

**WEST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS MEETING
January 23, 2002**

A regular meeting of the Board of Supervisors of West Goshen Township was called to order by Vice Chairman Edward G. Meakim, Jr., at 3:59 p.m. on Wednesday, January 23, 2002, at the West Goshen Township Administration Building. All members were present. Mr. Meakim opened the meeting with the Pledge of Allegiance to the Flag.

Mr. Meakim opened the floor for public comment. No comments were made.

Chief Michael J. Carroll announced that on October 28, 2001 at approximately 11:15 a.m., Officer Lewis W. Knerr was participating in a softball game in Caln Township when another player, Mr. Joseph Earley, suffered cardiac arrest. Chief Carroll stated that Officer Knerr's quick and professional actions in administering CPR to Mr. Earley resulted in Mr. Earley's full recovery. In recognition of this Chief Carroll presented Officer Knerr with a commendation from the West Goshen Township Police Department. Mr. Earley, who was present, was introduced and thanked Officer Knerr. Mr. Earley's mother also expressed her appreciation to Officer Knerr.

Dr. White expressed the Board of Supervisor's appreciation to Mr. Raymond H. Halvorsen, Director of Public Works for the excellent job done in snow removal on January 19 and 20, 2002.

Mr. Richard J. Craig, Township Engineer, announced that the Zoning Hearing Board of West Goshen Township will hold a public meeting on Tuesday, January 29, 2002 at the West Goshen Township Administration Building at 7:30 p.m. to hear ZHB 1-02. The applicant and legal owner is West Chester Area School District, 829 Paoli Pike, West Chester, PA. The conforming property for which the application is made is 12.42 acres located at 1314 Burke Road. The applicant is seeking a Special Exception and any other relief necessary to add 1,617 sq. ft. to the existing cafeteria at E. N. Pierce Middle School.

Mr. Craig also announced that the Zoning Hearing Board will hold a public meeting on Tuesday, February 12, 2002 at the West Goshen Township Administration Building at 7:30 p.m. to hear ZHB 2-02. The applicant is Robert E. Brotzman, III, 25 Diamond Drive, Thornton, PA. The legal owner of the real estate affected is Cumberland Farms, Inc., 777 Dedham Street, Canton, MA. The non-conforming property for which the application is made is .39 acres, located at 1081 West Chester Pike. The applicant is seeking a Special Exception and Variances for relief from building setback line, side yard minimums, relief from the pre-existing non-conforming conditions and any other relief necessary to construct a three thousand sq. ft. building in the northwest corner of the property, provide for twenty parking spaces and a separate loading facility and reduce the access width of the existing access drives on West Chester Pike and North Five Points Road.

On motion by Dr. White, seconded by Ms. McIlvaine, the Board unanimously approved the bills to be paid from the General Fund, the Sewer Fund, the Capital Reserve Fund, and the Waste and Recycling Fund.

On motion by Dr. White, seconded by Ms. McIlvaine, the Board unanimously approved Resolution 5-02 recognizing Eddie Lee Mallard's loyal and faithful service of 34 years to West Goshen Township.

On motion by Dr. White, seconded by Ms. McIlvaine, the Board unanimously approved Resolution 6-02 creating an Agricultural Security Area in West Goshen Township. The Board of Supervisors held a Special Hearing on January 9, 2002 at which time the Board voted unanimously to approve the request of the Jerrehian family to create an Agricultural Security Area on the Greystone property. The total area approved for inclusion after the exclusion of the 28.43 acres condemned by the West Chester Area School District is 449.37 acres.

On motion by Dr. White, seconded by Ms. McIlvaine, the Board unanimously approved the re-signing of a Final Subdivision Plan for a 6-lot residential subdivision for Mark E. and Elizabeth C. Beaugard located at 800 North New Street.

On motion by Mr. Meakim, seconded by Dr. White, the Board unanimously approved a Final Subdivision Plan for a 4,911 square foot Convenience Food Market for Wawa, Inc. located at 1195 Pottstown Pike pending the

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issuance of a Highway Occupancy Permit. Mr. John Jaros, Esquire, and Ms. Susan Bratton were present to represent the plan.

On motion by Ms. McIlvaine, seconded by Mr. Meakim, the Board unanimously approved a Final Land Development Plan for 188,106 square feet of Office Space for QVC Realty, Inc., located at 1200 Wilson Drive.

On motion by Ms. McIlvaine, seconded by Dr. White, the Board unanimously approved an Application for Permit to Install and Operate Flashing Warning Devices on Ellis Lane at East High School for the West Chester Area School District.

Mrs. Evelyn Baker, 900 Sheridan Drive, asked who would be paying for the installation of the flashing warning devices and Mr. Craig said it would be the responsibility of the West Chester Area School District. Mrs. Baker asked which side of Ellis Lane, the East Goshen Township side or the West Goshen Township side, they would be installed on to which Mr. Craig answered they will be on the West Goshen Township side.

On motion by Dr. White, seconded by Ms. McIlvaine, the Board unanimously approved the adoption of Resolution 7-02, amending Resolution 7-99 establishing a schedule of deposits and fees for zoning and land use applications and appeals to the West Goshen Township Zoning Hearing Board and to the West Goshen Township Board of Supervisors.

Dr. White explained that the Board was raising the fees to be equivalent with other townships and that the new fee schedule will add an additional \$300.00 for each additional hearing held for an application. Mrs. Baker stated she felt this will not always be fair to the applicant since the applicant is not always the reason for additional hearings. Dr. White said that when the application requires a simple hearing, only one hearing is needed and that only the complicated applications are affected by the fee increase. Dr. White added that West Goshen Township costs are not being met with the current fees and that the fee schedule is now in line with other townships. Mrs. Baker said that if an applicant requests additional hearings, the new schedule would be appropriate but when the Board is the one who is continuing the hearing or a large number of protestors are the reason for the continuance, it is not fair to put the burden on the applicant. Mr. Meakim asked Mrs. Baker if she thought the burden for the extra costs should be placed on the Township and she said she did.

Dr. White said if the Township needs significant engineering done to come to a conclusion on an application, the costs will be borne by the applicant. Mrs. Baker said that if the Township doesn't want to approve what is being applied for, the Board of Supervisors could "nitpick the application to death" resulting in added costs to the applicant. She said this would leave an opening for abuse of process. Dr. White noted that Mrs. Baker had been attending the Board of Supervisors meetings for many years, and he asked her if she had observed any abuses by the Board to which she replied she had not.

Dr. White said that in regard to the Cold Springs Development, West Goshen Township had an independent survey done at a cost of \$9,000 in order to confirm the flood plain as determined by the applicant's engineer. Dr. White said that the independent survey found that the applicant's engineer was correct and this helped to satisfy the residents' concerns. Mrs. Baker asked if the developer will have to pay for this and Dr. White replied no, but that if the developer's survey had looked far out of bounds they would have been asked to pay.

Mr. Meakim opened the floor for public comment. No comments were made.

There being no further business, on motion by Mr. Meakim, seconded by Ms. McIlvaine, the meeting was adjourned at 4:24 p.m.

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Respectfully submitted,

Sandra K. Turley
Assistant Township Secretary