

**WEST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS MEETING
August 19, 2009**

Township Supervisors:

Ms. Patricia B. McIlvaine, Chairman
Mr. Edward G. Meakim, Jr., Vice Chairman
Dr. Robert S. White, Member

Township Officials:

Mr. Casey LaLonde, Township Manager
Ms. Jeanne M. Denham, Finance Director
Ms. Sandra K. Turley, Township Secretary
Mr. Raymond D. McKeeman, Zoning Officer
Ms. Kristin Camp, Township Solicitor
Mr. Joseph Brion, Township Solicitor

A regular meeting of the Board of Supervisors of West Goshen Township was called to order by Chairman Patricia B. McIlvaine at 4:02 p.m. on Wednesday, August 19, 2009, at the West Goshen Township Administration Building. All members were present. Ms. McIlvaine opened the meeting with the Pledge of Allegiance to the Flag.

Det. Gregory Stone gave the Police Report for the month of July 2009.

Ms. Andrea Testa, Fire Marshal, gave the Fire Marshal Report for the month of July 2009. Ms. Testa also gave the reports for Good Fellowship Ambulance Company, Goshen Fire Company and West Chester Fire Department.

Mr. Edward Hunger gave the Building Inspection Activity Report for July 2009.

Ms. McIlvaine opened the floor for public comment.

Mr. Anthony Gravinese, 1187 McPhearson Drive, asked about the progress on the Rick's Tree Service property near his residence. Ms. Kristen Camp, Township Solicitor, said that a Zoning enforcement notice was sent to the owner of the property and that the owner did not appeal the notice. She said there is no way to find the principals who own the corporation and that the Township has filed with the District Justice for an \$8,000 fine. She said the hearing will be in September and there is no anticipation that the owner will dispute the filing. Ms. Camp stated that Mr. Richard Craig, Township Engineer, had sent an E & S notice that was not appealed and that the Township has again filed with the District Justice. Mr. Gravinese asked who gave Rick's Tree Service permission to dump logs on the property and Ms. Camp replied that no one had given permission.

On motion by Dr. White, seconded by Mr. Meakim, the Board unanimously approved filing an Action in Equity with Commonwealth Court against the owners of the property being used by Rick's Tree Service.

Mr. Gravinese asked if the Township would be cleaning up the property and Ms. Camp said that a judge would have to allow it to be done.

Mr. Jon McCormack, 840 Spruce Avenue, presented some ideas to the Board regarding the temporary closure of Jones Lane.

Mr. Bernard Zaber, 544 Richmond Road, said that he had written a letter to the Township regarding trash collection and sewer charges. He asked that the cost of trash pick up be included in the real estate taxes for the Township so that a deduction can be taken on taxes and that the sewer charges be based on water usage. Dr. White replied that trash and sewer fees cannot be deducted on taxes as they are user fees. Mr. Zaber questioned the recycling requirement and Dr. White replied that it is mandated and the Township would be fined for not having it.

Mr. Kevin Link, 1315 Mary Jane Lane, asked if there was any way to keep the sign for his street from being stolen. He asked if using a pole and lag bolting the sign to it would work and Mr. Raymond Halvorsen, Public Works Director, replied that the thieves would use a chain saw and cut it down. He said in the past the Board

had tried to change the name of the street and residents objected to that solution. Mr. Raymond McKeeman, Zoning Officer, said that painting the name on the street would not work because leaves and snow would cover it and people are looking for signs. Dr. White said that the Township will continued to work on finding a solution.

Mr. Thomas Casey, 1113 Windsor Drive, asked if any decisions had been made regarding the Boot Road traffic and Dr. White said no decisions have been made.

Ms. McIlvaine announced that the Board met in Executive Session on August 5 and August 19, 2009 to discuss personnel matters.

Ms. McIlvaine congratulated Sgt. Michael Carroll for receiving the Pennsylvania Chiefs of Police Medal of Valor award for 2009.

On motion by Dr. White, seconded by Mr. Meakim, the Board unanimously approved the appointments of Jeffrey S. Lieberman and John T. Wildrick as full voting members of the West Goshen Township Planning Commission

On motion by Dr. White, seconded by Mr. Meakim, the Board unanimously approved the appointment of J. Neal Atkins, Jr., as Alternate on the West Goshen Township Sewer Authority.

On motion by Mr. Meakim, seconded by Dr. White, the Board unanimously approved the Board of Supervisors minutes from July 15, 2009.

On motion by Mr. Meakim, seconded by Dr. White, the Board unanimously approved the Treasurer's Report dated July 31, 2009 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.

