

**APPROVED**

**WALLACE TOWNSHIP BOARD OF SUPERVISORS  
SEPTEMBER 7, 2005**

The Chairman called the Meeting of the Wallace Township Board of Supervisors to order on Wednesday, September 7, 2005, at 7:35 PM in the Municipal Building.

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

**PUBLIC COMMENT**

Residents of Chalfant development were present to discuss concerns regarding the status of the development. They stated that the bank has taken possession of the remaining property within the development. The township secretary advised them that no proof of this has been presented to the township. As far as the township is concerned the owner of the land is still John Reid. The residents asked if anything could be done to force close out of the subdivision. They were advised that the township could not force close out. Could only require that the escrow be maintained. Houses have been posted as unsafe for human habitation but are not at the point of condemnation. The Board has agreed to contact the township solicitor to discuss process for road dedication and to proceed against the escrow.

Randy Caspersen was present to discuss a proposal to control deer population within the township. He provided the Board outlining his suggestions. This information is available at the township building. The Board stated that they would be willing to supply a line of communication between Mr. Caspersen and any resident interested. The township will also make this information available in their next newsletter and on the website.

**MINUTES**

Ms. Shields moved to approve the minutes from the August meetings. Mr. Bock seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

**TREASURER'S REPORT**

General Fund Receipts deposited during the month of August totaled \$89,124.04.

Mr. Bock moved to approve thirty-six (36) bills, payable from the General Fund, for the month totaling \$97,629.46. Ms. Shields seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

Mr. Bock moved to approve one (01) bill, payable from the State Fund, for the month totaling \$707.37. Ms. Shields seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

**CORRESPONDENCE**

1. PennDOT to Heritage Building Group, dated 8/15/05, re: review and comments on the HOP application for Brandywine Hill
2. Neighborhood Health Agencies to Twp. Secretary, dated 8/16/05, re: request for contribution
3. SC Engineers to BOS, dated 8/17/05, re: response to EAC questions in June 15<sup>th</sup> letter for the Hankin development
4. Theresa Lemley to Twp. Secretary, dated 8/17/05, re: 30-day extension for review of the Brandywine Hill subdivision plans
5. SC Engineers to BOS, dated 8/23/05, re: project status for the Hankin development
6. CCPC to Twp. Secretary, dated 8/26/05, re: review of proposed ordinance amendments to the historic sections of the twp. zoning ordinance
7. The Hankin Group to the EAC, dated 8/30/05, re: final document submission for review
8. Tim Wloczewski to BOS, dated 8/30/05, re: intentions for use of the school house as an office
9. DEP to Woodstone Homes, dated 8/31/05, earth disturbance inspection report
10. DEP to Anderson Homes, dated 8/31/05, earth disturbance inspection report
11. CCPC to Upper Uwchlan Twp., dated 9/1/05, re: review of the Popjoy preliminary plan
12. Castle Valley Consultants to Twp. Roadmaster, dated 9/2/05, re: drainage improvements/Glenmoore Wastewater Treatment Plant water runoff
13. GenTerra Corp. to BOS, dated 9/6/05, re: 90-day extension for review of the Old Orchard subdivision plans
14. WTHC to John Thomas, dated 9/7/05, re: response to letter dated 8/26 regarding Thomas house and historic issues

**ZONING REPORT**

Tim Wloczewski reported that fourteen (14) new building permits were approved last month as follows:

- #05-12 – 411 Marshall Road (Addition)
- #05-40 – 10 Jacqueline Circle (Addition)
- #05-43 – 39 Steepleview Drive (Fence)
- #05-44 – 341 Barneston Road (Fence)
- #05-45 – 50 Glen Manor Lane (Garage)
- #05-48 – 171 Adas Way (Shed)
- #05-49 – 371 Barneston Road (House)
- #05-50 – 141 Messner Lane (Shed)
- #05-52 – 50 Mapleflower Road (Fence)
- #05-53 – 50 Mapleflower Road (Deck)

