

APPROVED

**WALLACE TOWNSHIP BOARD OF SUPERVISORS
MAY 17, 2006**

The Chairman called the Meeting of the Wallace Township Board of Supervisors to order on Wednesday, May 17, 2006, at 8:05 AM in the Municipal Building.

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

PUBLIC COMMENT

John Roughan, Manager, Kevin Kerr, Supervisor and Mike Brown, Sewer Authority Engineer from Upper Uwchlan were present to discuss the Popjoy property. Mr. Roughan stated that the proposed plan shows all 21 lots in upper Uwchlan with 14 acres of open space in Wallace. Ted Moser, builder for this tract will be seeking a variance from Upper Uwchlan's ordinance to allow the cluster housing to be built. The first ZHB meeting is scheduled for the end of May with a second one most likely to follow in June. If approval of the variance is granted, Mr. Moser will proceed with the land development application. Upper Uwchlan would like to have the ability to utilize the open space in Wallace Township for sewage waste disposal. Preliminary studies show that the soil is adequate. Mr. Brown stated that currently that is approximately 60,000 gallons of disposal within the township but have need for approximately 140,000. Disposal from this site would be pumped to the Fellowship Road plan and transported back to the site after it has been treated. A small storage and pumping facility will be on site and can be designed architecturally to Wallace specs. Site would allow for 10 days of storage. Failure alarms would be installed and no odors would emanate from site. Trail system would be permitted on the edges of the site. Site is to be maintained as an open vista. Mr. Kerr asked that the supervisors draft a letter to Upper Uwchlan whether they are in favor or site use or not. Supervisors will take this under consideration.

Mr. McDonough has a concern about the language listed in paragraph 1 of the decision letter for the Devereux Conditional Use. It appears that at the hearings the Board had made it clear that the language was to say 24 hours a day, 7 days a week. This will be discussed with the township solicitor for clarification.

Mr. McDonough asked for an update on the status of the audit. He was advised that the treasurer had met with the audit recently and that he would have to discuss with her the status.

CORRESPONDENCE

1. SC Engineers to Boucher & James, Inc., dated 5/2/06, re: revised plans for pump station at Brandywine Hill
2. Andrew Rau, Esq. to Twp. PC, dated 5/5/06, re: proposed amendment to the township zoning ordinance
3. Andrew Rau, Esq. to CCPC, dated 5/5/06, re: proposed amendment to the township zoning ordinance

MAY 17, 2006
PAGE 2

4. Devereux Foundation to Twp. Historical Commission, dated 5/5/06, re: summary of site meeting of the Croft Building
5. GenTerra Corp. to BOS, dated 5/8/06, re: 90-day extension of time for review of the Old Orchard subdivision plans
6. Denise Yarnoff, Esq. to BOS, dated 5/8/06, re: 45-day extension of time for review of the Hamilton subdivision plans
7. Conestoga Rovers to BOS, dated 5/8/06, re: permitting process for the Central Phase of the Hamilton subdivision
8. Beth Carpenter to BOS, dated 5/11/06, re: copy of letter submitted to the DLN
9. Andrew Rau, Esq. to Denise Yarnoff, Esq., dated 5/12/06, re: decision letter for the Devereux Conditional Use Hearings

FIRE COMPANY

Jack Stewart reported that for the month of April 23 calls for service were reported. 10 of those were in Wallace. New truck should be received in time for Community Day. Members of the Fire Company are currently reviewing the changes and authorizing the vehicle for release.

ROAD REPORT

No report.

PLANNING COMMISSION

Skip McGrew reported that at the last Planning Commission meeting a number of subdivision were reviewed.

LaPorta Sketch Plan – Site walk was held. Applicant will be submitting an application shortly.

