

WALLACE TOWNSHIP BOARD OF SUPERVISORS
April 17, 2008

A Regular Meeting of the Wallace Township Board of Supervisors was called to order on Thursday, April 17, 2008 at 7:30 PM in the Township Building by Chairman Bryan McDonough.

Supervisors present: Bryan W. McDonough
Robert D. Jones
Robert V. Bock

Solicitor: Stephen V. Siana, Esquire
Michael G. Crotty, Esquire

Pledge of Allegiance

The Supervisors began the meeting by leading everyone in the Pledge of Allegiance.

Executive Sessions

Chairman McDonough announced that an executive session was held immediately prior to tonight's meeting, on April 17, 2008, in order to discuss personnel and litigation matters.

Minutes

Supervisor Jones moved that the minutes for the Board of Supervisors Meeting on February 21, 2008 be approved. Chairman McDonough seconded the motion. Supervisor Bock noted his abstention from a vote on these minutes, as he was not in attendance. The motion carried with the votes of Supervisor Jones and Chairman McDonough.

Correspondence

Twenty-nine (29) pieces of correspondence were noted as received. A list of the correspondence as well as the individual pieces of correspondence is available for public inspection.

Township Building and Facilities Report

Chairman McDonough noted that the alarm system for the Township building is up and running. All Township staff and commission members should see the Township Secretary to ensure that they become informed as to the steps to take if the alarm is triggered.

Chairman McDonough also noted that the Township received a recycled bench from the County, which has been placed in Wagenseller Park. Giant Food Store generously donated the benches to the County. Chairman McDonough thanked the Township Secretary for her work in securing the donation of the bench.

Planning Commission

Chairman Barbara D'Angelo noted that the Planning Commission held its regular meeting on April 9, 2008. She noted two items for the Board.

First, with regard to the Popjoy Preliminary Subdivision and Land Development application, the Planning Commission recommends that the Board deny the application based on the Township Engineer's latest review letter. The Planning Commission believes that the applicant's plans do not comply with the Township Ordinances and the applicant has never submitted any plans in compliance. Two of the more prominent issues with the application are that it exceeds the permitted density and does not comply with the sewage requirements of the Township Ordinances. The Planning Commission therefore recommended denial of the application, even if a request for an extension is received. Solicitor Siana noted that the applicant did submit a request for a 60-day extension, which he recommends that the Board approve. Also, upon the request of the Township, the applicant did submit a memorandum to the Board of Supervisors on the issues of the density and the sewage. As the Solicitor's office has not yet had an opportunity to fully discuss the issues raised in the memorandum with the Board and the Township Engineer, the Solicitor recommends that the extension request be granted.

Next, PC Chairman D'Angelo reported to the Board that the Planning Commission has prepared a Vision Partnership Grant application to Chester County, in order to pay for revisions to the Township Zoning Ordinance and Subdivision and Land Development Ordinance. Under the sought-after grant, the County would contribute money to defray the cost of the revisions, with the Township and the Trust also making contributions. Discussion ensued as to the Township's past experience with the grant monies and constraints that were imposed. Chairman McDonough suggested that the scope of the grant be made clear to ensure that all of the contemplated Zoning and SALDO amendments are incorporated (with the exception of re-adoption of the previously repealed Ordinances). The Board tabled any further discussion on the issue until its next meeting on May 1, 2008.

Lastly, Supervisor Bock inquired as to the status of the Old Orchard development. The final subdivision and land development application for Old Orchard development was previously approved by the Board of Supervisors, although the matter has not been released by the Township for recording since the developer has not posted the required financial security and has not executed a development agreement with the Township (as were conditions of the final plan approval).

Old Business

- a. Bulk Trash Day: Chairman McDonough announced that bulk trash collection will be on Saturday, April 26, 2008 from 9:00 a.m. – Noon.
- b. Update on Community Day: Chairman McDonough announced that the Wallace Township Community Day is scheduled for June 28, 2008, from Noon to 5 PM. The Township is still looking for more volunteers to help out. The tents and rides have been ordered.

