

**WALLACE TOWNSHIP BOARD OF SUPERVISORS
MAY 18, 2005**

The Chairman called the Meeting of the Wallace Township Board of Supervisors to order on Wednesday, May 18, 2005, at 8:05 AM in the Municipal Building.

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

PUBLIC COMMENT

None.

CORRESPONDENCE

1. Chester County AG District to Board of Supervisors, dated 4/25/05, re: Challenge grant farmland preservation program
2. Andrew Rau to CCPC and WTPC, dated 5/2/05, re: proposed amendment to the SALDO
3. John Good to Twp. Secretary, dated 5/2/05, re: review of Rorke subdivision escrow agreement
4. PA Game Commission to Board of Supervisors, dated 5/4/05, re: response to twp. letter regarding deer concerns within the township
5. John Rafferty to PA Game Commission, dated 5/4/05, re: deer concerns in Wallace Twp.
6. WTPC to GenTerra Corp., dated 5/5/05, re: Old Orchard preliminary plan
7. WTPC to all commissions/boards, dated 5/9/05, re: Hankin subdivision application
8. Neighborhood Health Agencies to Twp. Secretary, dated 5/9/05, re: thank you for yearly contribution
9. GenTerra Corp. to WTPC, dated 5/9/05, re: status of Old Orchard preliminary plan
10. Andrew Rau to Denise Yarnoff, dated 5/10/05, re: submission of subdivision application
11. CCPC to Twp. Secretary, dated 5/11/05, re: review and comments for the Harlan preliminary plan
12. Scott Piersol to DASD, dated 5/12/05, re: construction of new elementary school
13. Robb Bebee to Board of Supervisors, dated 5/16/05, re: resignation from the Park and Recreation Board
14. Denise Yarnoff to Twp. Secretary, dated 5/16/05, re: request for cancellation and continuance of the Devereux Conditional Use Hearing
15. WTPC to Board of Supervisors, dated 5/17/05, re: recommendation on proposed SALDO changes
16. Castle Valley Consultants to Twp. Secretary, dated 5/17/05, re: review of stormwater basins on the Bernard tract

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FIRE COMPANY

None.

ROAD REPORT

Road report for the month of April: 1167 miles driven, 35.9 hours on the equipment meters, and 370 man-hours logged.

Performed Monday morning road inspections. Jack hammered 3 rocks at the Indiantown Fields, rocks on Barneston and Lippitt Roads and old piping that was removed from Barneston Road. Had another successful bulk trash day. Started grass cutting for the season. Performed safety inspection at Wagenseller Park. Performed routine maintenance of vehicles and equipment.

PLANNING COMMISSION

Skip McGrew reported that at their last meeting, the Hankin Group presented their Preliminary Plan. Denise Yarnoff counsel for the applicant, Rick Guarini and Jim Fuller of the Hankin Group and Stephen Sauselein of Edward Walsh & Associates Engineering appeared representing the applicant. Mr. Guarini explained that consultations with U.S. Fish and Wildlife, PA Fish and Boat Commission and DEP led to a number of changes from the Conditional Use plan. These involved well location, storm water management, and sewage management. Mr. Fuller reviewed the application design noting that 220 living units of the 260 permitted under the Conditional Use Order will be constructed in the central phase. Some of the multi-family units will include the smaller, "affordable" housing units. No commercial development is planned in this phase. A portion of the public trail system will be completed, and much of the wooded nature preserve will be available for dedication to the Township, but no public recreational lands will be included in this phase.

The next Planning Commission meeting to discuss this application is scheduled for June 15th at 7:30pm. A walk of the central phase portion of the Hankin tract is scheduled for May 13th at 9:00am.

Jim Haigney of Commonwealth Engineering appeared representing the applicant for a new sketch plan referred to as Gaydos. The plan proposes eight lots on the 16 acre Bryan property at 151 Indian Run Road. This is a flag lot with the 40' wide access strip is located on a sharp 'S' curve on Indian Run. Mr. Haigney asked if the Planning Commission would recommend a waiver to the 50' road width requirement. The Planning Commission pointed out that major site distance problems and tract setback issues were evident. Also, the Tier III greenway layout, as presented, was inadequate. A tentative property walk was scheduled for June 4th at 9:00am.