On motion by Dr. White, seconded by Mr. Meakim, the Board unanimously approved Ordinance 08-2009 amending the Code of Ordinances of West Goshen Township, specifically Sections 84-132.A(7) and 84-132.A(11) to amend the minimum rear yard and minimum Green Space requirement for lots in the MCX Municipal Complex District.

Ms. Tina Brogan, 1104 Dawn Drive, questioned the notification to the residents regarding the construction of the Public Works garage and the ordinance. Mr. Casey LaLonde, Township Manager, responded that an article was in the Spring Township newsletter regarding the garage and Ms. Camp said that residents within 1000 feet had been sent notices about the ordinance change. She said that for a zoning amendment typically it is only advertised in the Daily Local News and that the Township went beyond the law to notify residents. Ms. Brogan said that the residents needed more notice and that the garage will affect the aesthetic of the Township.

Dr. White said that in the Spring Newsletter it was reported that the Township would be building on Hollowell Field. He said that in order to do that the County had to approve the use since a grant had been used to create Hollowell Field. He stated that the Township is leasing four school district fields on Pottstown Pike to replace Hollowell Field. He said that the Township needs enough space to keep all vehicles in a garage. He stressed that the present ordinance allows the garage to be built without the ordinance change.

Mr. Jen Lin, 1107 Dawn Drive, said that he received his notice two weeks ago and asked who made the decision to build the garage and Dr. White replied that the Board of Supervisors had made the decision.

Mr. Richard Brogan, 1104 Dawn Drive, asked if the number of trucks would increase and Mr. LaLonde said that the number of vehicles going in and out of the Township complex will remain the same since the trucks are currently stored on site. He said that the Township is currently renting space to store other equipment and the cost is \$6,000 per month. Ms. Brogan asked about finding another site for the building and Mr. LaLonde replied

that the Township had been looking for another site for 2 ½ years and that the cost was too expensive. Mr. Halvorsen said that every part of the current garage is in use. Ms. Brogan said that open space is being cut and Mr. Halvorsen replied that the Township Complex has been located on this piece of property since the 1950s. He said that the park area has been replaced and that the garage will be as aesthetically pleasing as is possible.

Sue Neubauer, 435 North Five Points Road, said that the character of the Township will be affected.

Mr. Brion said that the right to place a garage on the property has been in place since the 1950s and that the change will allow the garage to be set back closer to Route 202. He said that the green space will be changed to 20%. He noted that even without the changes the garage can be built by the Township under the current zoning. He said that the Board will let out the contracts for designing the building and that residents can then come in to look at the plans.

Ms. Danielle Davis, 1110 Dawn Drive, asked what happens in five years with the growth of the Township and Dr. White replied that the Township is built out now. Ms. Davis stated that diesel pollution can harm a one year old child's lungs.

Mr. Brogan asked about additional trucks and Mr. Halvorsen replied that requirements could change in the future. Mr. Brogan asked how many vehicles the Township currently has and Dr. White replied that there are 25 Roads and Parks vehicles and that when attaching plows to the trucks half of the trucks must be kept outside. He said that with the expected addition of 162 acres of park space from the Jerrehian tract that some additional vehicles will be needed to maintain the open space and to plow the additional 8 miles of new streets.

Mr. Yu Dong, 1111 Dawn Drive, asked if the change in green space from 40% to 20% applied to the whole Township and Ms. Camp replied that it only applies to MCX District.

Mr. Robert Dehaven, 416 North Five Points Road, asked how close to his home the building would be and Ms. Camp replied that it is too premature to know.

Mr. David Thompson, 416 North Five Points Road, asked if it was too premature to know, why was the zoning change being done now and Ms. Camp replied that an architect needs the change first before designing the building. Mr. Thompson stated that there needs to be a higher level of communication with the residents and Mr. Brion replied that was not a fair statement because the Township went beyond the legal requirements for notifying residents about the change.

Mr. Matthew Adkins, 214 Oxford Road, asked if the building size fit on the property now and Dr. White replied that it would but it would be closer to Five Points Road. Mr. Adkins asked about the current green space and Mr. LaLonde said that it is approximately 40%.

Mr. Michael Lebresco, 1105 Paoli Pike, asked if the diesel tanks would be in the ground and Mr. Halvorsen responded that the Township has a refueling station now and that the tanks are above ground. Mr. Lebresco asked if fuel spills could be contained by the Township and Mr. Halvorsen responded that they can be contained. Mr. Lebresco asked about the brining facility and Mr. Halvorsen replied that the Township manufactures and stores the brine now.

Mrs. Evelyn Baker, 900 Sheridan Drive, asked if the substitute park will be named Hallowell Field and Mr. LaLonde replied that the Township is working with the School District to change the name. Mrs. Baker asked if it would be cheaper to buy the fields and Ms. Camp replied that according to the sales agreement that the school district had with the Jerrehian family, the fields cannot be sold until 2016 but that the Township has the option of first refusal.

