

WILLISTOWN TOWNSHIP BOARD OF SUPERVISORS

611 SUGARTOWN ROAD, MALVERN, PA

Monday, May 13, 2019 AT 7:00 PM

The Regular Meeting of the Willistown Township Board of Supervisors came to order at 7:00 PM. Supervisors Robert T. Lange, William R. Shoemaker, and Barbara L. Handelin were present. Also present were Director of Engineering and Planning Dan Malloy, Sergeant Detective Jeff Heim and Public Works Director Bill Hagan.

Supervisor Lange led the Pledge of Allegiance to the Flag and a moment of silence for military personnel, Doris Day, and Peggy Lipton.

Announcements

Supervisor Lange announced that the Board of Supervisors met in Executive Session on April 26, 2019 and immediately prior to this meeting to discuss personnel and legal issues.

New Business

Supervisor Shoemaker moved to approve the Minutes of the Regular Meeting held April 22, 2019. Supervisor Handelin seconded the motion. There were no comments from the Board or the public, and the motion carried by a vote of 3-0.

Supervisor Shoemaker moved to approve the list of expenditures and interfund transfers dated May 13, 2019. Supervisor Handelin seconded the motion. There were no comments from the Board or the public, and the motion carried by a vote of 3-0.

Supervisor Shoemaker moved to appoint Dan Malloy as interim Township Manager and Township Secretary. Supervisor Handelin seconded the motion. There were no comments from the Board or the public, and the motion carried by a vote of 3-0.

Supervisor Shoemaker moved to approve Resolution 8 of 2019 awarding the 2019 repaving contract to the lowest responsible bidder (See attached). Supervisor Handelin seconded the motion.

Mr. Meaders, 2076 Duffryn Avenue asked if there was a list of roads to be repaved. Mr. Hagen stated the following roads would be repaved and the last three on the list are being done in conjunction with the sewer repair that was done last year.

Whitehorse - Fox Chase Road to Coxes Bridge
Hillview road – 737 Hillview Road to 749 Hillview Road
Forest Lane – Oaktree Lane to Hickory Lane
Treble Lane - South Valley Road to Grubb Road
McKinley Road from Long Lane to Marlin Drive
Marlin Drive - McKinley Avenue to Eisenhower Drive
Long Lane – McKinley Avenue to 11 Long Lane

There being no further comments the motion carried by a vote of 3-0.

Supervisor Shoemaker moved to approve Resolution 9 of 2019, a resolution for plan revision for new land development at 1720 West Chester Pike for the construction of 39 townhomes. This relates to the 537 Plan modification that would be necessary for the project to get sewer connections. Supervisor Handelin seconded the motion. There were no comments from the Board or public, and the motion carried 3-0.

Supervisor Shoemaker reviewed Conditional Use C-16-18 an application of Troutbeck Farm Developers, LLC located at 730 Monument Road, Malvern, PA for conditional use approval pursuant to 139-152.B subject to the following conditions in order to allow the conventional subdivision of two parcels within the Open Space Conservation District. The property consists of five parcels known as tax parcel #54-2-41, 54-2-41.3, 54-2-41.3, 54-2-41.3E, 54-2-41.4A, and 54-2-41.6 with an address of 730 Monument Road, Malvern, PA 19355. The property is located in the R-1 and OSC Zoning Districts. This allows for the subdivision of the two historic buildings on the property. It was stated that this has nothing to do with the remaining open space and the future development.

Supervisor Shoemaker read the following conditions into the record. The conditions are imposed pursuant to Section 603 (c)(2) of the Municipalities Planning Code and Zoning Ordinance Section 139-118.1.E.

