

**WEST GOSHEN TOWNSHIP  
BOARD OF SUPERVISORS SPECIAL ORDINANCE WORKSHOP  
JUNE 18, 2019  
6:00 PM**

Township Supervisors:

Ms. Robin Stuntebeck, Chair  
Mr. Hugh J. Purnell, Jr., Vice-Chair  
Mr. Edward G. Meakim, Jr., Member  
Mr. Christopher Pielli, Esq., Member  
Mr. Shaun Walsh, Member

Township Officials:

Mr. Casey LaLonde, Township Manager  
Mr. Derek Davis, Assistant Township Manager  
Mr. Richard J. Craig, Township Engineer  
Mr. Bill Webb, Township Zoning Officer  
Ms. Kristin Camp, Township Solicitor

Ms. Stuntebeck called the special Ordinance workshop meeting to order at 6:03 and opened the meeting with the Pledge of Allegiance to the Flag.

Ms. Stuntebeck turned the meeting over to Ms. Camp for a discussion of ongoing Ordinance revisions.

**Cyber / Chart Schools Ordinance**

Mr. Camp first discussed the Cyber / Chart School Ordinance. Ms. Camp stated that Mr. Tom Mohr, representing property owner Bill Freas on Hagerty Boulevard, had requested a discussion with the Board regarding Cyber and Charter Schools in the Industrial Zoning Districts. Ms. Camp stated that a previous Board removed all educational uses from Industrial Zoning Districts, mostly in a move to curtail growth of West Chester University.

After the discussion, Mr. Purnell made a motion to advertise the Cyber / Chart School Ordinance but then withdrew the motion.

Margie Swart commented on the Rezoning of the Harrison Hill Apartment building and that setbacks from pipelines needs to be addressed.

**Fireworks Ordinance**

Ms. Camp then introduced the proposed Fireworks Ordinance. She stated that the West Goshen Township Code needs to be brought into compliance with the recently decided Pennsylvania court case regarding fireworks sales. On a motion by Mr. Purnell, seconded by Mr. Meakim, the Board directed Ms. Camp to advertise the proposed Ordinance for possible adoption at the July 22<sup>nd</sup>, 2019 Board meeting.

**Wireless Communications Ordinance**

Ms. Camp stated an updated list of Township streets needs to be incorporated into the existing Wireless Communications Ordinance. After a brief discussion, Mr. Pielli made a motion to update the street list with Mr. Purnell seconding the motion.

Margie Swart asked about setbacks for homes. The streets proposed for the Ordinance do not contain any residences.

The motion carried 5-0.

**Special Events Ordinance**

The discussion continued about the proposed Special Events Ordinance. Mr. Pielli made a motion directing Ms. Camp to focus on events held on public property and provide a final draft to the Board at a future meeting with Mr. Walsh seconding the motion.

Dr. Douglas White asked about insurance requirements.

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Vince Gallagher also asked about insurance requirements.

The motion passed 5-0.

On a motion by Mr. Purnell, seconded by Mr. Pielli, the special Ordinance workshop meeting was adjourned at 7:04 p.m.

**WEST GOSHEN TOWNSHIP  
BOARD OF SUPERVISORS MONTHLY MEETING  
JUNE 18, 2019  
7:00 PM**

The regular monthly meeting of the Board of Supervisors of West Goshen Township was called to order by Chair Robin Stuntebeck, at 7:09 p.m. on Tuesday, June 18, 2019 at the West Goshen Township Administration Building.

Ms. Stuntebeck opened the meeting with the Pledge of Allegiance to the Flag.

Ms. Stuntebeck requested that all audience members silence their cell phones.

Ms. Stuntebeck made notice to all members of the public in attendance that they may be recorded via audio and video by other members of the public.

Ms. Stuntebeck read the following statement, in regard to the recently enacted Resolution 11-2019, for public comment during Board meetings.

**Regulations for Comment on Items on the Agenda**

West Goshen Township residents and taxpayers may make comment on any agenda item that require a vote by the Board of Supervisors.

