

**WALLACE TOWNSHIP BOARD OF SUPERVISORS**  
**AUGUST 1, 2007**

The Chairman called the Meeting of the Wallace Township Board of Supervisors to order on Thursday, August 1, 2007, at 7:30 PM in the Municipal Building.

Supervisors present: Robert V. Bock, Chairman  
Bryan W. McDonaugh, Member

**PUBLIC COMMENT**

Mr. McDonaugh provided an update on the internet connection to the township building. He reported that Dan Price at Senator Rafferty's office is looking into getting a contact for the FCC and Mr. Price will contact Ed Schmidt of Jim Gerlach's office about working with us to continue to resolve this issue.

Mr. McDonaugh reported that he has received a call from Gary Elston, supervisor in West Nantmeal regarding the issue with the Elverson Ambulance. He stated that the DCED report promised months ago, should be supplied shortly and a meeting will be scheduled for sometime in August.

Faye D'Alessandro and her daughter, Catherine Sheller were present to discuss a violation and enforcement notice they received regarding junk accumulation on their property. Ms. Sheller stated that they are in the process of removing the material from the field to an area near the barn. The aluminum will be removed next week. Ms. D'Alessandro stated that they are not a junkyard but rather they are recycling. Mr. Wloczewski informed them that if they are recycling they may require some type of permit from the County or DEP. If they are a junkyard, they can apply for a permit through the township but further stated that it was unlikely they would get it as the land does not qualify for that type of use. Mr. Bock stated that the Board had attempted to work with the property owners before and are very concerned that progress seemed to stop, however, he is willing to work with them. Ms. Sheller asked if they keep moving and report to the Board every two weeks would that work. Mr. Bock stated that the property owner should attend the meeting in two weeks and provide a report. If there is substantial progress, they will be permitted to continue. If no progress has been made, the Board will have no other option but to proceed with enforcement measures.

Resident, Mr. Moore, asked what specific violations had been identified. Mr. Wloczewski stated that his letters cited the operation of junkyard. Mr. Moore asked if there was a definition of a junkyard in our zoning ordinance. Mr. Wloczewski stated that there was and he read the definition

Ms. D'Alessandro asked why Mr. Wloczewski had entered her property and did not notify her that he was there. Ms. Wloczewski stated that he was responding to numerous complaints and that he only pulled into the field driveway, or wet soils area. Resident, Mr. Moore, asked if Mr. Wloczewski was permitted to do this. Mr. Wloczewski stated that he was. The police chief further stated that Mr. Wloczewski is permitted to enter property and that he is protected under certain state codes that allow this. However, if he is asked to leave, he must do so.

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**MINUTES**

Mr. Bock moved to approve the minutes from the July meetings as presented. Mr. McDonough 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 July totaled \$63,904.70.

Mr. Bock moved to approve fifteen (15) bills, payable from the General Fund, for the month totaling \$112,076.06. Mr. McDonough seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

Mr. Bock reported that an offer has been made to an applicant for the treasurer's position and we are currently waiting to see when he is available to start.

**CORRESPONDENCE**

1. CCPC to Twp. Secretary, dated 7/19/07, re: review of the Seibert subdivision plans
2. EB Walsh & Assoc. to PennDOT, dated 7/12/07, re: resubmission of the HOP application for the Hamilton subdivision
3. Albert Greenfield to Twp. Secretary, dated 7/18/07, re: request for placement on agenda and request for documents
4. 30-day extension for the Thornton lot line change
5. ZHB to John Diament, dated 7/24/07, re: decision and order for the variance request
6. CVC to PC, dated 7/24/07, re: review of the Diament subdivision plan
7. PennDOT to The Hankin Group, dated 5/17/07, re: review of the HOP application for the Hamilton subdivision
8. PennDOT to Subdivision Services, dated 6/22/07, re: review of the HOP application for Old Orchard Estates
9. Faye D'Alessandro to BOS, dated 7/18/07, re: request for placement on the agenda
10. GenTerra Corp. to Mr. and Mrs. Hall, dated 7/24/07, re: request from PennDOT for additional lands to allow access to the Old Orchard Estates subdivision
11. CVC to Twp. Office, dated 7/27/07, re: E&S inspection at Highspire Estates
12. CCPC review of the LaPorta planning module
13. CCPC review of the Seibert planning module
14. PC to BOS, dated 7/31/07, re: recommendation for conditional approval of the Diament subdivision plans