1. The impervious surfaces on Lots 1, 2 and 3 as shown as the light gray areas on the Color Rendering shall be removed. The Plan shall not be recorded until the impervious surfaces are either removed to the satisfaction of the Township, or their removal is financially secured in amounts satisfactory to the Township Engineer and in accordance with developer agreements satisfactory to the Township Solicitor.
2. Lot 1 and Lot 2 shall be subject to a recorded conservation easement in a form satisfactory to the Township Solicitor, which (1) preserves the historic structures including their facades shown in dark brown on the Color Rendering; (2) preserves the wooded and grass areas shown as dark green and light green and located within the Historic Conservation Area on the Color Rendering; (3) requires the removal of the existing impervious areas as shown as light gray Conditions on the Color Rendering; (4) prohibits the addition of any additional impervious area within the Historic Conservation Area; (5) prohibits the addition of any additional building coverage within the Historic Conservation Area; and (6) preserves the Historic Conservation Area as open space. The conservation easement shall be conveyed in perpetuity to a recognized nonprofit corporation established for that purpose, or in the event no such nonprofit corporation is willing to accept the conservation easement, to the Willistown Township Land Conservation Authority. The cost and expense to the holder of the conservation easement to prepare, document and record the conservation easement, including but not limited to surveying, title insurance and closing costs, and the funding of the endowment to be paid to the holder, shall be paid by the Applicant. The Plan shall not be approved until the Applicant submits a conservation easement acceptable to the Owners and the Township, and the Plan shall not be released for recording until the conservation easement executed in recordable form is available for recording along with the Plan.
3. Lots 1 and 2 shall be served by public water and public sewer, at the sole cost and expense of the Applicant. The Applicant shall seek and obtain sewage planning module approval under Act 537 as part of the land development approval for the proposed development on Lot 3. Nothing in this Decision and Order shall be deemed to constitute a representation by the Township of the availability of, or reservation of, sewage capacity in the Township's sewer system.
4. Lots 1 and 2 shall have access solely from Monument Road via a shared driveway as shown on the Plan. The Plan shall not be approved until the Applicant submits a shared driveway agreement including

any necessary cross-easements, satisfactory to the Owners and the Township, and the Plan shall not be released for recording until the shared driveway agreement executed in recordable form is available for recording against Lots 1 and 2 along with the Plan.

5. The Applicant shall provide the traffic impact study, community impact study and environmental impact study as part of the land development approval for the proposed development on Lot 3.

6. The Applicant shall execute and provide to the Township a recordable, notarized copy of a memorandum containing a metes and bounds description of the Property and stipulating the terms and conditions of this approval and shall consent to the recording by the Township in the office of the Recorder of Deeds of Chester County within thirty (30) days following expiration of the appeal period.

7. The Applicant shall express to the Board in writing within fourteen (14) days of the date of this Decision and Order, its agreement to the above conditions or the Application is denied; the Board expressly finding and concluding that the Application in the absence of compliance with the said conditions is inconsistent with the objective criteria set forth in the applicable provisions of the Zoning Ordinance.

8. The Applicant shall cause the Owners of the Property, including the Owners' successor(s) in interest to the Property, to join in and consent to the imposition of conditions nos. 1, 2, 3 and 4, in a form satisfactory to the Township Solicitor, including but not limited to a stipulation by the Owners agreeing to execute in recordable form the required conservation easement and shared driveway agreement, agreeing to the removal of the impervious surfaces shown in light gray on Lots 1 and 2, and ensuring that the historic structures, wooded and grass areas and other features comprising the Historic Conservation Area, will be preserved and not be subject to demolition by neglect, pending the execution and recordation of the conservation easement.

Supervisor Handelin moved to grant Conditional Use C-6-18 approval and issue a Decision and Order. Supervisor Lange seconded.

Mark Meaders, 276 Dutton Mill Road, ask what the address was. Supervisor Shoemaker state the address was 730 Monument Road.

D. Miller, 737 Monument Avenue, asked if there are five parcels. Supervisor Shoemaker explained that those parcel numbers refer to the entire Troutbeck tract. This is for the two residential and barn properties. They are creating two parcels that do not presently exist. This creates the conditions allowing the future subdivision to take place. None of this will be recorded until the overall project is completed.

