

**WEST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS MEETING
October 27, 2004**

A regular meeting of the Board of Supervisors of West Goshen Township was called to order by Chairman Patricia B. McIlvaine at 4:05 p.m. on Wednesday, October 27, 2004, at the West Goshen Township Administration Building. All members were present. Ms. McIlvaine opened the meeting with the Pledge of Allegiance to the Flag.

Ms. McIlvaine opened the floor for public comment. No comments were made.

Ms. McIlvaine announced that she, Dr. White and Township staff met in a public meeting on Monday, October 27, 2004 with residents of the Greenhill Road area regarding the possible installation of a traffic signal at Greenhill Road and McDermott Drive. She said that a partnership of the West Chester Area School District and the ACAC Fitness Center will be constructing a swimming pool for use by the School District on McDermott Drive and that there are concerns about the traffic that will be generated through the pool's use.

Ms. McIlvaine introduced Ms. Andrea R. Testa who will be serving as Fire Marshal and Emergency Management Coordinator for West Goshen Township upon the retirement of Mr. Ralph Brown, the current Fire Marshal for West Goshen Township. Ms. McIlvaine thanked Mr. Brown for his years of service and wished Mr. Brown well in his retirement.

On motion by Dr. White, seconded by Mr. Meakim, the Board unanimously approved the appointment of Ms. Andrea R. Testa as Fire Marshal and Emergency Management Coordinator for West Goshen Township.

Ms. McIlvaine announced that Ms. Nancy D. Rodgers, Zoning Officer, will be retiring as of October 28, 2004 and on behalf of the Board she thanked Ms. Rodgers for her years of service and wished Ms. Rodgers well in her retirement.

Ms. Sharon Lynn, Township Manager, announced that the Board of Supervisors will hold two public meetings in the month of November, on November 10 and November 17, 2004 at 4:00 p.m. The Board of Supervisors regularly scheduled meeting on November 24, 2004 is canceled.

Dr. White announced that a meeting of the West Chester Regional Planning Commission was held on October 26, 2004 at the West Chester Borough Hall to review the West Chester Regional Area Transportation Study. Dr. White said the conclusion was that Tigue Road should not be opened to the public and that Rosedale Avenue should be expanded to handle increased traffic. Dr. White said that the West Goshen Township Board of Supervisors does not agree with this conclusion and is still interested in the development of Tigue Road.

Ms. Nancy D. Rodgers, Zoning Officer, announced that the West Goshen Township Zoning Hearing Board will meet on Wednesday, November 17, 2004 at 7:00 p.m. to consider the application of the West Chester Area School District, 1181 McDermott Drive, West Chester, PA. The properties for which the application is made are 28.4+ acres located at 1125 Pottstown Pike and legally owned by West Chester Area School District and a portion located at 1034 Phoenixville Pike. Both properties are zoned R-3 Residential District. The applicant is seeking Variances for relief from Maximum roof overhang/projection into yard, required side yard setback for structures, required side yard setback for parking lots and any other relief necessary which would allow the applicant to build several athletic fields, supporting parking areas and a small structure/field house to be known as the Henderson North Athletic Complex.

On motion by Mr. Meakim, seconded by Ms. McIlvaine, the Board unanimously approved the Board of Supervisors minutes from September 8 and September 22, 2004.

On motion by Dr. White, seconded by Mr. Meakim, the Board unanimously approved the Treasurer's Report dated September 30, 2004 for the General Fund, the Sewer Revenue Fund, the Waste and Recycling Fund, and the Capital Reserve Fund, as well as the bills to be paid from the General Fund, the Sewer Fund, the Capital Reserve Fund, and the Waste and Recycling Fund.

Lt. Joseph Gleason gave the Police Report for the month of September 2004.

Mr. Ralph Brown, Fire Marshal, gave the Fire Marshal Report for the month of September 2004. Mr. Brown also gave the report for Goshen Fire Company, Good Fellowship Ambulance and West Chester Fire Department

Mr. Brown thanked the Board and residents of West Goshen Township for their support during the 25 years he has served as Fire Marshal for West Goshen Township.

Mr. John R. Beswick, Building Official, gave the Building Inspection Activity Report for September 2004. Mrs. Evelyn Baker, 900 Sheridan Drive, asked in regards to the roofing permits that were issued, how many roofs were inspected. Mr. Beswick replied that no inspections were done as none of the roofs required structural work to be performed. Mrs. Baker replied that if permits were required, then inspections must be done. Mr. Joseph E. Brion, Township Solicitor, advised Mrs. Baker that permits for roofs are required to ascertain the type of roofing being installed but that inspections are not required.

Ms. McIlvaine opened the floor for public comment.

Mr. Michael Lorello, 105 Snyder Avenue, stated that he and his wife were present at the Board of Supervisors meeting on July 9, 2003 to appeal to the Board for relief from drainage problems on their property. He said that residents of the area had presented a petition to the Board for the installation of storm drains and that engineering studies have been done. He added that Ms. Lynn and Mr. Richard Craig, Township Engineer, had toured his property on October 7, 2004. Mr. Lorello gave the Board a copy of an article from the Daily Local News dated May 26, 1979 showing water standing in the area as an indication that this is an ongoing problem. He said that 105 and 107 Snyder Avenue are the low points in the neighborhood and that the Township had installed a drainage ditch between the two properties but that is not enough to prevent water from collecting when the rain is heavy. He stated that the engineering study that was done addresses part of the problem but other areas of concern remain such as water draining down his driveway and flooding the downstairs portion of his house which causes an accessibility issue for his wheel chair-bound son. Mr. Lorello thanked the Board for their efforts to this point but said the solution to the problem calls for the installation of an infiltration basin and a retention basin between 105 and 107 Snyder Avenue. Dr. White responded that the cost would be \$21,000 for the remediation suggested in the study. He said that this is a substantial amount of money which may not end the problem. He added that the Township cannot do this for one resident and not do it for all others. Mr. Lorello stated that the Township should never have issued the permits to allow the houses to be built and Dr. White replied that the current Board did not approve the building permits. Mr. Lorello suggested that the Township should consider digging a "T" shaped trench at the back of the property to catch the water and perhaps widen the drainage ditch. Ms. McIlvaine asked Mr. Lorello to what area the water from the ditch drains and Mr. Lorello replied that it runs into a wooded area across the street.

