

**West Vincent Township
Board of Supervisors Meeting**

January 19, 2009 9:00 AM

Attendance: Chairman Kenneth Miller, Vice Chairperson Zoë Perkins, Barry DiLibero, Township Solicitor Michael Crotty of Siana, Bellwoar & McAndrew, LLP, Special Counsel James McMaster, Township Engineer Ken Yerger, Township Manager Jim Wendelgass and Township Secretary Tammy Swavely.

Reports:

Township Building: No report.

Township Manager Report: The Township Manager Report for the week ending 1/17/09 was acknowledged as submitted. Wendelgass added that there will be a Park and Recreation Committee meeting tonight at 7:00 PM.

Active Subdivision List: An Extension Request was received from Alyson Zarro, Esq. representing Orleans Homebuilders. Perkins made the motion to accept the extension request until 4/25/09 for Phase 2 of the Eagle Farms Subdivision. This motion was seconded by DiLibero which carried unanimously.

Police Report: The police report for the month of December 2008 was acknowledged as received.

Road Master Report: Kenneth Miller submitted his report for the last two (4) weeks ending 1/11/09 which was acknowledged as received.

Bills List: The Bills List was reviewed. Perkins made the motion to approve the Bills List dated 1/16/09 in the total amount \$38,594.55. DiLibero seconded the motion which carried unanimously.

Correspondence:

A request was received to use the Township Building from the Airedale Terrier Club. Perkins made the motion to permit the Airedale Terrier Club **to use the meeting room on 2/15/09**. DiLibero seconded the motion which carried unanimously.

Information regarding the Pennsylvania State Association of Township Supervisors Convention from April 19-22, 2009 in Hershey, PA was acknowledged as received. If anyone wants to attend the conference they should contact Township Secretary Swavely.

Subdivision/Land Development:

Wetherhold/Remington: Brown Vincent, Bentley Homes, and Chad Chamber, Bursich Engineering, came to discuss outstanding items before Final Approval is considered by the Board. The Planning Commission voted to support the current plans and waivers as submitted at their December 18, 2008 meeting. Mr. Vincent would like Final Approval at the next Board Meeting. He listed the four (4) waivers that the plan needs: (1) Section 605.F – Lots and Lot Sizes (lot depth to width ratio waiver request for proposed lot 3 due to the geometric constraints of the parcel and the desire to provide as many lots as possible with gross area of at least 10 acres); (2) Section 606.M.1 – Shared Driveways (allowing no more than 3 lots on a shared driveway, whereas a waiver was requested to allow 5 of the 6 proposed lots to share a single driveway due to the geometric constraints of the subject parcel); (3) Section 612.C – Sidewalks/Walking Paths (requiring sidewalks, whereas a trail is being proposed in the alternative); (4) Section 617.H – Requirements for Archeological Studies (requiring archeological study, whereas the applicant requests that such be provided only if historical resources are discovered). The Board does not have any issues with any of these waiver requests. The other item Mr. Vincent would like to discuss with the Board is the amount of the fee in lieu. This is for the Township to make the road improvements to Beaver Hill Road. After speaking with Township Engineer Ken Yerger and he has provided a cost analysis estimate for the Beaver Hill Road improvements in the amount of \$128,000.00, which includes advertising for a public bid, inspections and design costs. All of these items can be included in the Developers Agreement.

PNC Land Development: Neal Fisher, the Hankin Group came to discuss The Hankin Group's part of this land development. Approximately a year ago, PNC submitted a sketch to redevelop the former Exxon Station with many access points. This required several variances and the Planning Commission suggested the Applicant approach The Hankin Group for an interconnection. After meeting with them, accesses were created from the Hankin commercial at 401 and Birchrun Road and a connection from Route 100 into the Weatherstone Commercial area. Ten (10) parking spaces will be on the Hankin property. A variance is required to do this since it would result in the Hankin property exceeding the permissible impervious coverage. The greenway that will be created at the intersection of Routes 401 and 100 is just under an acre. The new plan provides for both pedestrian and vehicle circulation. Weatherstone's impervious coverage is now 74.9%, but, with the necessary right-of-ways and the shared parking, the impervious coverage would increase to 76.2%. At the ZHB Hearing on Tuesday, January 14, 2009, the ZHB was concerned over their capability to rule on the proposed increase in the impervious coverage since it was covered in the Settlement Agreement with the Hankin Group. Jim McMaster, Special Solicitor for West Vincent Township, informed the Board that there are provisions in the Settlement Agreement that allow for modification of the plan and that Hankin has the ability to submit a plan and to modify the settlement plan. There are issues with stormwater, but Mr. Fisher stated these could be addressed at land development. Mr. McMaster stated that this is procedural and that they can inform the Zoning Hearing Board that the Board of Supervisors will handle the issue as part of the