The being no further comment the motion carried 3-0.

Public Hearing

Supervisor Lange introduced a public hearing in the matter of an ordinance amending Chapter 139 of the Code of Willistown Township being the Zoning Ordinance, in order to create new standards under Supplementary Regulations concerning the keeping of guineafowl, peacocks, and roosters. The ordinance adds a new Section 139-97.D as follows.

The keeping of guineafowl, peacocks, or roosters is prohibited except in the RU Zoning District on lots of ten acres or greater when associated with a farm use pursuant to 139-12.D. Any structure or building for the housing of guinefowl, peacocks, or roosters shall be no less than 500 feet from any occupied structure

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Mr. Vince Pompo, Esq., Township Solicitor, conducted the public hearing. A court reporter was present to record the proceedings and the transcript will be on file in the Township Administrative Offices.

Police Report

Detective Heim reviewed the police activity including the stabbing that happened off of Paoli Pike on Richmond Road which is still under investigation. This was drug related and was an isolated incident.

John Volpe, 2081 Dutton Mill Road, thanked the Police Department for all their hard work and asked about accidents since the four way stop went up on Dutton Mill Road and Route 926. Detective Heim stated that he did not have any statistics at this point but would update at the next meeting.

Citizen Comments

John Volpe, 2081 Dutton Mill Road, gave the Supervisors pictures of the four way stop at the intersection at Dutton Mill and Route 926 and asked the debris be cleaned up in order to see the signs. The information was given to the Public Works Director Bill Hagan.

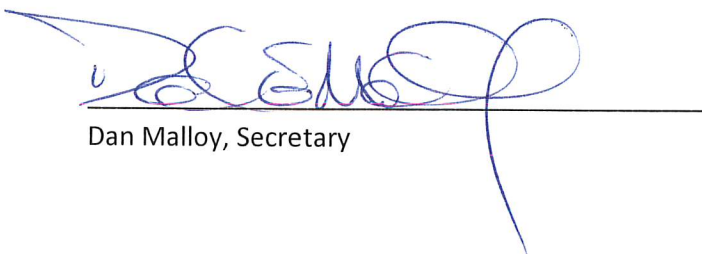
Next Meeting

The next meeting of the Board of Supervisors is scheduled for Monday, May 28, 2019 at 7 PM at the Township Building meeting room located at 688 Sugartown Road.

Adjournment

Seeing no further business, the meeting adjourned.

Sincerely,



Dan Malloy, Secretary

2019 Road Resurfacing Bid Tabulation

Description	S.A. Macanga Inc.	Charlestown Paving and Excavating., Inc.	Innovative Construction Services Inc.	Glasgow, Inc.
24,710 Sq. Yds. 1.5" Full Width Mill	\$2.50 Sq. Yd. \$61,775.00	\$2.10 Sq. Yd. \$51,891.00	\$2.00 Sq. Yd. \$49,420.00	\$2.25 Sq. Yd. \$55,597.50
13,575 Sq. Yds. 2" Compacted 12.5 mm Overlay	\$8.80 Sq. Yd. \$119,460.00	\$8.39 Sq. Yd. \$113,894.25	\$8.77 Sq. Yd. \$119,052.75	\$8.20 Sq. Yd. \$111,315.00
13,247 Sq. Yds. 1.5" Compacted 9.5 mm Overlay	\$6.71 Sq. Yd. \$88,887.37	\$7.84 Sq. Yd. \$103,856.48	\$7.15 Sq. Yd. \$94,716.05	\$6.74 Sq. Yd. \$89,284.78
2112 Sq. Yds. 2" Compacted 25 mm Base Course	\$10.50 Sq. Yd. \$22,176.00	\$9.95 Sq. Yd. \$21,014.40	\$8.50 Sq. Yd. \$17,952.00	\$8.10 Sq. Yd. \$17,107.20
Total Cost	\$292,298.37	\$290,656.13	\$281,140.80	\$273,304.48