

UWCHLAN TOWNSHIP BOARD OF SUPERVISORS

MEETING MINUTES June 2007

June 11, 2007 / June 29, 2007

June 11, 2007

The meeting was called to order at 7:30 p.m. by Chairman Frederick W. Gaines and the Pledge of Allegiance was recited.

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

Mr. Gaines welcomed a group of Boy Scouts to the meeting. All are working on their Citizenship Badge.

Minutes: The minutes of May 29, 2007 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 322 traffic citations issued, 29 criminal arrests and 31 auto accidents during the month of November.

Mr. Gaines asked if the unregistered solicitors selling laundry products were stopped. Sergeant Balben said he did not have that report.

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

Fund	Revenues	Expenses
General	\$1,644,369.00	\$ 628,620.19
Hydrant	4,215.84	7,974.00
State Liquid Fuel	1,486.86	19,420.37
Sewer	303,300.67	350,504.91

Ms. Bernhard reported that the Township has collected almost 60% of its budgeted revenues and spent almost 40% of its budgeted expenditures.

Road Department: Mr. Hanley reported that for the month of May the Road Department repaired numerous catch basins; milled and performed base repair work to roadways that are scheduled for paving; and serviced and repaired various equipment.

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

Daily Average Flow:

Downingtown 1.85 million gpd

There was one new sewer connection to DARA and 4 new connections at the Eagleview Plant during the month of May.

The Township has received 2.88 inches of precipitation during May. Year-to-date, there is a surplus of 3.34 inches.

Mr. Hanley also reported that sewer line repairs will begin tomorrow along Ship Rd.

Fire Marshal: Mr. Holmes reported that he answered 27 fire calls during the month of May, 8 of which were during work hours; spent 5 hours of work time handling Fire Department activity; reviewed plans for commercial buildings and inspected those under construction; and taught a Fire Safety Class to an area pre-school.

Lionville Fire Co.: Mr. Holmes reported that the Fire Co. answered 57 alarms during the month of May, 41 of which were in Uwchlan Township. Also, the Annual Robert G. Holmes Memorial Golf Tournament is scheduled for this Saturday in Lancaster, PA.

Uwchlan Ambulance Corps: Jim Ianuzzi reported that the Ambulance Corps responded to 257 calls during the month of May, 83 of which were in Uwchlan Township.

Facilities Committee: Mr. Cooke reported that the painting of the rest of the Township offices will begin later in the week and plumbers have found and repaired the steam pipe leak on the first floor of the office building.

Audio-visual equipment is scheduled to be installed in the new meeting room at the end of July.

The Board accepted the Reports as submitted.

DiGiore - 36 S. Village Ave.: Conditional Use

Mr. Donatelli has drafted the Decision & Order that would allow the Owner of this property to use the property as a business office. The Conditions are listed below but are not limited to:

1. Applicant shall comply with all comments and recommendations set forth in Exhibit B-5.
2. Applicant shall comply with all stormwater infiltration requirements of the Township as determined by the Township Engineer.
3. Applicant shall install a fence along the property boundary adjacent to the new parking area.
4. The total number of employees and office personnel occupying the building on the property shall not exceed three persons.
5. The parking lot shall be lighted to a level of illuminance approved by the Township Lighting Engineer with the use of residential scope lighting fixtures, with said fixtures to be operated by a photo cell and timer that extinguishes the fixtures at no later than 9:00 p.m.

Mr. Bozarth made a motion to accept the Conditional Use Decision as presented and Mr. Toner seconded. Mr. Gaines asked for public comment. There being none, the motion was carried.

LTK/Target: Acceptance of Conditional Use Decision

The Township has received a letter dated June 5, 2007 from LTK and Target accepting the Conditional Use Decision as written.

LTK - Lot #4 - Eagleview Blvd.: Preliminary/Final Land Development

Mr. Townes presented the plan showing a 16,000 s.f. addition to the previously approved Lot #4 building which is under construction on Eagleview Blvd., next to Genuardi's Shopping Center. Additional proposed improvements include 35 parking spaces and modification of the existing stormwater conveyance system. The Applicant has received review letters from E.B. Walsh dated June 4, 2007 and Stanley Stubbe dated May 24, 2007; both showing minor items which Applicant agreed to comply with.