Hankin – No appearance by applicant. A 45-day extension has been granted. Mark Eschbacher of the EAC provided a brief tutorial on the draw down testing of wells located within 40' of the bog turtle habitat. Buffer area could be affected. EAC continues to raise issues surrounding the clearance letters issued by the US Fish & Wildlife and Fish & Boat Commission. Hankin has decided to change the permitting process to a general permit which would effect the central phase only and not the whole tract. One member of the PC feels that this is not an issue since General Permit requirements are strong, however, other members of the PC wonder why the process was being changed. In the General Permit process, PHMC would be removed. Under Act 105 PHMC has more leverage on impact of historic resources. Historic resource in the central phase is the Sheeler Farm. No recommendations from the PC on this issue. Rick Guarini of the Hankin Group stated that he is concerned with the EAC still looking at this process. Testing was done at 3x's the rate required and they do not intend to retest the site. Hankin has completed all requirements from the Regulatory agencies. 99% of wetlands are being preserved and approximately 70% of open space is being preserved. Hankin is not obligated to respond to

MAY 17, 2006
PAGE 3

the PHMC. Township Engineer stated that he is waiting for a response from the township's water consultant, Craig Joss to determine if this issue is mute. Mr. Guarini stated that he would object to any letters being sent to US Fish & Wildlife and the Fish & Boat Commission.

Girl Scout Camp – Township Engineer and Township Land Planner walked the site. Would like to see a cleaner resource plan submitted but home sites appear to be okay may require some minor changes.

Carr Sketch Plan – Township Engineer and Township Land Planner also walked this site. No comments at this time.

Old Orchard – No report. 90-day extension granted.

Omnipoint – PC did review the ordinance amendment to the Antenna Section of the Zoning Ordinance and will be supplying a letter of recommendation to the Supervisors. The PC will be holding a work session next week to review the draft of the SALDO revisions.

The Trails Board has supplied the PC with some trail guidelines they would like to incorporate into the subdivision package for developers. The PC provided some suggestions.

SUBDIVISIONS

1. #04-1 – Old Orchard Estates
2. #05-4 - Hankin
3. #05-5 - Popjoy
4. #05-8 – Cornerstone Communities
5. #06-1 – Omnipoint Land Development

OLD BUSINESS

Hankin Planning Module resubmission – Rick Guarini of the Hankin Group appeared for the applicant. Mr. McGrew stated that DEP returned the initial submission due the fact that the PC did not answer some of the questions on the Component 4A form. This questions were not answered because at that time, no plan had been submitted for the project. Plan has been submitted and the PC has completed the Component 4A form. Township Engineer stated that a response letter to the Component 4a has been supplied by DeVal Soils and will be included in the module submission. Mr. Bock moved to approve Resolution #06-9 amending the townships Act 537 Plan to include the Hamilton subdivision. Ms. Shields is recused from this matter. Mr. McDonough seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

MAY 17, 2006
PAGE 4

Mr. Bock provided an update on the Northern Federation. A draft copy of the Regional Resource Protection Plan has been provided to the Supervisors for review and comment. The next meeting will take place on May 9th and another public meeting in September. The Northern Federation is seeking approval from the board that they proceed with the process for adoption of the Regional Plan. Ms. Shields moved that the Northern Federation proceed with the Regional Plan process as presented. Mr. McDonough seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

NEW BUSINESS

Ms. Shields moved to approve escrow release no. 5 for the Highspire Estates project based on the recommendations of the township engineer. Mr. McDonough seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

PUBLIC COMMENT

Mr. McGrew inquired as to the status of the road grade issue at Stonebarn Crossing. The township engineer stated that that issue is still being discussed.

Mr. McGrew stated that the Long Range Financial Planning Group will be meeting tomorrow evening at 7:30 PM at the township building.

The township secretary advised the board that a donation has been received from the Mom's Club to be used towards the township parks.

Resident Rob Jones commented on the use of the open space land in Wallace for the Popjoy project. He stated that it appears that more flow would be put onto the site that what is used within that development. He further commented that open space land would not generate taxes but that houses would. Mr. McDonough asked if a fee in lieu of taxes could be established. Ms. Shields stated that could always be negotiated but that in most cases municipal authorities are exempt from any taxes. Resident Ward Albert stated that he would prefer to see the houses and have the taxes from those houses come to Wallace. Resident John Miller stated that the idea of the open space with the offset for taxes sounds like a good idea.

ADJOURNMENT

Meeting adjourned at 9:25 AM. Next meeting is Wednesday, June 7, 2006 at 7:30 PM.

Respectfully submitted,

Kimberly A. Milane-Sauro
Secretary