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#05-54 – 571 Fairview Road (Fence)

#05-55 – 871 Little Conestoga Road (In-ground Pool)

#05-56 – 16 Edgemoor Run (Horse Barn)

#05-58 – 1250 Little Conestoga Road (In-ground Pool)

A “Stop Work Order” was posted at 371 Barneston Road for unauthorized timbering and stripping of vegetation in the FHWSO and failure to install E&S controls. A building permit was issued upon proof of exemption from the FHWSO and flood plain zones from a certified soil professional. E&S control measures have been installed to include super silt fence. The proposed single-family dwelling also meets all zoning code requirements.

A “Stop Work Order” was sent to the property owner of 861 Springton Road for construction of an unauthorized accessory structure on 7/8/05, requiring the owner to resubmit complete professional plans for review and compliance with local codes and ordinances. A thirty-day notice to comply was given. To date, the letter for compliance has expired and no action has been taken. Issue is being discussed with the township solicitor.

A site visit was performed at 951 Springton Road for unauthorized timbering along the south branch Indian Run Creek. A meeting was held with myself, the property owner and a professional arborist to review all trees to be removed and preservation of the existing creek banks. Approval has been given for the removal of approximately 15 trees, none of which are on or near the creek bank.

Wallace Township has contacted Charlestown Paving & Excavating to complete the required 25’ of asphalt at 401 Barneston Road, 28 Walnut Bank Road, and 190 Mapleflower Road. All three properties failed to comply with township codes and ordinances in a reasonable amount of time and were completed by Wallace Township. Payment will be made to Charlestown Paving from all three individual homeowner escrow accounts. Property owner at 1501 Creek Road has completed all work per their escrow agreement as well.

Ms. Shields moved to approve the escrow releases for the above mentioned properties per Mr. Wloczewski’s report. Mr. Bock seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

### **POLICE REPORT**

Chief Kocsi reported that for the month of August the activity report is as follows: 75 investigations; 74 traffic citations; 11 traffic warnings; 2 traffic accidents; 6 criminal arrests and 2 summary arrests.

Officer Joe Glasgow was activated for military reserve duty on August 22, 2005. He will be heading for Kuwait.

The BRP is participating in the nationally recognized ChildSafe program. ChildSafe is a firearms safety program and provides free gun locks to residents who own firearms. Information on the program will be featured in the upcoming newsletter and gun locks are available now at the township building.

### **HISTORICAL COMMISSION**

Jen Harkins reported that the Hankin Group attended the last Historical Commission meeting. There was some conflict regarding documents to be submitted to the PHMC for review. The Hankin Group has met with the PHMC and will be attending the next Commission meeting. Hankin has also been advised to bring a historical consultant to that meeting.

### **PARK BOARD**

Greg Newell reported that the Hankin Group will be attending the Park Board meeting this month to discuss their plan. The Bluegrass Concert was again successful this year. Rob Bebee is seeking help in continuing to run this event. A report on the DARC summer program will be provided by Jill Givler at the next evening meeting of the Supervisors. Chief Kocsi stated that in East Brandywine there has been an issue with graffiti in the parks. He asked that he be advised if the issue arises in Wallace.

### **PLANNING COMMISSION**

Skip McGrew reported that the Planning Commission has had two work sessions with the Hankin Group. First meeting on 8/17 focused on water and sewer issues. A number of consultants present. Meeting seemed to go fairly well. Other issues discussed at this meeting.

- Hankin to provide complete revised plans sometime around October 1 and could possibly bring action by the Board by the end of the year.
- With this time schedule, Hankin has been asked to start attending other commission and board meetings to discuss any issues with those groups directly. A Planning Commission representative will be present at those meetings as well.
- WTMA has covered a number of issues regarding water and sewer and discussions have progressed with the EAC regarding these issues. There are, however, still some outstanding documents that have been submitted to the WTMA but not to the Township.

