



TOWNSHIP OF UPPER UWCHLAN  
BOARD OF SUPERVISORS  
CONDITIONAL USE HEARING,  
REGULAR MEETING  
August 20, 2012  
7:00 p.m.

Approved

Attending:

Board of Supervisors

Kevin C. Kerr, Chair  
Guy A. Donatelli, Vice-Chair  
Catherine A. Tomlinson, Member

Township Administration

Cary B. Vargo, Township Manager  
Gwen A. Jonik, Township Secretary  
Jill Bukata, C.P.A., Township Treasurer  
John DeMarco, Police Chief  
Mike Heckman, Director of Public Works  
Al Gaspari, Codes Administrator  
Dave Leh, P.E., Gilmore & Associates

John Good, Esq., Township Solicitor  
Sheila Fleming, Brandywine Conservancy  
Matt Brown, ARRO

Mark Hagerty, Court Stenographer  
Chris Williams, McMahan Associates  
Bob Wise, Wise Preservation Planning

Mr. Kerr called the meeting to order at 7:00 p.m., led the salute to the flag, and offered a moment of silence.

Approval of Minutes

Mr. Donatelli moved, seconded by Mrs. Tomlinson, to approve as presented the minutes of the July 10, 2012 Joint Boards and Commissions Meeting. The Motion carried unanimously.

Mrs. Tomlinson moved, seconded by Mr. Donatelli, to approve as presented the minutes of the July 16, 2012 Board of Supervisors Meeting. The Motion carried unanimously.

Approval of Payments

Mr. Kerr advised the payments from the General Fund total \$127,079.23; Capital Fund \$52,373.82; Solid Waste Fund \$64,429.94; and the Act 209 Fund \$2,153.00. Mr. Donatelli moved, seconded by Mrs. Tomlinson, to approve the payments as listed. Mr. Donatelli abstained from the payment to the Chester County Solid Waste Authority as it is a client of his Firm. The Motion carried unanimously.

Treasurer's Report

Jill Bukata reported the cash balance remains strong; the majority of revenue for the year has been received. Revenues are at 74% of budget, expenditures are at 48% of budget.

Supervisor's Report

Mr. Kerr read the emergency service providers' reports as follows: Ludwigs Corner Fire Company – 6 fire calls, 8 QRS calls; Lionville Fire Company – 11 fire calls; East Brandywine Fire Company and Glenmoore Fire Company did not submit reports; Uwchlan Ambulance Corps – 19 calls; and TeenAid – 3 calls.

Mr. Kerr read the calendar: September 3, 2012 Office Closed – Labor Day; September 5, 2012 Yard Waste Collection; September 11, 2012 4:00 p.m. Board of Supervisors Workshop; September 17, 2012 7:00 p.m. Board of Supervisors Meeting; September 19, 2012 Yard Waste Collection; and announced that beginning tomorrow there will be construction on Route 100 at East Township

Line Road to add a dedicated left turn lane from southbound Route 100 onto East Township Line Road as part of the Adaptive Traffic Signal Control project. There will be intermittent lane closures as the cement island ("porkchop") in front of Smaltz's is reduced and the roadway is re-lined. The construction should be complete by August 31.

Mr. Kerr congratulated Chief DeMarco for earning a Bachelor's Degree in "Professional Studies - with a concentration in Human Resources".

#### Administrative Reports

##### Township Engineer's Report

Dave Leh reported that Hankin Group submitted an amended land development plan for Eagleview Corporate Center Lots 10 and 11 to combine the 2 lots and expand ViroPharma's building.

##### Building and Codes Department Report

Al Gaspari reported 22 building permits were issued in July, totaling \$7,332.00 in permit fees, the majority of which were for finishing basements, decks, fences and sheds. The construction activity along Route 100 in Uwchlan Township is for a Hilton Gardens Hotel and Conference Center. The irrigation system for the grass fields at Fellowship Fields has been installed. Glenmoore Eagle Youth Association funded this project 100%. An electric/electronics waste collection will be held September 7 at the "old" West Whiteland Township Building and the next Household Hazardous Waste collection is September 8 at the New Garden Township Maintenance Building.

##### Police Chief's Report

Chief DeMarco reported the Department handled 684 complaints in July.

##### Public Works Department Report

Mike Heckman reported the installation of the Adaptive Traffic Signal Control project is almost complete; the road paving projects are underway with Martin Paving, which should be complete by the end of this week; the 2012-2013 Snow Removal bids were opened today; and the budget is in good shape.

##### Administration

Salt Shed Construction and Installation Bid. Bids to construct a new 60' x 40' salt shed at the Public Works facility were recently advertised and opened. Cary Vargo reported the low bidders for the two 'phases' of the project are as follows. The existing salt shed will be dismantled and removed.