West Goshen Township residents and taxpayers may speak for two (2) minutes per item. At the Chair's discretion or at the request of another Board member, a speaker may be granted additional time.

The Board of Supervisors reserves the right to not engage in a question and answer dialogue with speakers.

Comments are meant to be declaratory in nature and not interrogatory.

**Regulations for Comment on Items Not on the Agenda**

West Goshen Township residents and taxpayers may make comment during the "Public Comment" period for any item not on the agenda.

West Goshen Township residents interested in providing comment during this period shall submit their statements to the Township Manager at least 24 hours in advance of the meeting so the Board and Township staff may be prepared.

West Goshen Township residents and taxpayers may speak for two (2) minutes per item. At the Chair's discretion or at the request of another Board member, a speaker may be granted additional time.

The Board of Supervisors reserves the right to not engage in a question and answer dialogue with speakers.

Comments are meant to be declaratory in nature and not interrogatory.

### **General Regulations**

No individual shall make offensive, insulting, threatening, insolent, slanderous or obscene remarks or act in a boisterous manner or make threats against any person or against public order and security.

If an individual shall refuse to yield the floor when their allotted time has expired or refuse to adhere to the protocols of decorum and order by yelling or commenting when they have not been recognized by the Board Chairperson to speak, he or she shall be asked to leave the meeting by the Board Chairperson and, if necessary, be removed by the Sergeant at Arms, who shall be a Township Police Officer present at each meeting.

Ms. Stuntebeck moved to item 4 on the agenda, monthly reports.

### **Monthly Township Reports**

Lt. Michael Carroll provided the Police Department report for the month of May 2019.

Fire Marshall Andrea Testa provided the Fire Marshall's report for the month of May 2019.

Mr. John Beswick provided the Building Official's Report for the month of May 2019.

### **Meeting Minutes Approval**

The May 30, 2019 meeting minute's approval was tabled to the next Board meeting.

### **Treasurer's Report Approval**

On a motion by Mr. Purnell, seconded by Mr. Meakim, the Board unanimously approved the Treasurer's Report dated May 31, 2019, for the General Fund, the Sewer Revenue Fund, the Waste and Recycling Fund, and the Capital Reserve Fund, and the bills to be paid from these funds.

### **Board of Supervisors' Announcements**

Mr. Walsh announced that the West Chester Area Council of Governments held a regional energy planning group meeting June 17<sup>th</sup> with a public workshop meeting to be held from 6:00 p.m. to 8:00 p.m., Thursday, July 11, 2019 at the West Whiteland Township municipal building. The public is encouraged to attend to discuss future energy planning.

Mr. Purnell stated that he attended a June 5, 2019 Chester County Fire / EMS Planning Committee meeting.

Mr. Purnell inquired about the Historic Resources Ordinance status. Ms. Camp stated that a Buckley Brion attorney will attend the June 27, 2019 Historic Commission meeting to discuss the historic resources inventory with the Commission. Ms. Stuntebeck had questions regarding the Class I and Class II resources listed in the inventory. Mr. Camp stated that Class I and Class II resources are on the National Register of Historic Places or eligible for inclusion.

Mr. Pielli announced that the Township's Park & Recreation Department was hosting a bus trip to New York City on June 29<sup>th</sup>.

Ms. Stuntebeck introduced the concept of hosting a second Board meeting per month, to occur every other month, to provide additional public comment time for Township residents. She suggested the meetings be one

hour in length and the first one will be 6:00 p.m., prior to the Sewer Authority meeting on July 10<sup>th</sup>, September 4<sup>th</sup> and November 6<sup>th</sup>. Mr. Pielli made a motion to schedule these meetings, seconded by Mr. Walsh.

Margie Swart requested that the meetings be shifted to August, October and December due to the budget cycle. The Board consensus was to keep the meetings as first described.

John Hellman commended the Board for the idea asked if the Board could sit with the residents in circular fashion.