Settlement Plan and they do not have to rule on this issue. Mr. McMaster will send a letter to the Zoning Hearing Board to inform them of the Board of Supervisors position. Mr. Fisher informed the Board that if PNC does not get the approvals it needs from the Zoning Hearing Board, then the revised Settlement Agreement will not be necessary. Once PNC gets its necessary approvals, a plan could be submitted for approval. Mr. Fisher would like to do them simultaneously. Mike Malloy, Esq. representing the Hankin Group stated he will contact Michael Gill, Esq. for PNC and come back to the Board.

Eagle Farms: An Escrow Release Request #4 was received from Toll Bros. for the Eagle Farms Subdivision. Perkins made the motion that this request for the Ewing Tract for Sanitary Improvements on Bond #8878003 from Toll Bros. be forwarded to Carroll Engineering for review and recommendation. This was seconded by DiLibero and carried unanimously. A second Escrow Release Request #4 was received from Toll Bros. for the Eagle Farms Subdivision. Perkins made the motion that this request for the Ewing Tract for Site Improvements on Bond #8878004 from Toll Bros. be forwarded to Carroll Engineering for review and recommendation. This was seconded by DiLibero and carried unanimously.

Old Business:

In December 2008 Barbara Cohen, President, **The Schuylkill River Heritage Center** came before the Board of Supervisors with a request for a donation towards the reconstruction of a **1895 Ferris wheel**. This was built in Phoenixville and was at Asbury Park, New Jersey after it was constructed. The idea was to enlist different Townships to sponsor a basket for \$5000.00. The Board feels that this is a lot of money in this type of economy and do not feel it is appropriate to commit the Township to spend taxpayer's money in this way at this time. Miller stated that there were several conditions precedent that had to happen in order for the Ferris Wheel to ever get reconstructed other than the fundraising. Perkins will write a letter to inform Mrs. Cohen of the Board's decision.

Chairman Miller stated that he met with John Hoekstra, Green Valleys Association and Michelle Adams, P.E. hired by concerned citizens on **Hill Top Road** to get ideas for alternative methods to handle the stormwater on Hill Top Road. At this meeting, they gave Mr. Miller no indication of ideas by which to handle the stormwater. They instead recommended that the Township consider consulting the Penn State Dirt Roads Project which has studied dirt roads. Ken Yerger, Township Engineer will contact Penn State Roads project. Kate Stanton, 1683 Hill Top Road, Tax Parcel 25-4-29, has ostensibly taken on leadership of this group and informed Miller that all residents on Hill Top Road want to be involved. The group now will also include residents on Sheeder Mill Road all the way to the bridge. The basic problem is the stormwater, but this meeting did not give Miller any direction as to proposals to handle it. Eventually stormwater controls will be necessary on Hill Top Road. The only direction the residents gave was that they do not want the road paved. Miller provided a sketch but has not heard back from the group. It was understood that John Hoekstra was going to present alternate plans, but none have yet been submitted. After discussion, it was determined that Wendelgass will ask the

residents for a plan and tell them that we will be waiting to hear from them for a resolution to the stormwater problem.

Business from the floor:

Jim Hall, Weatherstone HOA, stated that the HOA is getting bills from Aqua PA on 16 fire hydrants in Weatherstone in the total amount of \$800.00 a month. Swavely informed him that the Township has determined the fire hydrants that it is paying for in Weatherstone but it took several months to get any answer from Aqua PA. It appears that many, if not all but two (2), are already being paid for by the Township once it took dedication of them last year. Mr. Hall will need to contact Aqua PA in order to proceed and he may wish to contact the PUC for assistance.

Miller announced that there would be an **Executive Session** immediately following the regular meeting to discuss litigation and real estate.

Perkins made a motion to adjourn, DiLibero seconded, and the motion passed unanimously.

Meeting Adjourned 10:22 AM

Respectfully Submitted,

Tammy Swavely
Township Secretary