

WALLACE TOWNSHIP BOARD OF SUPERVISORS
JUNE 21, 2006

DRAFT

The Chairman called the Meeting of the Wallace Township Board of Supervisors to order on Wednesday, June 21, 2006, at 8:00 AM in the Municipal Building.

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

PUBLIC COMMENT

Mr. McDonough requested that the meetings for the EAC and Woodlands Task Force be added to the meeting schedule in the newsletter. He further requested that the newsletter be sent to all three board members for review prior to being printed.

CORRESPONDENCE

1. SC Engineers to WTMA, dated 6/2/06, re: review no. 5 of the pump station for the Brandywine Hill subdivision
2. CVC to Twp. PC, dated 6/6/06, re: review of Omnipoint Land Development Plan
3. The Hankin Group to BOS, dated 6/7/06, re: stream monitoring proposal for the Hamilton subdivision
4. Rotelle Development to Twp. PC, dated 6/9/06, re: revised sketch plan submission and a waiver request letter for the proposed development of the Girl Scout Camp
5. James Williams Biologist to Rotelle Development, dated 6/9/06, re: results of partial wetlands investigation on the Girl Scout Camp
6. Heritage Construction Co. to Trails Board, dated 6/12/06, re: acceptance of trail amendments within the Highspire Estates subdivision
7. WTMA to Twp. Secretary, dated 6/12/06, re: confirmation of capacity for the Roeder and Funk properties
8. DEP to Heritage Building Group, dated 6/12/06, re: approval of NPDES permit for the Brandywine Hill subdivision
9. SC Engineers to BOS and WTMA, dated 6/13/06, re: project status for the Hamilton subdivision
10. Twp. HC to National Trust for Historic Preservation, dated 6/14/06, re: information for proposal of emergency stabilization funding of the Lamb Tavern Springhouse
11. Light-Heigel & Associates to Twp. PC, dated 6/15/06, re: waiver request letter for the proposed Girl Scout Camp project
12. Denise Yarnoff, Esq. to Twp. Secretary, dated 6/15/06, re: request for copy of Historical Resources Map and Official List of Historic Resources
13. Anderson Homes to Twp. Secretary, recv'd 6/16/06, re: intent to proceed with dedication of the Steepleview subdivision
14. SC Engineers to Ebert Engineering, dated 6/17/06, re: DEP permit application for the treatment plant for the Hamilton subdivision
15. CVC to BOS, dated 6/19/06, re: recommended conditions of approval for the Omnipoint Land Development Plan
16. Twp. PC to BOS, dated 6/19/06, re: PC recommendation for conditional approval of the Omnipoint Land Development Plan
17. Saul Ewing to BOS, dated 6/20/06, re: waiver request letter for Omnipoint Land Development

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Mr. McDonaugh asked if the Hankin Group has received the information requested in its letter of June 15, 2006. Township Secretary advised the Board that the letter has been forwarded to the Historical Commission for a response. Ms. McGrew of the Historical Commission stated that the Commission is currently working on an updated list of historic resources and that they do not have a current list available for public release. There was no "list" of the historic resources when the historic resource map became part of the township zoning ordinance. Mr. McGrew of the Planning Commission stated that Hankin has received all of the information needed regarding all of the historic resources on the Hankin tract and that Hankins consultants have already received and reviewed the information.

MID-MONTH PAYABLES

Mr. Bock moved to approve seven (07) bills, payable from the General Fund totaling \$94,116.85. These checks are in conjunction with the road project in the Chalfant St. Giles subdivision and all funds are reimbursable and will be transferred from the escrow account for this development. Mr. McDonaugh asked if the funds could be transferred prior to approval. Mr. Bock stated that the Board must approve payment before any funds can be transferred or released as with any other escrow account. Ms. Shields seconded the motion. There being no further discussion or public comment, the motion was approved by a majority vote with Mr. McDonaugh voting nay stating that he would not approve the bills as he did not review them.

Mr. Bock moved to approve two (02) bills, payable from the State Fund totaling \$28,023.90. Ms. Shields seconded the motion. There being no further discussion or public comment, the motion was approved by a majority vote with Mr. McDonaugh voting nay stating that he would not approve the bills as he did not review them.

FIRE COMPANY

No report.

ROAD REPORT

Road report for the month of April: 1328.6 miles driven, 26.3 hours on the equipment meters, and 300 man-hours logged.

Monday morning road inspections. Currently working on replacing all street signs within the township to high intensity signs. These are done on an as needed basis and are being done to comply with the new state regulations. Riley Sweeping swept all roads to clear any salt and cinder from the winter months. Clean all trash from the parks on Mondays. Dewinterized the snack shack at Wagenseller Park. Are working on repairing lights at the tennis court and outfield lights, waiting on parts. Installed storage shelves at the schoolhouse for storage to township files. Had another successful bulk trash day. Performed routine maintenance on equipment.

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Road report for the month of May: 935 miles driven, 34.6 hours on the equipment meters, and 358.5 man-hours logged.

