

**WEST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS MEETING
December 12, 2007**

Township Supervisors:

Dr. Robert S. White, Chairman
Ms. Patricia B. McIlvaine, Vice Chairman

Township Officials:

Mr. Casey LaLonde, Township Manager
Ms. Jeanne M. Denham, Finance Director
Ms. Sandra K. Turley, Township Secretary
Mr. Richard J. Craig, Township Engineer
Mr. Raymond D. McKeeman, Zoning Officer
Mr. Joseph E. Brion, Esquire, Township Solicitor

A regular meeting of the Board of Supervisors of West Goshen Township was called to order by Chairman Dr. Robert S. White at 4:09 p.m. on Wednesday, December 12, 2007, at the West Goshen Township Administration Building. Mr. Edward G. Meakim, Jr., was absent. Dr. White opened the meeting with the Pledge of Allegiance to the Flag.

Dr. White opened the floor for public comment.

Mr. Hank Whalen, 688 Normandy Court, presented a petition to the Board requesting an evening meeting with the Board to discuss the Louis H. Close Range on South Concord Road. Dr. White advised Mr. Whalen that the Board will take the request under consideration.

Mr. Jon McCormack, 840 Spruce Avenue, asked if Jones Lane could be closed temporarily under a waiver from PennDOT to study the effect of its closing on the surrounding streets. Dr. White answered that the Board will consider the request.

On motion by Dr. White, seconded by Ms. McIlvaine, the Board unanimously approved the appointment of Ms. Carrie Martin to the West Goshen Township Planning Commission.

Ms. McIlvaine introduced Ms. Martin and welcomed her to the Planning Commission.

On motion by Dr. White, seconded by Ms. McIlvaine, the Board unanimously approved the appointment of Mr. Kenneth Fuller and Mr. Frank Biasi as members of the Sewer Authority and the appointment of Mr. Paul Spiegel as Alternate Member of the Sewer Authority. Mr. Fuller and Mr. Biasi previously were Alternate Members and Mr. Spiegel was a member of the Sewer Authority.

Dr. White announced that on December 13, 2007, Senior Trash Rebate checks in the amount of \$176.00 each will be mailed to 60 residents who applied and were approved to receive a rebate as part of the Township's Trash Rebate Program.

Mr. LaLonde announced that the December 26, 2007 Board of Supervisors meeting has been cancelled. The Organizational meeting of the Board of Supervisors will be on Monday, January 7, 2008 at 5:00 p.m.

Mr. Raymond McKeeman, Zoning Officer, announced that the Zoning Application for Chester County Hospital that was scheduled to be heard on December 13, 2007 at 7:00 p.m. had been withdrawn by the applicant. He said that the Zoning Hearing Board meeting would be held so that the Board could sign orders from previous hearings.

On motion by Ms. McIlvaine, seconded by Dr. White, the Board unanimously approved the Board of Supervisors minutes from October 10, October 24, and November 14, 2007.

On motion by Ms. McIlvaine, seconded by Dr. White, the Board unanimously approved the Treasurer's Report dated November 30, 2007 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.

Chief Michael Carroll gave the Police Report for the month of November 2007.

Ms. Andrea Testa, Fire Marshal, gave the Fire Marshal Report for the month of November 2007. Ms. Testa also gave the report for Goshen Fire Company and Good Fellowship Ambulance Company.

Mr. Edward Hunger, Building Official, gave the Building Inspection Activity Report for November 2007.

Mrs. Evelyn Baker, 900 Sheridan Drive, asked how many permits were issued for single family houses and Mr. Hunger replied that no permits were issued for single family houses.