Abbas Rahbari, East Goshen resident, asked to be recognized and Ms. Stuntebeck would not recognize him. Ms. Camp stated that he is not a Township resident, business owner or taxpayer and would not be recognized per the recently enacted Resolution.

### **Township Manager's Announcements**

Mr. LaLonde introduced a draft Resolution from a Lehigh Valley municipality that advocated for changes to the Pennsylvania Right-To-Know Law to curtail the use of "vexatious" requests for public documents. Mr. LaLonde stated that the Township is inundated with document requests from commercial requestors seeking building permit records in order to establish customer lists. Mr. LaLonde asked the Board to take it under advisement.

### **Township Engineer's Stormwater / Woodlands at Greystone Announcements**

Mr. Craig announced that the Pennsylvania Department of Environmental Protection is ready to issue a draft MS4 Township stormwater permit once the Township provides additional mapping information and completes an additional 30-day public comment period which began on June 10<sup>th</sup>.

Mr. Craig stated that staff are reviewing building permits for the homes in The Woodlands project and that general construction continues on the project.

### **Zoning Officer's Announcements**

Mr. Webb stated that the hearings on June 4<sup>th</sup> produced no decisions and those decisions will be announced on June 26<sup>th</sup>, along with two new hearings for that evening. He stated that a use variance for 704 E. Market Street will be heard. He stated that on July 18<sup>th</sup>, two additional hearings will occur; one for 704 E. Market Street to allow for offsite parking and one for 862 Spruce Avenue for a variance request to allow for a 6' fence on a corner lot. The Board did not oppose either variance.

### **DelVal Loan Discussion**

Ms. Stuntebeck asked about the recently received correspondence from DelVal to possibly refinance the Township's existing DelVal loan that would result in a decrease of the interest rate and resulting savings on the loan's cost. On a motion by Mr. Walsh, seconded by Mr. Meakim, the Board unanimously approved refinancing the existing DelVal Loan.

### **Comprehensive Plan Approval**

Ms. Camp introduced Resolution No. 12-2019 that would approve and adopt the 2019 Township Comprehensive Plan. Ms. Camp stated the adoption process is dictated by the Pennsylvania Municipalities Planning Code (MPC) and that all advertising and notification requirements have been satisfied by the Township. After a brief discussion, on a motion by Mr. Walsh, seconded by Mr. Pielli, the Board unanimously approved Resolution 12-2019, adopting the Comprehensive Plan.

### **Conditional Use Hearing – Greystone Elementary – WCASD**

Ms. Stuntebeck turned over the meeting to Ms. Camp to begin the Conditional Use Hearing for the proposed new Greystone Elementary School for West Chester Area School District at 1125 Pottstown Pike. The Hearing began at 7:55 p.m.

**Please see office transcript.**

The Hearing concluded at 9:010 p.m.

**Ordinance No. 6-2019 – C-1 Zoning District Uses and Shared / Offsite Parking**

Ms. Camp introduced Ordinance No. 6-2019 that would amend the C-1 Zoning Districts uses and provide for shared / offsite parking. Ms. Camp stated that depending if the Board were amenable to allowing the shared / offsite parking, two versions of the Ordinance were available, one with the shared / offsite parking and one without the parking changes.

Ms. Camp stated the Ordinance had been advertised in The Daily Local News on June 3, 2019 and June 10, 2019; submission to the County Law Library on May 29, 2019; the Chester County Planning Commission for review on May 21, 2019; and the West Goshen Township Planning Commission reviewed the Ordinance at their June 11, 2019 meeting at which the Planning Commission supported the use changes but not the shared / offsite parking changes.

Mr. Walsh asked why the Planning Commission opposed the parking changes. Mr. John Hellman, member of the Township Planning Commission stated that they thought it was more appropriate to be brought before the Township's Zoning Hearing Board and the Commission was concerned about unintended consequences.

Mr. Pielli asked if one of the two parcels was sold. Ms. Camp stated that an Agreement could be drafted by the Solicitor and would run with the land.