**ZONING REPORT**

Tim Wloczewski reported that ten (10) new building permits were approved for the month of July as follows:

- #07-47 – 750 Fairview Road (Home Occupation)
- #07-48 – 821 Springton Road (Fence)
- #07-51 – 241 Fairview Road (Shed)

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- #07-53 – 15 Ashlea Drive (Deck)
- #07-54 – 471 Fairview Road (Renovation & Deck)
- #07-55 – 21 Ashlea Drive (Deck & Porch Roof)
- #07-56 – 68 Brittany Lane (House)
- #07-57 – 85 Brittany Lane (Deck)
- #07-58 – 402 Marshall Road (Patio Enclosure)
- #07-59 – 15 Coulter Drive (House)

Emergency measures were undertaken by Wallace Township to secure the Brandywine Hill subdivision after heavy rain washed silt and mud onto Creek Road creating unsafe and dangerous conditions for vehicles. Super silt fences, regarding of entrance, seed and straw mulching entire disturbed areas and water cutes were made into basin 2 to ensure all runoff remains on site. Heritage Builders has applied for an emergency permit with DEP to replace the pipe in Burgess Pipe.

Resident, Bill Moore, stated that the same issue occurs at the intersection of Marshall and Creek Road. It was explained to him that the inlets at that intersection at owned by the State. Wallace had installed a pipe and inlet further up hill on Marshall Road in an attempt to alleviate some of the water flow. The only other option is to write a letter to PennDOT advising them of the situation.

### **POLICE REPORT**

Chief Kocsi reported that for the month of July the activity report is as follows: 80 investigations; 47 traffic citations; 8 traffic warnings; 2 traffic accidents; 1 criminal arrests and 2 summary arrests.

The Police Commission at their last meeting authorized Ron Stern of the PA Governor Center for Local Government Services to conduct a limited police budget and manpower analysis. Mr. Stern felt that it would be possible to get a report to the Commission by the end of September.

### **HISTORICAL COMMISSION**

None.

### **PARK BOARD**

None.

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

Mark Eschbacher reported that the EAC did not have a meeting last month due to a lack of a quorum. The EAC is working with Green Valley Association and the Wallace Trust on the issue of spraying along the Columbia Gas Line. A meeting was held with Columbia Gas and Wallace residents and some adjustments to Columbia's spraying procedures will be made. Follow up meetings may occur.

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### **FINANCIAL PLANNING COMMITTEE**

Bill Moore reported that the Committee did not meet in July and that they are scheduled to meet tomorrow evening for their work session.

### **PLANNING COMMISSION**

Barbara D'Angelo reported for the Commission. At the last PC regular meeting, the PC recommended conditional approval of the Diament subdivision. Mr. Bock moved to approve the Diament subdivision based on the conditions and recommendations in the Planning Commission's letter of 7/31/07 and the township engineer's review letter of 6/29/07 with the addition that the Highway Occupancy Permits for each driveway be approved by PennDOT.

### **WTMA**

Mr. McDonough stated that there was damage done to a pipe on Fairview Road. While trying to repair pipe, it was determined that the shut off valve at Fairview and Creek Roads was not working as well as another valve located further up on Fairview Road. Were both valves replaced or just one. Ms. D'Angelo stated that she is not sure but that she would check with the engineer and the operations manager. Mr. McDonough requested that the WTMA engineer be consulted on all of these issues should they occur again. Ms. D'Angelo stated that once she has received the maintenance reports, she could forward them to the Board. Mr. McDonough asked if there was a maintenance program in place for these valves. Ms. D'Angelo stated that she was not sure but does know that there was a maintenance manual prepared for the WTMA and believes that there is some language included. Mr. McDonough requested a copy of the maintenance manual.