Dr. White introduced Mr. Gerald Napiecek, Chairman of the Park and Recreation Board and Mr. Lee McFadden from the Friends of West Goshen Parks who presented certificates to the following sponsors of Park and Recreation events:

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| Platinum Level: | Commerce Bank Goshen Manor Apartments Goshen Terrace Apartments Park Valley Associates QVC |
| Gold Level: | Faulkner Auto of West Chester |
| Silver Level: | First National Bank of Chester County PECO Energy Sovereign Bank West Goshen Automotive and Fleet Services |
| Community Day: | Commerce Bank ACAC Fitness and Wellness Center |

Mr. Bill Gianetti from Commerce Bank, Mr. Kevin Quinn from First National Bank of Chester County, Mr. Dominic Marinucci from Sovereign Bank and Ms. Beth Hnatow from ACAC Fitness and Wellness Center were present to accept their certificates.

Prior to the consideration of the possible approval of Ordinance 13-2007 amending the Code of Ordinances of West Goshen Township Chapter 84, by amending Section 84-74, Subsection D(7), Mr. Joseph Brion, Township Solicitor explained the changes. He stated that in the new ordinance a conditional use approval will expire if the applicant fails to apply for a building permit or, if no building permit is required, a use and occupancy permit within one (1) year from the date of the Board's decision approving the conditional use. In instances where the development which requires conditional use approval also requires subdivision and/or land development approval, the one (1) year time period shall commence as of the date of preliminary plan approval provided that the preliminary subdivision and/or land development plans are submitted to the Township either simultaneously with the conditional use application or within six (6) months from the date of conditional use approval. If the preliminary subdivision and/or land development plans are not submitted within the referenced time period, the one (1) year time period shall commence as of the date of conditional use approval. Upon written application of the applicant or its successors and assigns, the Board of Supervisors, in its discretion and without the need for a public hearing, may grant successive (1) one year extensions of any conditional use approval."

Mr. Brion presented the following exhibits for Ordinance 13-2007 for the record:

- B-1 Proof of Publication the Daily Local News
- B-2 Filing with the Chester County Law Reporter
- B-3 Filing with the Daily Local News
- B-4 Letter of review from the West Goshen Township Planning Commission
- B-5 Letter of review from the Chester County Planning Commission

On motion by Ms. McIlvaine, seconded by Dr. White, the Board unanimously approved Ordinance 13-2007 amending the Code of Ordinances of West Goshen Township, Chapter 84, by amending Section 84-74, Subsection D(7) to amend the time period during which a conditional use approval is valid.

On motion by Ms. McIlvaine, seconded by Dr. White, the Board unanimously approved the adoption of Resolution 31-2007 setting the Township Manager's Salary at \$92,000.

On motion by Dr. White, seconded by Ms. McIlvaine, the Board unanimously approved the adoption of the Waste and Recycling Fund Budget for 2008.

On motion by Dr. White, seconded by Ms. McIlvaine, the Board unanimously approved the Sewer Fund Budget for 2008.

Mrs. Baker questioned the \$100,000 expenditure for the Westtown Way pumping station and Mr. John Scott, Sewer Treatment Plant Manager, explained that East Goshen Township pays most of that expenditure to the Sewer Authority.

On motion by Dr. White, seconded by Ms. McIlvaine, the Board unanimously approved Resolution 32-07 adopting the General Fund Budget for 2008.

Ms. McIlvaine thanked Ms. Jeanne Denham, Finance Director, and her staff for their work on the budget.

On motion by Dr. White, seconded by Ms. McIlvaine, the Board unanimously approved Resolution 33-07, establishing the Real Estate Tax at 1.5 mills for 2008.

Dr. White stated that the Real Estate Tax has remained the same for four years.

The possible approval of a Final Land Development Plan for a 1,350 square foot restaurant building addition to the West Chester Diner for the Adam and Sheriff Partnership located at 1147 West Chester Pike was tabled.

On motion by Dr. White, seconded by Ms. McIlvaine, the Board unanimously approved a Subdivision and Land Development Improvement and Maintenance Agreement and a Financial Security Agreement for Turner Square located at 849 Paoli Pike.

The possible approval of a Subdivision and Land Development Improvement and Maintenance Agreement and a Financial Security Agreement for 4 Kirkland Avenue Associates, L.P., located at 1332 Wexford Drive was tabled.

