

**WEST VINCENT TOWNSHIP
BOARD OF SUPERVISORS
MINUTES – JULY 9, 2001**

The regular meeting of the West Vincent Township Board of Supervisors was held on the above date at the Township Building. Chairman Kenneth Miller called the meeting to order at 7:37 p.m.; others in attendance were Supervisor Zoë Perkins and Township Manager Allen Heist.

Minutes:

Unanimous approval was granted for minutes of June 4, 11, 18, and 25 upon a motion from Mrs. Perkins and second from Mr. Miller.

Reports:

Treasurer's Report – The following June 30, 2001 account balances were reported: General Fund, \$203,935.71; State Fund, \$97,163.81; Kimberton Sewer Fund, \$38,944.30; Township Building Loan Fund, \$715,219.88; St. Stephens Greene Sewer Fund, \$23,291.19; St. Stephens Greene Water Fund, \$23,732.55.

Police Report – Police Chief Karl Jones reported that the Police Department responded to 70 calls in June; the State Police handled 37 additional calls. The Department investigated one residential burglary, one attempted theft, four minor accidents, several incidents of illegal dumping along Beaver Hill Road and Horseshoe Trail, and several bear sightings in the area of Routes 401 and 100; a stolen truck was recovered.

Supervisor Karl Brachwitz and Township Solicitor Allan Greenwood arrived at 7:39 p.m. and 7:43 p.m. respectively.

Peter Berthold, Project Manager for Pennsylvania Department of Transportation, Engineer Joseph Riley of Ammann and Whitney, and Con/Span Manufacturing Representative Richard Tate were present to report on the status of the **South Chester Springs Road Bridge** replacement project. The 21' wide stone masonry arch bridge partially collapsed November 17, 1999 due to a storm event and the remaining bridge section was removed. The new 26' bridge will consist of a Con/Span precast concrete arch system with stone facing, rustic guiderail, and timber posts. Completion of the design and permitting phase is planned for late Fall or early Winter 2001; construction is projected to begin Spring 2002 and completed Summer 2002. The estimated cost of the project is \$400,000. Residents Jeanne Dufour O'Brien, Larry Shontz, Hanno Springer, and Jane Gaffer questioned the wider bridge span since it ties into a 17' to 18' wide roadway (current PennDOT design standards designate 26' as the minimum criteria for the road classification), signage, and speed limit concerns. Mr. Berthold will look into the signage and speed limit issues and respond to Manager Heist.

Correspondence:

Manager Heist advised the Board of satisfactory final reports received on the audits of the **Magisterial District Court 15-3-01** and **Berkheimer Tax Administrator** for the year ended December 31, 2000.



Notification was received from PennDOT informing of the road-widening project scheduled for *Route 401* between Route 100 and Route 345 starting in July 2002.

Philadelphia Suburban Water Company submitted its annual 2000 Consumer Confidence Report summarizing the quality of water PSW provided their customers; PSW has a franchise area in the Township.

The Board regretfully accepted resignations from *Craig Hannafin*, EAC Chairperson and *Pamela Shillingford-Brown*, EAC Vice-Chairperson. Craig will be relocating to Boston in the near future; Pam, a founding member of the EAC, no longer has the necessary time due to work and personal obligations. Both women will be missed immensely!

Subdivision/Land Development/Zoning:

Richard Guarini and Eileen Golden of The Hankin Group, and Elizabeth Witmer, Esquire were present to review the draft *Weatherstone Preliminary Plan* approval conditions. Ms. Witmer read Conditions 1-6 and 8-17, which are uncontested, into the record. The applicant requested that Condition 18, pertaining to receipt of the Sewage Facility Planning Module and Part II permit approval by DEP and Condition 19, pertaining to receipt of all required road occupancy and traffic signal permits from PennDOT conclude with the phrase "..... *prior to final plan approval*"; the Board concurred.