### **SUBDIVISIONS**

1. #04-1 – Old Orchard Estates – Final Plan
2. #05-4 – Hankin – Final Plan
3. #05-5 – Popjoy
4. #06-4 – Devereux Land Development
5. #06-7 – Diament
6. #07-1 – Gulick/Fairview
7. #07-2 – Thornton
8. #07-3 - Siebert

### **OLD BUSINESS**

Randy Caspersen of the WDMA attended as a follow up to the Board's last meeting. He stated that a member of the WDMA met with Bob Ray regarding hunting on his land as well as whether or not he had any issues with hunting on the future Ray Park. Mr. Ray had no concerns at all and did sign a permission form for the WDMA. The WDMA is willing to list Wallace Township as an additional insured on their policy if hunting is permitted at Ray Park and Howson Park. Board agreed that hunting will be permitted at both of this parks, archery only, as well as Alice Park. Forms must be filled out at the township building and copies will be supplied to the police.

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Albert Greenfield was present to discuss the Valhalla Farms project. Mr. Greenfield presented 3 plan versions and a memo to include proposed ordinance overlay of the "I" district. Applicant feels that the fiscal impact of the proposed plan versus by-right plan would be better for the township, as well as the proposed plan having a less negative impact than a by-right plan. Applicant further feels that a by-right plan would disturb more land than the proposed plan. Resident, Skip McGrew stated that under a by-right plan, the Class "A" lands are protected and would not be able to be disturbed which could lead to less land disturbance than the proposed plan. Mr. Greenfield stated that under a by-right plan, mixed use is permitted, such as housing and agricultural. If farmed, Class "A" lands would be disturbed every year. Mr. McGrew stated that if the entire tract were farmed there would be less impact. Mr. Greenfield stated that farming is more of an environmental impact than a golf course and housing. An environmental impact study is still pending from the township consultants that will address this matter further. Mr. Greenfield also supplied the Board with a supplement to a traffic study that shows a greater negative impact with a by-right plan. This issue of installing a roundabout at the intersection of Marshall, Chalfant and Little Conestoga Roads is being discussed with the neighbors as land would be required to build a roundabout. If roundabout cannot be constructed at this time, applicant will supply the funds to the township so that construction can be completed at a later date. Initial plan has been revised per the recommendations of the historical consultant. Spa area has been moved away from the manor house. A supplemental report from the historical consultant is pending. Mr. Greenfield stated that our ordinance requires a fee-in-lieu of contribution be made for recreation facilities. Applicant is willing to provide a \$2,000 donation per lot and will be provided up front in three installments during construction. Mr. McGrew asked why the applicant wanted to meet with the township solicitor. Mr. Greenfield stated that he would like to discuss legal issues and also provide an overview of the proposed ordinance. Mr. McGrew recommended to the Board to advise the solicitor not to meet with the applicant until a legal analysis has been provided to the township. Denise Yarnoff, Esq. stated that they will not be seeking any legal opinion for the solicitor, the applicant only wants to meet with her to discuss the ordinance. Mr. McGrew stated that he feels it is too early in the process as the Board has not even decided if they want a zoning change. Mr. Bock stated that he would like to have a public meeting where the residents can come and voice their opinion on this proposed plan before any ordinance revisions are done. Mr. Bock further stated that he would like this project to proceed through the Planning Commission first and then the Board would decide how to proceed. Applicant is schedule to attend the next EAC meeting and Mr. Bock would like an EAC member present at the PC meeting as well when this issue is discussed.

### **NEW BUSINESS**

Mr. Bock moved to approve escrow release #1 for the Brandywine Hill subdivision as reviewed and approved by the township engineer. Mr. McDonough seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

Mr. Bock moved to approve the purchase of trail signs for the Heritage Estates subdivision to be reimbursed, in full, by Heritage Building Group. Mr. McDonough seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

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**PUBLIC COMMENT**

Mr. McGrew inquired as to the status of the Woodlands ordinance. He was advised that it has been sent out for all of its respective reviews.

Mr. McGrew advised the Board that on a prior occasion, a previous supervisor had stated that the Board has no control over zoning issues and that the zoning officer is the only one that can enforce it. He wanted the Board to be aware of this in light of the pending junkyard issue.

**ADJOURNMENT**

Meeting adjourned at 10:05 PM. Next meeting is Wednesday, August 15, 2007, at 8:00 AM.

Respectfully submitted,

Kimberly A. Milane-Sauro  
Secretary