On motion by Dr. White, seconded by Ms. McIlvaine, the Board unanimously approved Resolution 34-2007 setting the date of January 23, 2008, for a Public Hearing for the application of the West Chester Area School District who is seeking a Conditional Use for the purpose of construction of athletic fields in the I-3 General Industrial District.

Dr. White opened the floor for public comment. No comments were made.

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There being no further business, on motion by Ms. McIlvaine, seconded by Dr. White, the meeting was adjourned at 4:37 p.m.

Respectfully submitted,

Sandra K. Turley
Township Secretary

**West Goshen Township
Supervisor Hearing
December 12, 2007**

S-06-07

Supervisor Hearing S-06-07, which was continued from November 14, 2007, was called to order by Chairman Dr. Robert White at 4:52 p.m. Mr. Meakim was absent.

Mr. Joseph E. Brion, Esquire, was present to represent the Township. Mr. Thomas F. Oeste, Esquire, was present to represent the applicant Dash Enterprises, L.P. The Applicant seeks the Board's Conditional Use approval pursuant to Section 84-96.F(1) for a proposed vehicular sales and service agency and the accessory use of an automobile repair shop on a 3.93 acre parcel of property located at 312-318 Westtown Road. The property is located in the MPD – Multipurpose District.

At 5:36 p.m. after the presentation of testimony the hearing record was closed and the Board will render a decision within 45 days.

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At 5:38 p.m. the regular public meeting was reopened and on motion by Dr. White, seconded by Ms. McIlvaine, the Board unanimously gave contingent approval for a Subdivision and Land Development Improvement and Maintenance Agreement and a Financial Security Agreement for 4 Kirkland Avenue Associates, L.P., located at 1332 Wexford Drive, pending a review of the documents by the Township Solicitor.

At 5:38 p.m. the regular public meeting was closed.

**West Goshen Township
Supervisor Hearing
December 12, 2007**

S-07-07

Supervisor Hearing S-07-07, which was duly advertised, was called to order by Chairman Dr. Robert White at 5:38 p.m. Mr. Meakim was absent.

Mr. Joseph E. Brion, Esquire, was present to represent the Township. Mr. Louis Colagreco, Esquire, was present to represent the applicant JPI Development Services, L.P. The hearing was for the consideration and possible approval of Ordinance 14-2007 amending the Code of Ordinances of West Goshen Township, Chapter 84 by amending Section 84-40 Subsection B(2) to amend area and bulk regulations applicable to apartments and by amending Section 84-55 to add a new Subsection E(1)(f) to establish drive aisle widths for privately owned and operated parking garages accessory to principal multifamily residential buildings.

At 5:39 p.m. the hearing was continued to a date certain of January 23, 2008 at 4:00 p.m. as the proposed ordinance was not posted with the Daily Local News and the Chester County Law Library.

**West Goshen Township
Supervisor Hearing
December 12, 2007**

S-08-07

Supervisor Hearing S-08-07, which was duly advertised, was called to order by Chairman Dr. Robert White at 5:39 p.m. Mr. Meakim was absent.

Mr. Joseph E. Brion, Esquire, was present to represent the Township. Mr. Louis Colagreco, Esquire, was present to represent the applicant JPI Development Services, L.P. The hearing was for the consideration and possible approval of a Conditional Use application in which the applicant seeks conditional use approval pursuant to Section 84-40.A(17)(c) of the West Goshen Zoning Ordinance to develop apartments on an 11.4 acre parcel of property located at the northwest corner of the intersection of the West Chester By-Pass (Route 202) and Matlack Street. The property is located in the I-2-R Light Industrial District-Restricted.

At 6:20 p.m. after presentation of testimony, on motion by Dr. White, seconded by Ms. McIlvaine, the Board unanimously approved continuing the hearing to a date certain of January 23, 2008 at 4:00 p.m.