

**WALLACE TOWNSHIP BOARD OF SUPERVISORS**  
**APRIL 4, 2007**

The Chairman called the Meeting of the Wallace Township Board of Supervisors to order on Wednesday, April 4, 2007, at 7:30 PM in the Municipal Building.

Supervisors present: Robert V. Bock, Chairman  
Janet A. Grashof, Vice Chairman  
Bryan W. McDonough, Member

**PUBLIC COMMENT**

None.

**MINUTES**

Tabled to next meeting.

**TREASURER'S REPORT**

General Fund Receipts deposited during the month of March totaled \$131,631.89.

Expenditures from the General Fund for the month of March totaled \$146,844.95.

Mr. Bock moved to approve thirty-three (33) bills, payable from the General Fund, for the month totaling \$103,474.58. Mr. McDonough seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

Mr. Bock moved to approve one (1) bill, payable from the General Fund, for the month totaling \$3,650.16. This was an invoice payable to the Brandywine Conservancy for the proposed woodlands ordinance. Ms. Grashof seconded the motion. There being no further discussion or public comment, the motion was approved by a majority vote with Mr. McDonough voting nay.

**CORRESPONDENCE**

1. DEP to Sunoco, dated 3/14/07, re: notice of violation at the Camiel Service Plaza
2. Commonwealth Engineers to BOS, dated 3/19/07, re: resubmission and response letter for Camp Indian Run
3. Debbie Shulski, Esq. to Twp. Secretary, dated 3/20/07, re: confirmation of discussions regarding the Croft Building on the Devereux property
4. John Good, Esq. to BOS, dated 3/21/07, re: greenway issues for the Diamant subdivision
5. CCCD to The Hankin Group, dated 3/23/07, re: review of E&S Control Plan for the Hamilton subdivision
6. Tim Wloczewski to Mr. and Mrs. Carl Lundberg, dated 3/26/07, re: rejection of permit application
7. Twp. Historical Commission to Tim Wloczewski, dated 3/27/07, re: Lamb Tavern Springhouse
8. CVC to Twp. Office, dated 3/27/07, re: E&S observations at Highspire Estates
9. Denise Yarnoff, Esq. to Twp. Secretary, dated 3/27/07, re: list of potential planners for preparation of fiscal impact studies

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10. CVC to Twp. PC, dated 3/27/07, re: review of Camp Indian Run subdivision
11. Entech Engineering to DEP, dated 3/23/07, re: submission of Chapter 94 report for the Glenmoore WWTP
12. CVC to Twp. PC, dated 3/30/07, re: review of the Diament subdivision
13. HA Thomson to Twp. Office, dated 3/30/07, re: receipt of dividend check
14. Twp. PC to BOS, dated 4/3/07, re: recommendation for approval of Camp Indian Run subdivision
15. Twp. PC to BOS, dated 4/3/07, re: recommendation for proposed stormwater management ordinance

Request from the Glen Moore Village Preservation Board for a donation of the history books for a raffle they will be holding. The Board is okay with the donation of these items.

### **ZONING REPORT**

Tim Wloczewski reported that two (2) new building permits were approved for the month of March as follows:

- #07-07 – 245 Indian Run Road (Addition)
- #07-10 – 35 Brittany Lane (In-ground Pool w/fence)

Two (2) new building permits were denied for the month of March as follows:

- #07-07 – 540 Fairview Road (Hydrogen Fuel Cell)
- #07-12 – 210 Barneston Road (Pool enclosure)

A stop work order was posted at 634 Marshall Road relating to an unauthorized detached accessory structure being constructed in the front yard without a zoning permit. Detached accessory structures are not permitted to be placed in the front yard in the FRR zoning district. Please note that with the new permit fees established, there will be costs incurred by the township that will not be able to be reimbursed.

An authorized timber harvest project located at Forest Hill Lane has been ordered to cease operations and a stop work order was posted after an unauthorized entrance road was being constructed for access to haul timber. The unauthorized entrance crossed through three adjoining properties without permission. Several site meetings were held with the forester and the affected property owners which resulted in the forester agreeing to restore the entire disturbed areas to the original conditions with proper E&S control measures and planting of 40 – 2½ to 3 inch caliber pine trees.