Dr. White said that the Board is willing to look at the proposed solution to the water problem but they cannot make any promises as to what will be done. Mr. Lorello stated that several times after heavy rains, he has been unable to take his son out of the house in his wheelchair because of the flooded access ramp. He thanked the Board for their consideration of the problem. Ms. Lynn advised Mr. Lorello that the Township will continue to look at the road issues they discussed on October 7. She added that Mr. Craig has talked to the consulting engineer who did the study of the area and that Mr. Craig is available to talk to Mr. Lorello about what he has learned. She said Mr. Craig is willing to consider Mr. Lorello's suggestions versus the suggestions in the engineering study, but these may not be permanent solutions either.

There being no further business, on motion by Ms. McIlvaine, seconded by Mr. Meakim, the meeting was adjourned at 4:31 p.m.

Respectfully submitted,

Sharon Lynn
Township Manager

**West Goshen Township
Supervisor Hearing
October 27, 2004**

S-11-04

Supervisor Hearing S-11-04 was called to order by Chairman Patricia B. McIlvaine at 4:42 p.m. All members were present.

Mr. Brain L. Nagle, Esquire, was present to represent the Township. Mr. Mark P. Thompson, Esquire, was present to represent the applicant, Pat's Pizzeria, who is seeking approval to allow an Inter-municipal Liquor License Transfer pursuant to Act 141 of 2000, Pennsylvania Liquor Code, 47P.S. §4-461 for its restaurant which is located at 1149 West Chester Pike, West Goshen Township, Chester County, Pennsylvania.

See Court Reporter's Transcript

At the conclusion of all testimony and comments, on motion by Ms. McIlvaine, seconded by Mr. Meakim, the Board unanimously approved Resolution 38-2004 authorizing the Inter-municipal Liquor License Transfer pursuant to Act 141 of 2000, Pennsylvania Liquor Code, 47P.S. §4-461 by Pat's Pizzeria for its restaurant which is located at 1149 West Chester Pike, West Goshen Township, Chester County, Pennsylvania.

The hearing was closed at 4:52 p.m.

**West Goshen Township
Supervisor Hearing
October 27, 2004**

S-12-04

Supervisor Hearing S-12-04 was called to order by Chairman Patricia B. McIlvaine at 4:55 p.m. All members were present.

Mr. Brain L. Nagle, Esquire, was present to represent the Township. Mr. Donald C. Turner, Esquire, was present to represent the applicant, the West Chester Area School District, which seeks conditional use approval to develop athletic fields and facilities for W. C. Henderson High School on approximately 18 acres of a School District-owned 28.430 parcel of land located near the intersection of Pottstown Pike and Green Hill Road. The

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proposed facilities include a baseball field, a softball field, two multi-purpose athletic fields, a 2,340 square foot field house to support the athletic fields, an access road and 97 parking spaces, which will be shared with the adjoining, proposed West Goshen Township Skate Park. The Property is located in the R-3 Residence District. Conditional use approval is required pursuant to the R-3 Residence District regulations of Section 84-12G(1), the educational use regulations of Section 84-57.10 and the conditional use regulations and standards of Sections 84-74 and 84-75 of the West Goshen Township Code.

See Court Reporter's Transcript

At the conclusion of all testimony and comments, on motion by Dr. White, seconded by Mr. Meakim, the Board unanimously approved the application of West Chester Area School District, for conditional use to develop athletic fields and facilities for W. C. Henderson High School on approximately 18 acres of a School District-owned 28.430 parcel of land located near the intersection of Pottstown Pike and Green Hill Road.

The hearing was closed at 5:30 p.m.

**West Goshen Township
Continuation of Supervisor Hearing
October 27, 2004**

S-10-04

The continuation of Supervisor Hearing S-10-04 was called to order by Chairman Patricia B. McIlvaine at 6:01 p.m. All members were present.

Mr. Joseph E. Brion, Esquire, was present to represent the Township. Mr. John Jaros, Esquire, was present to represent the applicant Westrum Land Development, LLC. The applicant is the equitable owner of a 36.2 acre tract of land adjacent to Ward Avenue and Five Points Road commonly known as the Terramics Property, which is presently zoned I-C Industrial-Commercial District. The applicant is seeking a Conditional Use to develop and construct on the property a residential active adult retirement community of single family dwellings of various types together with associated amenities. The proposed use is subject to Conditional Use approval by the Board pursuant to a proposed amendment to Section 84-41.A of the West Goshen Township Zoning Ordinance which was previously considered by the Board at a public hearing on July 28, 2004. The Board will not take action on applicant's conditional use application until it decides whether or not to amend the Zoning Ordinance.

See Court Reporters Transcript

Mr. John Good, Esquire, was present to represent the following parties of interest: Warehouse Associates (tenant Wayne Moving and Storage), Plas-tech Coatings, Inc. and Chiral Technologies, Inc.

After the partial completion of testimony and comments, the hearing was continued to a date certain of November 17, 2004 at 4:00 p.m.

The hearing was adjourned at 6:51 p.m.