Mr. Donatelli was asked by the Planning Commission for his opinion as to whether a Conditional Use Hearing is required since the building is greater than 40,000 s.f. Mr. Townes explained that there was a Hearing for the Master Plan of Eagleview Blvd. that granted a maximum of 700,000 s.f. total. With this addition, the square footage will still be under the 700,000. Mr. Donatelli said an additional hearing was not required.

Mr. Toner made a motion to approve the Preliminary/Final Land Development Plan and Mr. Bozarth seconded. Mr. Gaines asked for public comment. There being none, the motion was carried.

Planning Commission Ex-officio Appointment: John Marbach

Mr. Toner made a motion to formally appoint Mr. Marbach as an ex-officio member of the Planning Commission and Mr. Bozarth seconded. Mr. Gaines asked for public comment. There being none, the motion was carried.

ANNOUNCEMENTS:

1. 06/13 - Historical Commission - Cadwalader House - 7:30 p.m.
2. 06/14 - U. T. Municipal Authority - 4:15 p.m.
3. 06/27 - Zoning Hearing Board - Decisions for Creeger, DiGiore and Williamsburg Homeowners Association - Variance Hearing - Hujsak, 202 Allen Dr. - 7 p.m.
4. 07/09 - Board of Supervisors - Regular Meeting and Decision for Hankin Town Center Condominiums Conditional Use - 7:30 p.m.
5. 07/11 - Planning Commission - 7:30 p.m.

OPEN TO THE PUBLIC FOR QUESTIONS AND COMMENT

Mr. Hanley requested permission to advertise for adoption next month the new Sewer Use Ordinance currently being drafted by Gannett Fleming. The Board gave their OK.

Mr. Toner thanked Ms. Bernhard for handling a situation with the Batchelor family.

Mr. Toner also said it was nice to see two representatives from the Ambulance Corps in attendance.

The Boy Scout leader in attendance mentioned how reasonable Uwchlan Township taxes are and the Township should be commended for keeping them low.

Mr. Tricome, a resident from West Pikeland approached the Board members asking them to support noise walls along the Turnpike where it borders residential areas. The Turnpike Commission is planning to widen the roadway over the next 10 years.

Mr. Hanley stated that the Liongate Homeowners' Association has contacted the Township with a similar concern, but he feels doing anything now would be premature. Construction is not expected until 2015.

The Board members agreed that when the time comes, they will consider approaching the Commission to request noise barriers, although sometimes the barriers make the problem worse.

Mr. Gaines announced that the Board will enter into an Executive Session following the meeting to discuss a legal issue.

There being no other business, Mr. Toner made a motion to adjourn the meeting at 8:00 p.m. Mr. Bozarth seconded and the motion was carried.

June 29, 2007

The meeting was called to order at 10:04 a.m. by Chairman Frederick W. Gaines and the Pledge of Allegiance was recited.

Present: Supervisors: Frederick W. Gaines, Milton H. Bozarth and Joseph E. Toner; Township Manager Doug Hanley; Building/Zoning Officer Tom Cooke; Township Solicitor Guy Donatelli (arrived late) and Lieutenant Pontarelli.

BUSINESS:

Police:

Citing the recent retirements and resignations from the police department, Mr. Toner made a motion to approve the hiring of three (3) new police officers contingent on those prospective officers successfully completing the testing and review procedures established by the police department. The motion was seconded by Mr. Bozarth. Mr. Gaines asked for public comment, there being none, the motion was carried.

Hankin - Withdrawal of Condition Use Application - 80-unit condominium building:

Mr. Hanley read a letter from Denise Yarnoff, attorney for the Hankin Group, dated June 27, 2007, in which she advises that the Hankin Group is formally withdrawing their application for conditional use for an 80-unit condominium building in the Town Center that was filed April 5, 2007.

Mr. Toner made a motion to accept the letter, motion was seconded by Mr. Bozarth. Mr. Gaines asked for public comment, there being none, the motion was carried.