Ms. Arleen Pecone, 1108 Dawn Drive, noted that a zoning change occurred in 2004 for the Municipal Complex and Ms. Camp replied that the property has been zone for municipal complex since the 1950s. In reply to a comment from Ms. Pecone, Ms. Camp said that the green space has to be 20% when the building is constructed. Ms. Pecone asked if residents do not want the building was there a chance it would not be constructed and Ms. Camp said that this was the best fiscal decision for the Township.

Mr. Casey asked if going from 40% to 20% included the grass behind the building and Mr. Meakim said it would. Dr. White said that it is unknown where the green space will be at this point.

Ms. Kathy McNally, 1102 Dawn Drive, asked if the drawings are available for inspection, will the residents receive what she termed a not positive reception. Dr. White replied that the Board was elected to make decisions for the Township and that the Board was listening to the comments of the residents. He said that the building will be built but the Board will consider the aesthetics and environment.

Mr. Frank Dattilo, 1321 N. Tulip Drive, asked if the proper sequence of events is to approve then design and Ms. Camp replied that the zoning has to be in place beforehand.

Prior to the awarding of the Request for Proposal (RFP) for architectural services for the new Streets building, Mr. LaLonde said that five RFPs had been received and that the low bidder was Ralph C. Fey Architects. He said that the bids had been reviewed and it was recommended to the Board that the low bid be approved.

On motion by Mr. Meakim, seconded by Dr. White, the Board unanimously approved awarding the architectural services for the new Streets building to Ralph C. Fey Architects.

Prior to the awarding of the Request for Proposal for Mechanical, Electrical, Plumbing and Sprinkler (MEPS) design for the new Streets building, Mr. LaLonde said that the low bidder was Hofmeister Engineering and that the bid had been reviewed and recommended for approval.

On motion by Mr. Meakim, seconded by Dr. White, the Board unanimously approved awarding the Mechanical, Electrical, Plumbing and Sprinkler design for the new Streets building to Hofmeister Engineering.

On motion by Ms. McIlvaine, seconded by Dr. White, the Board unanimously approved Resolution 29-2009 accepting a portion of S. Matlack Street as a Public Road.

On motion by Ms. McIlvaine, seconded by Mr. Meakim, the Board unanimously approved Resolution 30-2009 for placement of stop signs on Ashbridge Road, Easter Lane, Mystery Lane, Dogwood Drive and Longford Road.

On motion by Dr. White, seconded by Mr. Meakim, the Board unanimously approved a final lot consolidation plan for five industrial lots for A. Duie Pyle, Inc. located at 650 Westtown Road. Mr. Tim Koch was present to represent the plan.

On motion by Dr. White, seconded by Mr. Meakim, the Board unanimously approved a final land development plan for construction of a 4,242 square foot garage for the West Goshen Sewer Authority located at 848 South Concord Road. Mr. John Scott was present to represent the plan.

On motion by Dr. White, seconded by Mr. Meakim, the Board unanimously approved a final land development plan for renovation of a 2,400 square foot existing building and auto storage lot to be located at 716 East Union Street. Mr. David Gibbons from D L Howell was present to represent the plan.

On motion by Dr. White, seconded by Mr. Meakim, the Board unanimously approved a final land development plan for construction of a 34,480 square foot office building to be located at 1171 McDermott Drive. Mr. David Gibbons from D L Howell was present to represent the plan.

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

There being no further business, on motion by Mr. Meakim, seconded by Dr. White, the meeting was adjourned at 5:28 p.m.

Respectfully submitted,

Sandra K. Turley
Township Secretary

**West Goshen Township
Supervisor Hearing
August 19, 2009**

S-08-09

Supervisors Hearing S-08-09 which was duly advertised was called to order by Chairman Patricia McIlvaine at 5:41 p.m. All members were present. Mr. Joseph Brion, Esquire, was present to represent the Township and Mr. John Jaros was present to represent the applicant Traditions Development Corp. who seeks conditional use approval pursuant to Section 84-12.G(3) of the West Goshen Township Zoning Ordinance to construct a 128 unit senior apartment building or independent living facility on property situated at the northeast corner of Boot Road and Route 202 located in the R-3 Residential District.

See Court Reporter's Transcript

At 6:23 p.m. the hearing went off the record and returned to the record at 6:27 p.m.

At 6:39 p.m. on motion by Ms. McIlvaine, seconded by Dr. White, the hearing was continued to a date certain of September 16, 2009 at 4:00 p.m.