A permit application has been submitted by Verizon for the installation of a 5kw hydrogen fuel cell on the property at 540 Fairview Road. Upon review of the permit application it was noted that Section 701.C, Section 701.C.3 and Section 701.C.7 only permits installation of this type of equipment by conditional use hearing. The application has been denied and the applicant has submitted an application for a conditional use hearing before the Supervisors.

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A permit application was submitted by the owners of 210 Barneston Road for the construction of a pool enclosure. Upon review it was noted that the inspection authorization language was removed from the application without authorization from the approved authorities. The permit was denied.

Notice of Violation and Enforcement Notice have been sent to the property owners at 420-430 Barneston Road for an unauthorized junkyard. Time has expired on the notices and board approval is required to move forward with legal proceedings. The attorney general's office has contacted the township office and they have been supplied with all of our correspondence to the homeowners regarding this issue. Mr. McDonough stated that he would like to wait until the next meeting to decide how to proceed and he would like to contact the homeowner to make sure they fully understand what is happening. The Board is fine with this and this matter will be tabled to the next meeting.

Mr. Wloczewski, Building/Zoning Officer stated that he has again been contacted by the owners of 51 Howson Lane and they would like to begin the fire restoration work on their home. Mr. Wloczewski is requesting that fees for this project be set at an hourly rate instead of a square footage rate. This matter had been brought to the Board back in February but tabled due to Mr. McDonough's recusal and Mr. Bock's absence. Mr. McDonough stated that he no longer has the property listed and therefore has no further conflict. He stated that if this is the process that has been followed in the past then we should continue in this fashion. The Board is in agreement.

Horst Drilling & Blasting was present to advise the Board of possible blasting activity for the sanitary sewers at the Brandywine Hill site. A pre-blast survey will be conducted along with photos. Notifications will be sent to property owners within 300' of the blasting site. Notification will not occur until blasting area has been determined. A pre-blast meeting will be conducted on-site prior to the start of work. DEP permits have been received and the township has been supplied with proper insurance and license information. The Board will allow this project to move forward.

### **POLICE REPORT**

Chief Kocsi reported that for the month of March the activity report is as follows: 80 investigations; 60 traffic citations; 6 traffic warnings; 7 traffic accidents; 1 criminal arrests and 4 summary arrests.

Sergeant Larry Pence has officially announced his retirement which will take effect on June 1, 2007. He has requested that the department keep our retirement celebration small so our dinner for him is going to be inner departmental. We wish him the best of luck in his future endeavors.

Officer Mike McBride has notified the department that he is leaving for military duty on June 15, 2007. His return date is unknown at this time.

The BRP is scheduled to move into the new building on April 15<sup>th</sup>. There will be no interruption in the phone service however the internet and email are not operating properly yet. We ask everyone to be patient if you are sending an email and do not receive a response. The BRP would like to maintain a small area in the Wallace Township building for a phone and computer desk to allow the officers to come in and complete reports when patrolling Wallace.

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### **HISTORICAL COMMISSION**

Isabelle Blank reported that Mark Pellicciotta attended the last meeting on behalf of Greenfield. No discussions regarding this project took place. The main focus of the meeting was the review of the lighting and landscape plan for the Hamilton subdivision. A letter from the Commission with their comments will be forthcoming to the Board. The PennDOT HOP application for the Hamilton project has been submitted by the Hankin Group. It appears that there are some historic resources along the road that may be impacted. The Commission will be reviewing this with the Township Engineer.

### **PARK BOARD**

Mary Jacobsen reported for the Park Board. Devereux was present at the last meeting and expressed an interest in getting more involved with the community. They have also committed to donating the funds they received from the timbering on their site to the Park Board.

The Easter Egg Hunt was again successful and the Park Board would like to thank the Faith Alliance Church for organizing this event.

GGs will hold field day clean up this Saturday from 9-Noon. First tournament is scheduled for May 3<sup>rd</sup> and 4<sup>th</sup>. Batting cages are still pending.

No report for Ray Park.

### **EAC/WOODLANDS TASK FORCE**

Mark Eschbacher reported that there was not a quorum at the last meeting.

### **FINANCIAL PLANNING COMMITTEE**

None.

### **PLANNING COMMISSION**

Barbara D'Angelo reported for the Commission.

