

APPROVED

**WALLACE TOWNSHIP BOARD OF SUPERVISORS
APRIL 21, 2004**

The Chairman called the Regular Meeting of 05 AM in the Municipal Building.

Supervisors present: Louis T. Schneider, Chairman
Jane M. Shields, Vice Chairman
Robert V. Bock, Member

PUBLIC COMMENT

Bitten Krentel stated that the Valley Garden Club has offered to select plants for the township building. They will take care of the cost of the plants as well as the planting. They would only ask that Ed pick up the plants and if possible they would like to utilize our tax ID number when purchasing the plants. The Board agreed that this would be fine and asked Ms. Krentel to thank the Garden Club.

CORRESPONDENCE

1. Scott Schmidt to Tim Wloczewski, dated 3/12/04, re: inspection of roof at Lot #11 in Chalfant
2. Shawn Fabian to Twp. Secretary, dated 3/30/04, re: Erosion and Sediment Control observation for Steepleview
3. DEP to John Reid, dated 3/30/04, re: Earth Disturbance Report
4. DEP to L&R Lumber, dated 3/31/04, re: Earth Disturbance Report for property located in West Nantmeal, disturbance to Indian Run Creek
5. Robert Bock to Mr. and Mrs. Rausch, dated 4/8/04, re: response to their letter of 3/22 regarding Steepleview
6. AQUA Pennsylvania to Jane Shields, dated 4/8/04, re: Application to offer, render, furnish and supply water service to a portion of East Brandywine
7. Bureau to Historic Preservation to Evans Mill Environmental, dated 4/9/04, re: historic property located on the Bernard tract
8. Herbert MacCombie to Ron Rambo, dated 4/12/04, re: Hide-A-Way Farms preliminary plan review
9. Tim Hennessey to Supervisors, dated 4/12/04, re: ALS/BLS response within Wallace
10. Dan Shoemaker to Tim Wloczewski, dated 4/12/04, re: house sewer lateral requirements
11. Elverson Fire Company to Twp, dated 4/13/04, re: treasurer reports for March and April
12. Docket of the Delaware River Basin Commission, dated 4/14/04, re: AQUA Pennsylvania
13. Chester County Planning Commission, dated 4/15/04, re: receipt of completed application for Old Orchard Estates
14. Martin Weis, Esq. to Andrew Rau, dated 4/16/04, re: Chalfant escrow agreement

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15. John Bachich of Woodstone Homes to Supervisors, dated 4/16/04, re: condition of existing home on the Bernard property

FIRE COMPANY

None.

ROAD REPORT

Road report for the month of February: 2288.3 miles driven, 19.8 hours on the equipment meters, and 331 man-hours logged.

Monday road inspections were performed. Inspection and cleaning of all drains. Plowing and salt some this month. Replaced a yield sign at Highspire and Springton. Checked all parks for vandalism. Removed cement pad at police door at township building. Normal maintenance performed on all equipment. Dug up a spray head for the WTMUA so they could repair. Filled back in when repair completed.

Road report for the month of March: 2377.4 miles driven, 13.9 hours on the equipment meters, and 393 man-hours logged.

A report of water discoloration in the creek was given to the township inspector who asked the maintenance department to see if they could find a source of the problem. Creek was followed into West Nantmeal and land disturbance was noticed. Replaced a new deaf child sign on Manor Road. Put reflector strips on stop signs at major intersections throughout the township. Completed playground inspection at Wagenseller. Placed wood chips at swing set. Removed wood park benches and are replacing with metal and plastic benches. Cleaned flower beds and mulched at the township building. Performed normal maintenance on all equipment.

PLANNING COMMISSION

Skip McGrew reported that an application has been received for Old Orchard Estates, but no representative of the applicant appeared to discuss it. Mr. Kologie will review the application to determine if it is complete.

Mr. Beideman and Mr. Bachash presented a revised plan to implement the Bernard subdivision previously approved by Wallace Township in 1979. This subdivision involves 35 acres located at Lippitt Road and State Route 82. Eight lots will be created with parts of two lots in West Nantmeal Township. Mr. Beideman noted that a waiver for stormwater control will be sought because the ordinance requires a calculation assuming a meadow condition. The site is, however, primarily agricultural. As a result the stormwater plan provided will reduce actual runoff but not according to the ordinance

calculation. He also stated that the planning module for the 1979 subdivision will be accepted by the County Health Department, but the Planning Commission requested documentation to confirm this. The applicant has posted escrow for an engineering review, so the plan has been referred to Mr. Kologie. The main house on lot 8 is listed as a class 1 historic resource in Wallace, the Planning Commission referred the issues of a historic impact study and a landscape plan to the Historical Commission. Mr. Bachash noted that the house has been unoccupied for about 20 years and may have no restoration value. He was asked to provide documentation on the condition of the historic resources.