The second meeting on 9/6 focused on stormwater management. There have been numerous changes to the plan regarding stormwater due to the meetings held between Hankin consultants and township consultants. All changes will be shown on revised plan submission.

At this time, the Planning Commission has completed all of their meetings with the Hankin Group. Meetings will resume once revised plans have been. Hankin has been advised to attend other commission meetings and that a 90-day extension will be required with submission of a revised plan.

**SUBDIVISIONS**

1. #04-1 – Old Orchard Estates
2. #04-3 – Brandywine Hill – Final Plan
3. #05-1 – Louderback
4. #05-3 - Harlan
5. #05-4 - Hankin
6. #05-5 - Popjoy

**PUBLIC HEARING**

The regular meeting of the Board of Supervisors was closed at 8:43 PM. A public hearing was opened at 8:44 PM to discuss and receive public comment on an ordinance amending historical section 1002, 1004 and 1008 of the zoning ordinance. Ms. Shields provided a brief overview of the ordinance, a copy of which can be reviewed at the township office. No public comment received.

The public hearing was closed at 8:48 PM. The regular meeting of the Board of Supervisors was reopened at 8:49 PM.

**OLD BUSINESS**

Ms. Shields moved to adopt the ordinance amending historical section 1002, 1004 and 1008 of the zoning ordinance. Mr. Bock seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

Ms. Shields stated that the conditional use hearings for the school district have been completed. At the close of the hearings a verbal decision was relayed to the applicant. The Supervisors have received the written decision to be approved and sent to the applicant. All conditions appear to be constant with the verbal agreement with the exception of number 2 regarding flashing light warning signals on Fairview Road. Ms. Shields stated that a maintenance contract will have to be entered into and feels that the township should not be responsible for the maintenance. Mr. McGrew stated that during the Planning Commission's solicitor discussions with the applicant, it was determined that the school district did agree to maintain these warning signals. Ms. Shields moved to approve the written decision with the amendment to number 2 to include the words "maintenance of...". Mr. Bock seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

**NEW BUSINESS**

An executive session was held on 8/17 with the township auditor for receipt of completed annual audit.

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An executive session was held on 8/17 with the township consultants to discuss legal representation at Hankin meetings. **(Ms. Shields not present for this discussion)**

Ms. Shields moved to authorize the township engineer to proceed with close out process for the Steepleview Development per the MPC regulations. Mr. Bock seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

Mr. Bock moved to allowing hunting to continue in the township park, archery season only, for the 2005-2006 season. Ms. Shields seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

Mr. Schneider stated that he has been asked by Natural Lands Trust to have Wallace Township join in a grant application for the purpose of placing a conservation easement on the Girl Scout Camp. The Wallace Trust has also been asked to join in this application. Natural Lands Trust has agreed to carry the weight of the grant preparation. This grant would allow for funding from the state for the purchase of conservation easements. Ms. Shields moved to approve Resolution No. 05-12 supporting and joining as co-applicant on a grant application for the purpose of obtaining funds to purchase conservation easements on the Girl Scout Camp. No funds are required to be provided by the township. Mr. Bock seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

The township is in receipt of contracts from the County for a grant application that was submitted for Alice Park. Awards will not be announced until sometime in October, but that county is requesting contract signatures to expedite any funding if the township does received funding. Ms. Shields moved to execute the contract for Round XVII Grant from Chester County. Mr. Bock seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

### **PUBLIC COMMENT**

Mr. McDonough asked if the Board has reviewed the audit received from the auditor. Ms. Shields stated that a preliminary review was done with the auditor upon receipt. A line-by-line review has not been completed.

Greg Newell stated that the school district will be submitting land development plans within 2-3 weeks.

### **ADJOURNMENT**

Meeting adjourned at 9:15 PM. Next meeting is Wednesday, September 21, 2005, at 8:00 AM.

Respectfully submitted,

Kimberly A. Milane-Sauro  
Secretary