A lengthy discussion ensued regarding Condition 7, which pertains to the conversion of the connector road from a two-way road to a one-way bypass road, specifically design and who will pay for the conversion. Both parties agreed to the following revision of Condition 7: "*An extra ten (10) feet of right-of-way shall be added to the Route 100 connector road along the Zarichniak property (tax parcel #25-7-5 1) line from road marker RWC-83 and extending 11 degrees 59'51" for approximately 612 feet to the Birchrund Road right of way resulting in the connector road right-of-way being in substantial part sixty (60) feet in width. Developer shall provide a concept plan sketch regarding the conversion of the connector road from a two-way road to a one-way bypass road, it being understood that the concept sketch shall be limited in scope to matters related to the landscape barrier and to the conversion of the space that shall result should the said barrier be removed. The parties shall work together in an effort to reach agreement regarding the same. It is understood that both the Township and the developer reserve the right to take differing positions regarding the question of who shall be responsible for payment for the cost of conversion, as described above, under the terms of the Conditional Use Decision of the Board of Supervisors of 5-27-99*".

Mr. Brachwitz moved to approve the written form of the motion (attached) submitted to the Board of Supervisors prior to the meeting with substantial changes in Condition 7 as described above and the addition of "prior to final plan approval" in Conditions 18 and 19; the motion was seconded by Mrs. Perkins and carried unanimously. Mr. Miller and Mr. Guarini initialed and dated the changes and the Hankin Subdivision - Weatherstone Preliminary Plan Motion of Approval dated 7-9-01 was signed by the Board and Richard Guarini, accepting on behalf of West Vincent Associates, Ltd.

607855

HANKIN SUBDIVISION-WEATHERSTONE
PRELIMINARY PLAN MOTION OF APPROVAL
WEST VINCENT TOWNSHIP BOARD OF SUPERVISORS

7-09-01

It is moved that preliminary plan approval be given to the Hankin/ Weatherstone subdivision application under and subject to the following conditions:

1. The label of the plans shall be changed from "Preliminary/Final" to "Preliminary."
2. Township traffic engineer to confirm the adequacy of the revised provision of left turn lane for "Access C."
3. The preliminary plan shall show a detail for the mountable concrete curb at the Linden/Fellowship Road intersection and "Do Not Enter" signs will be added to the segment bringing southbound traffic onto Linden from Fellowship and the construction phase line shall be adjusted to include the Linden/Fellowship Road improvement. The township traffic engineer to confirm the adequacy of the revised design. The homeowners association ("HOA") documents shall include provision for island landscaping maintenance satisfactory to the township.
4. The trail note on page ___ shall be expanded to include "the location, alignment or extent of the trail may be modified after consultation with the Township EAC. Points for interconnection with existing trails will be identified with provisions made for interconnection if so desired by the Township." The same note shall be added regarding the Bailey Farm equestrian/pedestrian trail detail. The Bailey Farm equestrian/pedestrian trail shall not be paved. The Trail Paving Detail for the pedestrian trail shall show a six-foot wide trail having a 6" stone base and 2.5 inches of bituminous paving.
5. The water quality volume treated as part of the storm water management system shall be an average of 92% across the site, as shown on and in accordance with the attached Exhibit 1 (page 1 of the letter of Biohabitats to Richard J. Guarini, P.E. dated June 21, 2001). The applicant will provide a detailed plan identifying the required protection measures during site disturbance for each Best Management Practices ("BMP") proposed, a detailed management plan for each BMP to ensure the longevity of the BMP, a more readable format of basin designs for construction purposes (Sheets 66B-66F), construction specifications identifying the type of materials for the improvements, and revised details on Sheets 66B-66F to be consistent with basin elevations in the plan set. All the foregoing is to be approved by the township engineer prior to final plan approval.
6. The HOA documents shall state that active recreational facilities in the HOA controlled open space shall be determined by the HOA. In the event that the HOA determines it wants a tot lot the same shall be provided by the developer in accordance with the detail therefor as contained within the preliminary

