

**WALLACE TOWNSHIP BOARD OF SUPERVISORS
FEBRUARY 15, 2006**

The Chairman called the Meeting of the Wallace Township Board of Supervisors to order on Wednesday, February 15, 2006, at 8:00 AM in the Municipal Building.

Supervisors present: Jane M. Shields, Vice Chairman
Bryan M. McDonough, Member

PUBLIC COMMENT

None.

CORRESPONDENCE

1. SC Engineers to WTMA, dated: 1/29/06, re: plan review for the pump station at Brandywine Hill
2. Michael Holmes to BOS, dated: 2/6/06, re: review of fire alarm plans for the Wallace Elementary School
3. Rettew Assoc. to Twp. PC, dated 2/7/06, re: response to plan comments for Harlan subdivision
4. Rettew Assoc. to Twp. PC, dated 2/7/06, re: response to plan comments for Old Orchard Estates
5. GenTerra Corp. to BOS, dated 2/8/06, re: request for plan waivers for Old Orchard Estates
6. GenTerra Corp. to BOS, dated 2/8/06, re: extension of time for Old Orchard Estates
7. Extension of time for Kolb/Coltsfoot subdivision
8. Extension of time for Harlan subdivision
9. Denise Yarnoff, Esq. to Twp. Secretary, dated 2/9/06, re: notification of DEP meeting with Hankin to discuss planning module
10. Denise Yarnoff, Esq. to Twp. Secretary, dated 2/9/06, re: meeting minutes from consultant meetings
11. Elverson Ambulance 2005 annual report
12. Cornerstone Communities to BOS, dated 2/10/06, re: extension of time for Cornerstone subdivision
13. Twp. PC to BOS, dated 2/13/06, re: recommendation for conditional approval of Harlan subdivision

FIRE COMPANY

Jack Stewart reported that during the month of January there were 24 calls for service, 203 man-hours, \$1,375,000 property at fire risk, and \$456,000 in fire damages. A copy of the full report will be on file in the township building.

ROAD REPORT

Road report for the month of January: 1055.9 miles driven, 8.3 hours on the equipment meters, and 355 man-hours logged.

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Monday morning road inspections. Cleaned all drains. Replaced stop sign at Indian Run and Barneston Roads and Creek and Marshall Roads. Trimmed all tree limbs along all roads. Called out for fallen tree on Barneston Road that involved wires. Called out for black ice along Fairview Road. Removed dead tree from the island on Park Lane. Took all of the woodchips from the tree and spread around picnic area at Wagenseller Park. Held Christmas tree drop-off at the maintenance building, that same date while collecting trees the maintenance department responded with the fire company to a house fire on Margaret Court. Portion of the springhouse at the Lamb Tavern Preserve has fallen in, have installed a safety fence around it and marked it no trespassing. Attended a LTAP seminar on the new superpave.

PLANNING COMMISSION

Skip McGrew reported at the Planning Commission's last meeting a number of subdivisions were discussed.

A revised conditional use plan for the Devereux facility was presented by Debbie Schultzki, Dave Becker and Greg Newell on behalf of the applicant. Ms. Schultzki stated that a revised conditional use plan has been submitted showing that only one additional dormitory is proposed provided 24 new beds. The rest of the plan remains similar to that which was presented at the conditional use hearings. The Planning Commission will be an avenue for residents during the conditional use proceedings.

The Planning Commission has provided the Board with a conditional approval letter regarding the Harlan Minor Subdivision Plan. Mr. McDonough stated that he must be recused from discussions pertaining to this matter. This matter will be placed on the March 1st agenda for consideration of plan approval.

A revised plan and extension letter have been received for the Old Orchard Subdivision Plan. The Planning Commission recommends that the Board accept the extension and that review of the revised plan commence.

The applicant was not present regarding the Cornerstone Subdivision Plan. The Planning Commission recommends the Board deny the application noting the numerous deficiencies listed in the Township Engineer's review letter dated 1/5/06, if no extension of time is received.