A revised sketch plan was presented by Ms. Lemley of Riley Riper et al. along with Mr. Tresslar and Ms. Seidel of Heritage Land Group and Mr. Haigney of Commonwealth Engineering. The Wheeler tract is located on Creek Road just south of Glenmoore Village. This plan was developed in response to suggestions by the Planning Commission and other Township residents. Neighboring property owners Mr. Cook, Ms. Krentel, and Mr. Eschbacher were also present. The Planning Commission noted that the revised plan was substantially improved showing a relocation of the entrance road to the existing cutout area, a less informal street layout and the recommended trail route. Mr. Cook asked if the lots could be shifted further south to increase their distance from the existing houses on the northern border. The Planning Commission observed that this would encroach on the community green area but that the northwestern pod of lots could be shifted slightly as recommended by Mr. Cook. It was noted that the 100' setback as required by the ordinance is being met but the applicant agreed to take this into consideration.

The Planning Commission is still awaiting a response from the township solicitor regarding the proposed ordinance revisions to uncommitted land and fence setbacks. Ms. Shields stated that she will contact the solicitor to check on status of these issues.

Mr. McGrew presented a map of key resources as a part of the resource conservation plan under development by the Northern Federation to the Planning Commission. The Commission reviewed and concurred in the resources identified. The map will be forwarded to the County Planning Commission for consolidation with the other Northern Federation submissions.

The Planning Commission was asked by the Board of Supervisors to review plans submitted by PennDOT to reconstruct one of the Springton Road bridges (closest to Indiantown Road). The Planning Commission noted the historic significance of the cartway and adjacent properties. The area is also an important viewshed and natural resource. Accordingly, the Planning Commission recommends that the Board of Supervisors request a complete impact study from PennDOT before construction begins.

A new Highway Road Occupancy Permit has been submitted for the Hide-A-Way Farms development. They have acquired the site distance that the township asked for and all

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other conditions appear to have been met. The Planning Commission would ask that a conditional permit be approved or an escrow be posted because they would like to know how maintenance to the site distance will be dealt with. The Board feels that an escrow posting would be better. This issue will be addressed with Tim Wloczewski prior to approval of the permit.

SUBDIVISIONS

1. #04-1 – Old Orchard Estates
2. #04-2 – Edgemoor Run (Bernard) – Reaffirmation of plan approval

OLD BUSINESS

None.

Ms. Shields moved to close the regular meeting of the Board of Supervisors at 9:15 AM for the purpose of conducting a public hearing. Mr. Schneider seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

PUBLIC HEARING

A public hearing was convened at 9:16 AM to discuss the adoption of Ordinance No. 124 of 2004 for the purpose of Conforming to the Requirements of the Pennsylvania Construction Code Act and the Regulations to the Act Promulgated by the Pennsylvania Department of Labor and Industry. Mr. Schneider stated that this ordinance and adoption of the codes would not effect Wallace since we have been utilizing the International Building Codes since 1999. There was no public comment regarding this ordinance.

Ms. Shields moved to close the public hearing portion of the meeting at 9:20 AM and reconvene the regular Board of Supervisors meeting. Mr. Bock seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

The regular meeting of the Board of Supervisors was reconvened at 9:20 AM.

Ms. Shields moved to adopt Ordinance No. 124 of 2004 for the purpose of Conforming to the Requirements of the Pennsylvania Construction Code Act and the Regulations to the Act Promulgated by the Pennsylvania Department of Labor and Industry. Mr. Bock seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

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NEW BUSINESS

Ms. Shields moved to approve Escrow Release #9 for the Steepleview subdivision, in the amount of \$27,634.46, per the review and approval by the Township Engineer letter dated April 8, 2004. Mr. Bock seconded the motion. There being no further public comment or discussion, the motion was unanimously approved.

Ms. Shields moved to approve Escrow Release #10 for the Steepleview subdivision, in the amount of \$79,564.68, per the review and approval by the Township Engineer letter dated April 8, 2004. Mr. Bock seconded the motion. There being no further public comment or discussion, the motion was unanimously approved.

The Board has authorized the Township Solicitor to review the Conservation Easement and Declaration of Restrictions and Covenants for the Bernard property.

PUBLIC COMMENT

None.

ADJOURNMENT

Meeting adjourned at 9:25 AM. Next meeting is Wednesday, May 5, 2004 at 7:30 PM.

Respectfully submitted,

Kimberly A. Milane-Sauro
Secretary