Developer shall provide a concept plan sketch

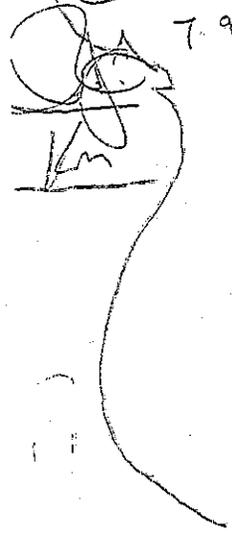
in substantial part

in width

plans. The Declaration of Covenants shall incorporate conservation land management guidelines prepared by the Natural Lands Trust
7. An extra ten (10) feet of right-of-way shall be added to the Route 100 connector road ("connector road") along the Zarichniak property (tax parcel #25-7-5.1) line from road marker RWC-83 and extending 11 degrees 59'51" for approximately 612 feet to the Birchrun Road right of way resulting in the total connector road right-of-way being sixty (60) feet. It shall be a condition of final plan approval that the township traffic engineer shall be satisfied, as a condition of final plan approval, regarding the plans for the conversion of the connector road from a two-way road to a one-way bypass road, it being understood that these conversion plans shall be limited in scope to matters related to the landscape barrier and to the conversion of the space that shall result should the said barrier be removed. Developer shall provide the Township with a concept sketch showing the conversion as above described and the parties shall work together in an effort to reach agreement regarding the same. It is understood that both the Township and the developer reserve the right to take differing positions regarding the question of who shall be responsible for payment for the cost of conversion, as described above, under the terms of the Condition Use Decision of the Board of Supervisors of 5-27-99. Thus, the Township shall have the right to reject the final plan in the event it is not satisfied as to conversion plans. The Township shall have the right to reject the final plan in the event there is a dispute regarding whether or not the developer is responsible for the costs of converting the connector road into a bypass road. The developer shall have the right to appeal the Township's rejection of the conversion plans or the rejection of the final plan if, but not limited to, the Township bases that rejection on a refusal on the part of the developer to pay for the cost of conversion.

the concept sketch

7-9-01



- 8 Agreement between the parties prior to final plan approval regarding the extent of improvements to Westover Lane and Fellowship Road. It is noted that both the developer and the township are reserving their rights regarding the question of whether the developer's obligation to do the said road improvements is limited to the impact fee fund.
- 9. The acceptance by the township engineer of the redesign of the horizontal location of the water main per section 608.B. of the township subdivision and land development ordinance.
- 10. On sheet 39, a line shall be added indicating the connection of inlets 68 and 69.
- 11. Review and approval of the Declaration of Restrictive Covenants by the township solicitor prior to final plan approval.
- 12 Review and approval of the Escrow Agreement for subdivision improvements by the township solicitor prior to final plan approval
- 13. Review and approval of the Development Agreement by the township solicitor prior to final plan approval.
- 14. Open space shall be offered for dedication to the township as soon as the improvements therein have been completed, it being understood that the township is not then required to accept the offer.

- 15. Execution by the Chester County Court of Common Pleas prior to final plan approval of the Settlement Agreement and Order in *Huston, et al. v. Board of Supervisors of West Vincent Township, et al.*, No 99-05457.
- 16. Birchrun Road shall not be widened except as shown on the Penn DOI Highway Occupancy plans, it being understood the developer shall not unilaterally alter the existing application.
- 17. Conveyance of the Upper Uwchlan lots to the West Vincent Land Trust once the final plan has been approved and signed by the township.
- 18. Receipt of the Sewage Facility Planning Module and Part II permit approval by DEP *prior to final plan approval.*
- 19. Receipt of all required road occupancy and traffic signal permits from Penn DOI *prior to final plan approval.*

7-9-01
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It is understood that if the township is not satisfied as to the resolution of the above conditions, or any of them, the same may form the basis of a rejection of the final subdivision plan subject to the right of the applicant to contest the validity and sufficiency of any such rejection.

West Vincent Township Board of Supervisors

[Signature]

[Signature]

Date: July 9, 2001

Agreed to and accepted.
 West Vincent Associates, Ltd.