John Diament appeared to discuss the sketch plan he has submitted for the Furlong property on Indiantown Road. He indicated that he has contacted ten additional neighbors who may be impacted by his proposed change to the "R" district boundary. Of these, five responded that they have no objection. He repeated his intent to build three smaller (3800 square feet) if he can obtain the boundary revision. His alternative is to seek a variance to build two 8000 square foot units. The Planning Commission noted that any change to the district boundary would require an overall review of the entire district to determine all the changes that should be made. This would be an extensive and costly project for the Township. The consensus of the Planning Commission was that such a project could not be recommended at this time.

Revised plans are expected in the near future for the Hamilton and Coltsfoot subdivisions.

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The Planning commission has been advised that Upper Uwchlan is reconsidering an alternative cluster plan for the Popjoy estate that would keep the Wallace lot as open space. A revised plan has been submitted. Ms. Shields stated that if there are no improvements proposed in Wallace, then no application to Wallace is needed. However, it is understood that a small portion of the road is proposed to be in Wallace, therefore an application would be necessary.

The Omnipoint Land Development Plan is under review and the Planning Commission awaits an appearance by the applicant.

Mr. McGrew submitted to the Board a letter from the Historical Commission regarding their approval of the Landscape Plan, as amended, for the Wallace Elementary School.

Supervisor, Bryan McDonough was present at the last Planning Commission meeting and asked if the Planning Commission could track its expenses so that a budget for next year could be prepared. He was advised that this would be done if an opportunity to review the appropriate invoices is provided. Ms. Shields stated that this could be done on a monthly basis.

SUBDIVISIONS

1. #04-1 – Old Orchard Estates
2. #05-3 – Harlan
3. #05-4 - Hankin
4. #05-5 - Popjoy
5. #05-6 – Kolb/Coltsfoot
7. #05-8 – Cornerstone Communities

OLD BUSINESS

Legal limits on imposing fees. This question arose at the last meeting and Ms. Shields asked the township solicitor to look into the issue. He has provided the Board with an email citing two court cases pertaining to this issue. A copy of this email will be on file in the township building. Residents, John Miller and Harold Ziserman provided the board with a comparison chart for costs related to building permits and inspections and fee schedules related to this area. A copy of this comparison chart will also be on file in the township building. Mr. McDonough suggested that we look into this issue and discuss at the next meeting. Ms. Shields stated that this will take some time to gather information and directed the township secretary to begin reviewing and gathering information and the issue will be discussed at a later date.

NEW BUSINESS

Denise Yarnoff, Esq. and Rick Guarini of the Hankin Group were present to discuss a letter sent to DEP with their planning module submission. They stated that they were not aware of the letter until a meeting was held with DEP. This letter was inadvertently sent out on supervisors' letterhead. It was requested that if the letter was not authorized by the board that the letter be rescinded and that all persons copied be sent the rescinding letter. Ms. Shields stated that as she is recused from Hankin matters, this same situation has happened before, with DASD, although it should be addressed. In both cases the letter had not been the

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Supervisors' position. Mr. McDonough moved to rescind, in writing, both the DEP letter pertaining to the Hankin issue and the letter to PHMC pertaining to DASD. Ms. Shields seconded the motion. Mr. McGrew asked if the board was taken a position on the content of the letters or just the procedure. Ms. Shields stated that this was strictly procedural. There being no further discussion or public comment, the motion was unanimously approved.

Mr. McDonough moved to approve escrow release no. 2 for the Highspire Estates project based on the recommendations of the township engineer. Ms. Shields seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

PUBLIC COMMENT

Denise Yarnoff, Esq. stated that she had some further issues to discuss regarding the Hankin project. One issue pertained to a letter submitted to the township regarding consultant fees, and the other issue pertained to the plan. They would like to get some direction from the board regarding issues with the plan that have arisen during discussions with the Planning Commission. Ms. Shields stated that as she is recused from Hankin matters, that these issues would have to be addressed with Mr. McDonough and Mr. Bock and must await until Mr. Bock's return. These issues will be placed on the March 1st agenda.

Mr. McDonough asked if any progress has been made regarding the credit request from PECO. Township secretary advised that the office had just received a letter from PECO regarding the matter and that a credit will be issued.

ADJOURNMENT

Meeting adjourned at 9:00 AM. Next meeting is Wednesday, March 1, 2006 at 7:30 PM.

Respectfully submitted,

Kimberly A. Milane-Sauro
Secretary