Camp Indian Run – A letter recommending preliminary approval of this plan has been forwarded to the Supervisors. Ms. Grashof moved to approve the preliminary plan for Camp Indian Run with the conditions set forth in the March 28<sup>th</sup> recommendation of the PC and the additional condition that the Planning Module will be approved and forwarded to DEP once approvals have been received from West Brandywine. Mr. McDonough seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

The PC has recommended to the Board that the proposed stormwater management ordinance be forwarded to the County and the township solicitor for review. This issue will be tabled to the next meeting to allow the Board additional time to review.

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The review of SALDO continues. The woodlands language has been incorporated by the township engineer and sent back to the PC for review.

Old Orchard – Mr. McGrew stated that it appears that no clearing for the HOP application has been completed. The applicant appears to have again backed off. He would like to recommend that the Board send a letter of inactivity as has been done in the past. Board is in agreement with this.

Popjoy – Conditional Use Hearings in Upper Uwchlan recently closed. Awaiting a formal decision from that Board.

Devereux – Applicant scheduled to appear at the next WTMA meeting to discuss flows.

Diament – Letter received from applicant's attorney stating that they would do a conservation easement. The Wallace Trust has forwarded a model easement to them for review.

### **SUBDIVISIONS**

1. #04-1 – Old Orchard Estates
3. #05-5 – Popjoy
4. #06-4 – Devereux Land Development
5. #06-6 – Camp Indian Run
6. #06-7 – Diament

### **OLD BUSINESS**

Cable update – Mr. McDonough reported that a meeting was held yesterday with state representatives from Jim Gerlach's office and Senator Rafferty's office, PECO and Comcast. It was stated by PECO that the contractors completing the work are hired through PECO at the request of any applicant. These fees cannot be waived. It appears that the total cost for the job would be \$21k. Looked at the option of running the lines from Marshall Road. Comcast stated that if we completed the trench work, they would install the line for free. The maintenance department will be asked to look at the clearing involved and see if they can determine a dollar amount for equipment, etc. Resident, Skip McGrew, recommended that the Board consider a letter to the FCC. He feels that the pole attachment is inappropriate. This matter will be addressed further at the next meeting.

Trail on WTMA property – The Board would like to have the information forwarded to the Township Solicitor for review. This matter will be placed on the next agenda.

Mr. Bock moved to approve the grant extension from the County for the proposed woodlands ordinance. Mrs. Grashof seconded the motion. Mr. McDonough stated he would be voting nay due to the spending and costs incurred for the project so far. There being no further discussion or public comment, the motion was approved by a majority vote with Mr. McDonough voting nay.

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Mr. Bock moved to forward the zoning portion of the woodlands ordinance to the County and the township solicitor for review. Mr. McDonough questioned the definition of timber harvesting operations. Ms. D'Angelo stated that the current zoning has the same time frame only change was to the number of trees allowed to be removed. Mr. McDonough questioned item "D" Riparian Buffers – who would approve the landscape plan. The Board agreed that this item should be removed and placed into SALDO. Mr. McDonough questioned the definition of hedgerow in that hedgerows are considered woodlands. Ms. D'Angelo stated that it only exists in the definition section and there is no enforcement in the zoning. Mr. McGrew stated that it is there because the County wanted SALDO and Zoning to be consistent. Mr. McDonough stated that he would be voting nay due in part he feels it takes away from the rights of property owners and the continued increased costs. Ms. Grashof seconded the motion. There being no further discussion or public comment, the motion was approved by a majority vote with Mr. McDonough voting nay.

### **NEW BUSINESS**

Mr. Bock moved to approve Resolution #07-10, pertaining to the collection of realty transfer taxes. Ms. Grashof seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

### **PUBLIC COMMENT**

Mr. McGrew asked if the PC would be provided a copy of the approval letter for Hankin. Mr. Bock stated that they will be provided a copy once it has been approved by the Board.

Resident, Ward Albert, asked if the issues discussed in the worksession with the treasurer will be addressed in another meeting. Mr. Bock stated that they will.

### **ADJOURNMENT**

Meeting adjourned at 9:15 PM. Next meeting is Wednesday, April 18, 2007, at 8:00 AM.

Respectfully submitted,

Kimberly A. Milane-Sauro  
Secretary