there will be a statement included in the Homeowners Association documents.

Mr. Toner also wanted the Applicant to consider making all prospective buyers aware that the land adjacent to them is zoned commercial and could be developed. Mr. Moser agreed to do this but said that even though homeowners are advised, they still act surprised if and when adjacent property is developed.

Mr. Toner made a motion to approve the Moser/Rossi Preliminary Plan Subdivision contingent on compliance with the review letters listed above, and Mr. Bozarth seconded. Mr. Gaines asked for public comment. There being none, the motion was carried.

Dr. Gottlieb: 30 N. Village Ave. - Land Development Submission

This submission, requiring two variances, is for the conversion of the building at 30 N. Village Ave. into a chiropractor's office. The Zoning Hearing is scheduled for August 19th.

The plan will be sent out for the various reviews.

Hoffecker House: Route 113 - Historical Commission Recommendation

The Township has received a letter of recommendation from the Historical Commission to seek bids for the sale and movement to another location of the Hoffecker house that is currently located on Route 113.

Mrs. Gaines, representing the Historical Commission, noted that there is a possibility that there may be artifacts on the property, and suggested that the porches be removed so there will be easier access to the basement, which may date back to the 1800's. After the property is searched for artifacts, it can be moved or demolished.

Mr. Bozarth asked if there is a cost estimate for the search of artifacts. Is it worth investing the time and money? Mrs. Gaines said there is no cost estimate yet, but feels the artifact search is necessary. Once the house is demolished, it will be too late.

Mr. Toner stated that he is willing to allow the removal of the additions, subsequent excavation to search for artifacts, and if nothing is found, sale of the building. The other Supervisors also agreed.

Township staff and Mrs. Gaines will coordinate their efforts to this end.

Township Debt Restructuring:

Mr. Hanley requested permission to pay down the principle on a \$970,000 loan used for building renovations. This would increase the loan payment by \$5,000.00 a month.

Mr. Toner made a motion to approve the restructuring of the Township debt as presented and Mr. Bozarth seconded. Mr. Gaines asked for public comment. There being none, the motion was carried.

ANNOUNCEMENTS:

1. 08/06 - Planning Commission - 7:30 p.m.
2. 08/11 - Board of Supervisors - 7:30 p.m.
3. 08/14 - Historical Commission - CANCELLED

OPEN TO THE PUBLIC FOR QUESTIONS AND COMMENTS

Mr. Toner announced that prior to tonight's meeting the Supervisors interviewed Mike Ryan to fill the position of alternate member on the Zoning Hearing Board.

Mr. Toner made a motion to appoint Mr. Ryan as an alternate member to the Zoning Hearing Board and Mr. Bozarth seconded. Mr. Gaines asked for public comment. There being none, the motion was carried.

Mr. Toner also commended Township staff on the success of Uwchlan's Community Day.

Mrs. Gaines announced that the Historical Commission's Walking Tour of Lionville on June 26th was a success. She also noted that there are similar tours throughout Chester County during the summer months.

There being no other business, Mr. Bozarth made a motion to adjourn the meeting at 8:31 p.m. Mr. Toner seconded and the motion was carried.

Respectfully submitted,

Lynda Phiel
Township Secretary

/jc