Monday morning road inspections. Completed road projects in the Chalfant St. Giles subdivision as well as Chalfant Road. Cleaned all drains at the intersections. Clean all trash from the parks on Mondays. Cut all grass within the fence area of the sewer plant. Cleaned all items from bulk trash day, appliances, tires, etc. Performed routine maintenance on equipment.

Bid opening for oil & chip of Barneston Road. Two bids were received. The breakdown is as follows:

Martin Paving	13965 sq yds oil & chip	\$19,411.35
Asphalt Industries, Inc.	13965 sq yds oil & chip	\$21,925.05

Ms. Shields moved to award the bid to Martin Paving for oil & chip of Barneston Road, conditioned upon review by the township road master and conformity with the bid specifications. Mr. McDonaugh seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

HISTORICAL COMMISSION

Elaine McGrew reported that they Commission is continuing to work on the list of historic resources within the township. The Commission would further like to report that Jane Davidson will be honored at a dinner for her services to the Chester County Historic Commission. Ms. Davidson will be retiring from her position with the County shortly.

PLANNING COMMISSION

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

Cornerstone – the PC has provided the Board with a letter of conditional recommendation of this final plan. Mr. McGrew stated that he would defer any further conditions of this approval to the Township Secretary. It was noted from the Township Secretary that two conditions from the applicants preliminary plan approval are still pending. These consist of NPDES approval from DEP and fee in lieu of financial impact study be offered and approved by the Township. Mr. McDonaugh moved to approve the final plan for the Cornerstone development with the conditions set forth in the Planning Commission letter of June 19, 2006 and the two additional conditions as stated above by the Township Secretary. Ms. Shields has recused herself from this matter. Mr. Bock seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

Omnipoint – Mr. McGrew reported that he is recused from this matter, but at the last meeting the PC did move to recommend conditional approval of this land development plan. A letter has been provided to the Board with the recommendations.

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Hankin – the Hankin Group intend to seek stream and wetland clearances under the General Permits process. PC feels that there will be impact to the Class 1 historical resources as noted by the PHMC and the Hankin Group's consultant, but noted that this decision to issue general permits lies with DEP and not with the Township. The applicant indicated that there will be several sections from the SALDO that they will be seeking waivers from. The PC emphasized that any discussion regarding waivers should not be viewed a commitment to recommend such waivers, and that a complete review of the expected revised plan would be needed before such a recommendation could be made. After applicant's representative left the meeting, it was noted that the last extension granted by the Hankin Group would expire before the first Supervisor's meeting after the next Planning Commission meeting. Accordingly the PC moved to recommend denial of the plan absent a further extension from the applicant.

Girl Scout Camp – applicant has presented a list of waivers pertaining to the access for this site. The applicant is seeking some assurance that this access can be used. Based on the information provided, the township solicitor has confirmed that this access could be used to access the site. Will need confirmation from engineer that work needed on the access could be accomplished within the 25' right-of-way. Mr. McDonough asked if this would be a private lane or township owned road. Mr. McGrew stated that this would be a private lane and will be HOA owned and maintained.

Old Orchard – applicant has submitted a revised plan and it is currently under review by the township engineer. PennDOT has reviewed the site and they feel that site distance can be achieved with no grading to the adjoining property owner. Recommendations for contaminated soil remediation are still pending. Mr. Bock suggested that the EAC review any documents related to this issue. Ms. Shield suggested that they contact DEP for a record review.

Popjoy – discussed the suggestion presented at the last supervisors meeting by Ms. Shields. The PC could not come to a consensus on the issue. Mr. Bock stated that he has spoken with Upper Uwchlan's Township Manager and that it has been determined that a land swap would be very complicated. It would require a referendum be placed on the ballot in both townships. So the question remains which option would the board prefer, 7 houses or drip irrigation for wastewater. The Board agreed that they would prefer the houses as opposed to the drip irrigation. They directed the Township Secretary to draft a letter to Upper Uwchlan relaying their preference.

SALDO revisions are still pending.

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

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PUBLIC HEARING

The regular meeting of the Board of Supervisors was closed at 9:00 AM. A public hearing was opened at 9:01 AM to discuss and receive public comment on an ordinance amending Section 1317 of the zoning ordinance. Ms. Shields provided a brief overview of the ordinance, a copy of which can be reviewed at the township office as well as Board exhibits as follows: B-1 Proof of Publication; B-2 Recommendation letter from the Chester County Planning Commission; and B-3 Recommendation letter from the Township Planning Commission. Mr. Bock stated that neither of the letters presented opposes the proposed amendment. No public comment received.

The public hearing was closed at 9:05 AM. The regular meeting of the Board of Supervisors was reopened at 9:06 AM.

OLD BUSINESS

Ms. Shields moved to adopt the ordinance amending Section 1317 of the zoning ordinance as presented. Mr. McDonough seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

Building permit fees – no report. Tabled to next meeting.