Mr. Hall, an abutting property owner to the Old Orchard subdivision, asked if any progress has been made on the road width issue raised by the applicant. He was advised that applicant's surveyor Beideman Associates believes that an 18th century petition to open the road set the width at 40 feet. Recognizing that all subsequent documentation establishes the width at 33 feet,

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the Planning Commission expressed considerable doubt for this claim. Solicitor Spangler was asked to investigate the applicant's claim and advise the Planning Commission on its validity. A letter was sent to the application requesting a status update and advising that if not activity occurs, the Planning Commission will be recommending denial of the plan. The applicant has replied stating that they expect to submit revised plans by the end of the month or agree that the Planning Commission recommend denial to the Board.

A proposed change to the Subdivision and Land Development Ordinance Sections 201 and 902 regarding payments to township consultants employed during the review of applications was received by the Township Solicitor. The Commission has reviewed the proposed changes and recommend approval of same to the Board. Ms. Shields moved to advertise this amendment after the 30 day review period has expired. Mr. Bock seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

VILLAGE TASK FORCE

Bryan McDonough reported that the Village Task Force did not hold a meeting in May. Their next meeting is scheduled for June 2nd.

SUBDIVISIONS

1. #04-1 – Old Orchard Estates
2. #03-4 – Brandywine Hill – Final Plans
3. #05-1 - Louderback
4. #05-3 – Harlan
5. #05-4 - Hankin

OLD BUSINESS

Mr. Schneider provided an update on the ACRE Initiative. He stated that PSATS is still supporting this initiative which could be used to undercut township zoning. At this time it is unclear whether the Department of Agriculture will support this initiative.

Bryan McDonough provided an update on Community Day. He stated that all of the contracts have been submitted to the township and that a small notice has been placed in the DARC newsletter and will be posted on the website. The Board has a concern with the donation received from the Hankin Group. They stated that they are very concerned with taking a donation from a developer who has a pending subdivision application on the books. The Board is also concerned with the budget number of Community Day. The number is higher than previous years and are concerned that should the board return the donation from the Hankin Group and unless other donations are made, it will be hard to hold Community Day as planned. Mr. McDonough stated that he should be able to solicit additional funds but it will be the board's decision on whether or not to postpone or cancel Community Day. The Board asked the township secretary to make some calls and see if other entertainers, etc. can be booked that could possibly lower the costs to the township and advise Mr. McDonough.

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Update on proposal for use of school house received from Tim Wloczewski. Mr. Schneider stated that discussions are underway with the township solicitor. Some of the issues being discussed are office hours, payment of utilities and ADA requirements. Bill Moore asked if the township would be paying for office hours. Ms. Shields stated that this is something that they are working out, and does vary among townships. Some have code enforcement officers on their payrolls and others just require office hours as part of their contracts. Mr. Schneider further stated that this building will still be used of the Historical Commission, Village Task Force and the EAC, as well as still house files for the Municipal Authority. It would not be restricted to just a Code Enforcement Office.

NEW BUSINESS

Mr. Schneider announced that an executive session was held on May 9th with the township solicitor to discuss matters of pending litigation.

PUBLIC COMMENT

Mr. Matlack's, property owner of 90 Indiantown Road, father was present on his son-in-laws behalf to state that the ongoing issue with his neighbor still exists and that they have had no luck in discussing these concerns with the neighbor.

Ms. Hammond asked the status of the township budget. Mr. Bock advised her that the financial tracking information is located on the website and is current.

Ms. Shields stated that she was approached by a neighboring property owner to the Hankin tract who stated that she and 3 others have had bacteria in their water. Mr. McGrew will discuss this issue with Hankin.

ADJOURNMENT

Meeting adjourned at 8:50 AM. Next meeting is Wednesday, June 1, 2005 at 7:30 PM.

Respectfully submitted,

Kimberly A. Milane-Sauro
Secretary