Hankin - Proposed condominiums/hotel - Town Center:

Robert Hankin, Jim Fuller and Rick Guarini, all of the Hankin Group, made a presentation regarding the construction of another condominium building and a hotel in the Town Center of the Eagleview development. Mr. Hankin said that they had heard the concerns voiced at the recent hearing on their previous submission and were here to address them. He then presented a new plan that showed a 72-unit condominium building where the previous 80-unit building was proposed along with a 98-unit hotel on the pad site located northwest from the condominium site. The condominium building would be at least 75 feet from Wharton Boulevard at its closest corner and be the same height as the previous proposal. The hotel would be at least 28 feet from Wharton Boulevard and would be about 50 feet in height, later in the meeting revised to 30 feet in height.

Much discussion ensued, with Mr. Bozarth stating the following:

- 1) For every foot in height, a building must be setback from the nearest road by at least the same number of feet;
- 2) With a 350 foot long building, there must be more than adequate fire department access around the entire building;
- 3) The parking for the entire Town Center complex must be reviewed to insure there is proper parking provided for all uses, current and proposed;
- 4) As far as traffic is concerned, all intersections in the immediate area as well as any others as determined by the Township traffic engineer must be studied, and,
- 5) The riparian buffer adjacent to wetlands/streams must be preserved to the best extent possible.

Mr. Toner asked questions regarding the hotel and said a building that is a maximum of three (3) stories in height is balanced with the area and works much better than the previous one proposed by Mr. Hankin. Mr. Gaines agreed and said he was more comfortable with what was being proposed now, the 72-unit condominium building with the setbacks previously mentioned and a three (3) story hotel with a 28-foot setback from Wharton Boulevard and thirty (30) feet in height to the eve of that building. Mr. Toner also advised Mr. Hankin if it was possible, they should do both buildings at the same time in order to minimize the disruption in both noise and debris to the area.

Mr. Hankin said he would utilize these ideas in his new conditional use application for a 98-unit hotel and a 72-unit condominium building.

While here, Mr. Guarini discussed with the Board some new signage ideas for Eagleview. Saying that people have complained about getting "lost" in the development, Mr. Guarini said the Hankin Group is suggesting some new directional-type signage, all of which would be maintained by them and be installed at various locations within the development. A concern was expressed about allowing this for this development and then having to do the same for others in the future. Mr. Gaines and Mr. Toner both expressed concerns about emergency vehicles and the need for them to be able to find things quickly, any sign additions should help with that. Mr. Bozarth said the concept sounded "about right". The Hankin Group will return in the near future with specific proposals.

Mr. Bozarth then raised a concern about the current Farmer's Market in Eagleview. He said that it is becoming a flea market, out of the 12 or so stands there, only 2 are selling food. Concern was expressed that this was not

the intent of the market's approval, the situation will be further monitored.

Proposed Stop Sign - Oxford Lane/ Ravenwood Road:

Mr. Hanley announced that John Caruolo, the Township traffic engineer, had reviewed a complaint about this intersection and has recommended a stop sign be installed on the Oxford Lane approach to this intersection. An ordinance approving such will be advertised for consideration at the next Board meeting July 9.

Other Business:

Mr. Cooke raised the matter of a previous approval for a land development plan for the construction of a 15,000 square foot office building on West Devon Drive directly behind the Calvary Fellowship Church. On February 14, 2005, the Board of Supervisors approved Resolution 11 of 2005 wherein formal approval of this plan was granted, however, the Resolution was only effective for ninety (90) days. Mr. Cooke, stating there is another builder who has acquired the site and wishes to proceed with construction, requested that the Resolution be reaffirmed or extended since the only change to the plan has been to add a portion of a basement to the building, with that additional space to be used only for storage. Mr. Donatelli said an extension would be in order if the Board agreed.

Mr. Toner made a motion to extend Resolution #11 of 2005 to September 1, 2007, and Mr. Bozarth seconded. Mr. Gaines asked for public comment. There being none, the motion was carried.

There being no other business, Mr. Toner made a motion to adjourn the meeting at 11:20a.m. Mr. Bozarth seconded, and the motion was carried.