Mr. Webb stated that he observed that the lot being considered as offsite parking was currently being used to store vehicles and buses by a nearby auto mechanic.

Mr. Eli Kahn, owner of 704 W. Market Street stated that was a temporary condition and had additional comments on the shared / offsite parking concept.

Mr. Pielli stated that each lot should support its own parking and that the property owner should seek a variance with the Zoning Hearing Board.

Mr. Lou Colagreco, attorney for Mr. Kahn, stated that in this example, this is not true "shared" parking, but "offsite" parking.

Mr. Pielli made a motion, seconded by Mr. Walsh to approve Ordinance No. 6-2019 with only the use amendments and not any offsite parking changes.

Margie Swart stated that she thought medical marijuana should be established as a distinct use. Ms. Camp responded that it is and the Township is following Pennsylvania law regarding this issue.

The motion carried 5-0.

Ms. Camp then asked if the Board would like to take a position in regards to the applicant's appearance before the Zoning Hearing Board and the offsite parking issue and if the Board did so, she recommended the Board request a condition of approval by the Zoning Hearing Board be a recorded easement across both properties for

this shared parking situation. On a motion by Mr. Pielli, seconded by Mr. Meakim, the Board unanimously agreed to not take a position on the application and requested the condition of a recorded easement.

### **Boot Road Restriping Project**

Ms. Stuntebeck introduced Mr. Al Vennettilli with Carroll Engineering Corporation, the Township's Consulting Engineering firm, to overview the proposed striping changes on Boot Road and the signalization changes to the intersection of Greenhill Road and Boot Road.

Mr. Vennettilli described the striping changes and lane widths for the project. He stated that one of the main issues for Boot Road residents was the elimination of some of the available area behind the fog line on the west side of Boot Road that residents use for trash totes and parking. He stated that the other lane widths have been altered to maintain the existing space behind the fog line.

Mr. LaLonde read an email from Francis Hanney, PennDOT District 6-0 Sr. Manager, Traffic Services Division. Mr. Hanney or one of his staff were unable to attend tonight's Board meeting.

"Rick, our apologies but we will not be able to attend tonight's meeting. However, as Paul Lutz indicated during your conversation the Department is in support of the proposed striping changes which create a center left turn lane and reduce the EB to one lane with shoulder. If any questions arise concerning PennDOT's role we will be happy to respond after the meeting. Thank you."

Michelle Ruhl asked if the existing center turn lane would remain. Mr. Vennettilli responded that the lane will remain. She also asked about the possibility of the long-discussed slip ramp to Rt. 202.

Margie Swart had a question regarding the Greenhill Road / Boot Road intersection traffic signal.

Abbas Rahbari asked if the cost were to be split between West Goshen Township and East Goshen Township. Staff responded, yes.

Tom Casey asked about eminent domain and about lane widths. Township staff responded that the project is to occur within the existing right-of-way and paving and that lane widths are per PennDOT allowances.

Michelle Ruhl asked about coordination with the ongoing Sunoco pipeline construction. Township staff responded that Sunoco will be consulted.

On a motion by Mr. Purnell, seconded by Mr. Pielli, the Board unanimously approved Resolution 10-2019, a Joint Resolution with East Goshen Township, to bring the Highway Occupancy Permit process with PennDOT regarding the Boot Road Restriping Project and Greenhill Road signal improvements.

### **Public Comment**

Robert Brochet stated his continued complaints about snow throwback and harassment by Township employees. He had complaints about Public Comment Resolution 11-2019.

Ms. Stuntebeck responded to Mr. Brochet and stated that he has repeatedly complained about the snow removal on his street and this would be the last time he would be permitted to address the Board of Supervisors about his snow complaints.

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**Please view this meeting's video recording via YouTube with the link located at [www.westgoshen.org](http://www.westgoshen.org).**

There being no further business, on motion by Mr. Purnell, seconded by Mr. Walsh, the meeting adjourned at 10:27 p.m.

Respectfully submitted,

Casey LaLonde  
Township Secretary