- c. Update on Wagenseller Park- Some tree pruning was done at the park today, and the flagpole has been replaced. The Township expects that the bleachers will be delivered soon. Lastly, it was announced that the GGS will have its opening day at the park on April 22, 2008.
- d. Letter to Penn DOT- Chairman McDonough noted that the letter to Penn DOT regarding the warning signs at the intersection of Route 282 and Marshall Road did go out.
- e. Devereux Request for Use of Township Building – The Township Secretary indicated that the Board had not yet made a determination as to the request for the use of the Township building by Devereux. Devereux requested the use of the building on April 30, 2008 for approximately 25 to 50 people for a two-part seminar. The Supervisors discussed that they would like the Solicitor to review the Township's policy on the use of the Township building, but that Devereux's request should be considered under the presently existing policy. Supervisor Jones moved that the request by Devereux to use the Township building be approved. Chairman McDonough seconded the motion, which carried unanimously.
- f. Letter to Brandywine Conservancy- The Supervisors requested a status update on the letter to the Brandywine Conservancy regarding the request for assistance in reviewing and re-enacting the previously repealed ordinances. The Township Solicitor noted that he had minor revisions to the draft letter and that it would be sent tomorrow.
- g. Camp Indian Run- Solicitor Crotty noted that the Revised Final Subdivision Plans for the Camp Indian Run development, with a last revised date of October 2, 2007, are ripe for the Board's review and should be considered. Solicitor Crotty noted that the Board had previously granted approval of the applicant's Final Subdivision Plans, but that the applicant subsequently submitted Revised Final Plans. The Township Engineer reviewed the Revised Final Plans and recommended that the applicant submit evidence of approval of the changes from the County. The applicant has now done so, and the Township Engineer has advised that the Revised Final Plans be approved. A form of decision was prepared by the Solicitor and announced to the audience. Supervisor Jones thereafter moved that the Revised Final Subdivision, and Land Development Plans for the Camp Indian Run Development be approved subject to the conditions set forth in the form of decision presented to the Board. Supervisor Bock seconded the motion, which carried unanimously.

New Business

- a. Brandywine Hill – Site Escrow Request – A request for release of the site escrow had been received by the Township. The request was reviewed by the Township Engineer, who recommended that \$9,557.04 of the escrow be released to Heritage Construction Co. Supervisor Jones moved that \$9,557.04 of the escrow be released per the

recommendation of the Township Engineer. Supervisor Bock seconded the motion, which carried unanimously.

b. Popjoy/Marshlea Extension – Supervisor Jones moved that the applicant’s request for a 60-day extension by the applicant be granted. Supervisor Bock seconded the motion, which carried unanimously.

c. Thank You to Jane Davidson – The Board of Supervisors took a moment to thank Jane Davidson for all of her years of service to the Township. The Board and Historical Commission presented Jane Davidson with an inscribed vase to memorialize the Township’s appreciation of her hard work in preserving historical structures in the Township.

d. Fairview Presbyterian Church Sign Request- The Historical Commission noted that it had concerns with the proposed sign for Fairview Presbyterian Church and that they would like additional information before forwarding their recommendation to the Township Zoning Officer. Tim Streeter was present on behalf of Fairview Presbyterian Church and discussed the design and details of the proposed sign. The Township Zoning Officer was also present. He indicated that the proposed sign appeared to comply with all of the Township Ordinances. A discussion then ensued as to the criteria for calculating the area of the proposed sign and whether the underlying structure to which the sign is affixed would be considered in calculating the size of the sign. The Township Zoning Officer noted that it was his position that the size of a sign is defined as exclusive of any structural support. The Historical Commission noted that it would prepare its report on the deleterious impact of the proposed sign and will forward it to the Township Zoning Officer and the applicant.

e. Wallace Township Historical Commission Report on Schoolhouse- The Historical Commission presented its report on the condition of the Old Schoolhouse. Unfortunately, the Old Schoolhouse was not named on the list of the eleven most endangered places. The Historical Commission completed an inventory of the problem areas in the Old Schoolhouse building. The Historical Commission has prepared a detailed report on the condition and their proposals for both short-term and long-term repairs. There was discussion as to possible fundraising efforts to fund the repairs. The Supervisors noted that the Road Crew could be used to patch any problems with the windows per the report, but that bid specifications should be prepared for the proposed repairs of the more significant problems with the roof and other structural aspects of the building. Chairman McDonough also advised the Township Zoning Officer to inspect the building for any immediate safety concerns.

f. Volunteers- Supervisor Jones moved to appoint Janet Grashof to the Historical Commission. Supervisor Bock seconded the motion, which carried unanimously.

g. Valhalla/Brandywine Update- Albert Greenfield presented a summary of all of the recent changes and updates to the proposed Valhalla project plans, pursuant to his discussions with the subcommittee. Mr. Greenfield noted that several adjustments were made to the plans and fully described all of the significant aspects of the plans. Mr. Greenfield also submitted a preliminary list of ordinance amendments prepared by his counsel that he would request in moving the matter forward. In doing so, Mr. Greenfield acknowledge that he would be willing to pay the cost of the Township Engineer and the Township Solicitor to review the proposed

amendments. After Mr. Greenfield's presentation, Supervisor Jones moved that the Township Engineer and Township Solicitor be authorized to review the proposed zoning ordinance amendments and to report back to the Board as to recommendations for amending the Zoning Ordinance (noting that such shall not constitute an agreement by the Board to undertake such rezoning or an approval of any such nature). Chairman McDonaugh seconded the motion, which carried unanimously.

Public Comment

None.

Adjournment

Meeting adjourned at 10:45 PM.

Respectfully submitted,

Betty Randzin
Secretary

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