Ms. Shields moved to approve the Omnipoint Land Development Plan with the following conditions:

- Zoning Ordinance Section 1317A.12. - The Applicant shall provide financial security in the amount of Twenty-One Thousand Nine-Hundred Ninety-Five Dollars and Zero Cents (\$21,995.00) to secure the expenses of dismantling and removing the monopole antenna and facility. Additionally, the owner of the real property where the antenna support structure is proposed to be located shall execute a Declaration prepared for recording and approved by the Township Solicitor, permitting the Township and its representatives access to the property to dismantle and remove the antenna support structure in the event that the structure owner fails to do so.
- Subdivision and Land Development Ordinance 503.D.4. – The Applicant shall have a licensed Land Surveyor set the two (2) survey monuments that form the boundary along the bearing South 61 degrees 39 minutes 41 seconds East (487.00-feet).
- Subdivision and Land Development Ordinance 621 – General Note 16 on sheet Z-1 shall be revised to indicate that all utilities, except the cellular tower, shall be placed underground. The PAOne Call note on sheet T-1 shall contain the telephone numbers of the utility companies.
- The Applicant shall comply with all the conditions of the Conditional Use Approval dated November 16, 2005.
- The Applicant shall comply with all the conditions of the Zoning Hearing Board Approval dated September 20, 2005.

The following waivers were granted as part of this approval:

- SALDO Section 620.D.1 (Permanent Stormwater Management);
- SALDO Section 620.D.3 (Construction Conditions Stormwater Management);
- SALDO Section 620.D.10 (Stormwater Management Facility Groundwater Recharge);
- SALDO 626.E (Vegetation and Landscaping – Buffer Areas)

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Mr. Bock seconded the motion. Mr. McDonough stated he would prefer to see a cleaner recommendation letter from the Township Engineer and the Planning Commission. There being no further discussion or public comment, the motion was unanimously approved.

Anthony Holowsko of Rotelle Builders was present to discuss the access issue on the Girl Scout Property. A letter has been provided to the Board requesting waivers that will need to be granted regarding the use of this access for the proposed development. Ms. Shields moved that the Supervisors state that the applicant should proceed with a plan for the Girl Scout Camp property and that the Supervisors would be willing to grant the waivers requested in Light-Heigel & Associates, Inc., correspondence of June 21, 2006 provided that a safe and adequate access to the site can be achieved and that such design is satisfactory to the Township Engineer. Such access is to allow for no more than 16 lots. Mr. Bock seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

Alice Park – Mr. Bock stated that at the last Long Range Financial Planning meeting, member Bill Moore stated that the township is not financially able to fund the Alice Park project as proposed. Mr. Bock stated he agrees with this suggestion and would like to discuss with DCNR the possibility of dropping the current grant and reapplying for a grant for Ray Park along with applying for any County grants. Would like to continue to work on trails within Alice Park. Mr. McDonough stated he agreed with this and would further recommend that the Park & Recreation Board get involved and possibly spearhead the project. As to the bid packing pending before the township for work on Alice Park, Ms. Shields moved to reject the bid and advise the bidder that the township will not be proceeding with this project. Mr. McDonough seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

Mowing at Lamb Tavern – Based on documents provided through research and discussions with the Wallace Trust, Mr. Bock recommended that resident, Leon Borst be notified that his request to mow a portion of the Lamb Tavern Preserve is denied. All information pertaining to this matter are to be provided to Mr. Borst for his file. Ms. Shields further stated that he be notified that the township does perform mowing of the Preserve twice a year.

EAC chairman, Mark Eschbacher was present to discuss the drafted letter regarding the Hankin pump testing issues and the impact to the bog turtle habitat. Rick Guarini of the Hankin Group and Denise Yarnoff, Esq. were present on behalf of the applicant. Ms. Shields is recused from all discussions regarding the Hankin Group. The EAC contends that Hankin's well testing does show an adverse impact to the bog turtle habitat and that the drawn down does encroach within the 50' buffer area surrounding the bog turtle habitat. The applicant contends that there is no impact and that clearance letters have been received from US Fish & Wildlife and the PA Fish & Boat Commission. A Bog Turtle Management Plan is required to be in place and it will include criteria for management of the area. It was decided between the applicant and the EAC chairman that they would sit down and discuss the issue and see if a compromise can be reached. They would report back to the Board at the next meeting.

NEW BUSINESS

Mr. McDonough moved to appoint Stuart Frederick as a new member to the Park and Recreation Board. Ms. Shields seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

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Ms. Shields moved to amend the approved plan specs for the trails within the Highspire Estates project based on recommendations set forth from the Trails Board in their letter of March 29, 2006 and agreed to by Heritage in their letter dated June 12, 2006. Mr. McDonough seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

Mr. Bock moved to approve escrow release no. 7 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

None.

ADJOURNMENT

Meeting adjourned at 10:30 AM. Next meeting is Wednesday, July 5, 2006 at 7:30 PM.

Respectfully submitted,

Kimberly A. Milane-Sauro
Secretary