By: *[Signature]*

Date: July 9, 2001

Biohabitats

incorporated

June 21, 2001

Richard J. Guzzini, P.E.
The Hankin Group
717 Constitution Drive
P.O. Box 562
Exton, PA 19341

Post-It® Fax Note	7671	Date	# of pages 3
To	ALLAN	From	CRAY
Co./Dept		Co.	
Phone #		Phone #	
Fax#	610 935-9128	Fax#	215 348 8257



15 West Aylesbury Road
Termonium, Maryland 21083
410-377-3558
fax/410-583-5678
e-mail/ecom@biohabitats.com

RE: Stormwater Management BMPs for Weatherstone Development
Biohabitats Project No. 00Q32.01

SUBJ: Water Quality Volumes

Dear Mr. Guzzini:

Ecological Assessments
Ecological Planning
Ecological Restoration

We have completed a review of the stormwater management basins and their drainage areas. In addition to water quality enhancements to the detention basins (e.g., 6-in of water storage in wetland marsh bottoms), we have identified bioretention systems to provide stormwater quality treatment prior to discharge to the stormwater basins and recharge beds. In addition, we have identified a number of other water quality BMPs which were already present on the project site or could be easily incorporated into the project design.

The water quality volumes, the water quality volumes treated, and the proportion of the water quality volume treated for each basin are summarized below.

100% recycled paper

Basin	Calculated WQv (Acre-feet)	Treated WQv (Acre-feet)	Percentage Treated
I-A	0.701	0.701	100.0
I-B	0.247	0.531	215.2
II-A	0.248	0.237	95.9
II-B	0.375	0.272	72.5
III	0.614	0.388	63.2
IV	0.439	0.150	34.2
V	0.249	0.263	105.6
VI	0.182	0.217	119.8
VII	0.125	0.167	133.6
SUM	3.18	2.93	92.1

The types of BMPs used to increase the proportion of the 1-in water quality volume treated are outlined below.



• Fostering Ecological Stewardship •

Exhibit 1 (7-09-01)

Jane Vasile voiced her concern that the conversion issues were not addressed during the Conditional Use Hearings and Decision Order and resents, as a taxpayer, the potential responsibility for any costs relating to the conversion.

Regarding the possible groundwater mounding elevations for the middle lagoon of the Weatherstone spray irrigation system, the applicant would like to leave the design as is and install a french drain along the topside of the lagoon to intercept any groundwater mounding. DEP recommends that the issue be addressed as part of the Water Quality Management Part II permit application preparation process. The Township Engineer will review possible solutions.

The Board unanimously acknowledged receipt of a preliminary/final subdivision plan for the *Water H. and Betty L.G. Dunning* property, 2057 Conestoga Road (tax parcel #25-10-14), for two lots on 15.633 acres in the R3 Zoning District upon a motion from Mr. Brachwitz and second from Mrs. Perkins. Mrs. Perkins asked if the Final Subdivision Plan of Oakengates restricted this lot against further subdivision; the issue is being investigated by the Township Engineer and Zoning Officer.

Old Business:

A *Regional Planning/Zoning Meeting* is scheduled for Thursday, July 12th at the Phoenixville Borough Hall Council Chambers Room to explore the partnership of regional planning using Phoenixville as the urban center; Mrs. Perkins, Mr. Miller, and Mr. Heist plan to attend.

Manager Heist reported working on obtaining a building design consultant list; a consultant will be contracted to re-evaluate and modify the *Township Building Project Plans* for the Evans property within budget requirements.

Mrs. Perkins requested an executive session immediately following the regular meeting to discuss real estate matters pertaining to Ludwigs Corner.

Bills List:

Mr. Brachwitz made a motion to pay the bills on the Bills List dated July 9, 2001; it was seconded by Mrs. Perkins and carried unanimously.

There being no further business, Mr. Brachwitz moved that the meeting be adjourned; the motion was seconded by Mrs. Perkins and the meeting was adjourned at 9:38 p.m.

Respectfully Submitted,

Cinda M. Clover