Construction of concrete pad and walls: Ply-Mar Construction at \$164,258.00

Install Roofing System: Penn State Construction at \$37,895

Mr. Donatelli moved, seconded by Mrs. Tomlinson, to award the Contracts to the low bidders as detailed above. The Motion carried unanimously.

Alternative Energy System Ordinance. The Planning Commission drafted an Alternative Energy System Ordinance providing guidelines and requirements for solar, wind and geothermal systems. The Township Solicitor, County Planning Commission and Township Board of Supervisors had previously reviewed the Ordinance and comments offered were satisfactorily addressed. The Ordinance has been properly advertised.

Mr. Donatelli moved, seconded by Mrs. Tomlinson to adopt the Alternative Energy System Ordinance as presented. Steve McNaughton advised that he had recently submitted comments and wasn't aware if they'd been addressed. Mr. Donatelli withdrew his Motion and asked that the Ordinance adoption be tabled until the next meeting. Mr. Kerr and Mrs. Tomlinson agreed that would be appropriate.

### Open Session

Steve Senn commented the Glenmoore Girls Softball program is increasing and they're interested in using Hickory Park Field #4 in the Spring.

Steve McNaughton inquired of the new traffic camera system was operating. Cary Vargo advised it should be in the testing phase mid-September.

### Adjournment

Mr. Kerr announced the regular meeting of the Board of Supervisors was adjourned at 7:20 p.m. and there would be a 5-minute recess before proceeding with the Frame Property Conditional Use Hearing #2.

### Frame Property Conditional Use Hearing - #2

John Good, Esq., conducted and Mark Hagerty, Court Stenographer, recorded the Conditional Use Hearing. Mr. Good summarized the process that had taken place previously, advised tonight's Hearing would conclude at 9:00/9:15 p.m., and if necessary, would be continued to September 17, 2012.

Lou Colagreco, Esq., (Riley Riper Hollin & Colagreco) called Mike Downs, Toll's Regional Director of Land Development, as the next witness. Applicant Exhibits A-25 and A-26 were distributed. Mr. Downs' testimony focused on the proposed plan for wastewater treatment and disposal, and in summary: the 66 proposed homes on the north side of the PA Turnpike are within the Route 100 wastewater treatment plant service area. Gallons per day are calculated at 225 gpd/EDU and 1 EDU/home; 225 gpd x 66 homes = 14,850 gpd. Toll proposes treatment at the Route 100 plant and disposal in their existing disposal fields within the Reserve at Eagle, Byers Station and Ewing subdivisions. The capacity in the Reserve at Eagle fields is 100% Toll's as no other Developers were involved in that subdivision. The capacity in the fields at Byers Station and Ewing are distributed amongst the Developers, meaning Toll has 33% of the Byers Station fields and 50% of the Ewing fields. The 2 homes on Green Valley Road, 1 existing, 1 new proposed, would have on-lot septic.

Alyson Zarro, Esq., (Riley Riper Hollin & Colagreco) called Guy DiMartino P.E. (Traffic Planning and Design) as the next witness. Mr. DiMartino's testimony focused on sight distance and the proposed access points on Little Conestoga Road (a PennDOT road). A deceleration lane is proposed heading west and turning right into the 61-home parcel as speed is probably higher than the posted 40 MPH. No left turn lane is proposed heading east and turning left into the 61-home parcel. There are no plans to reconfigure the Green Valley Road access. The Board of Supervisors, Mr. Good, several residents, Chief DeMarco and the Township's Traffic Engineer - Chris Williams, asked questions regarding pedestrian crossings, narrow width of proposed roads, the increased traffic impact elsewhere on Little Conestoga Road (at Milford, at Park, etc.), bicycle traffic, dates for the traffic study, actual speeds, will adequate sight distance require re-grading or vegetation clearing, etc.

Mr. Good presented a Township Exhibit "T-1", Lionville Fire Company Fire Chief Chapman's comments regarding road width and street parking.

Ms. Zarro called on David Babbitt, a Planner in private practice, as the next witness, regarding recreational space. In summary, the north tract includes 15,000 SF of recreational space, including 2 tot lots and a gazebo, trails and easements along Little Conestoga Road and along the Turnpike to the Shea Property on Park Road. There is additional open space on the other two parcels. The Board of Supervisors, and several residents, commented that one of the tot lots is adjacent to a storm water basin, wetlands shouldn't be included in open space, suggested one more centrally located tot lot rather than two small ones, concerns regarding accessibility to largest area of open space, and concerns with cul-de-sac parking.

Mr. Good announced the conclusion of this evening's Hearing at 9:07 p.m. and reiterated it would be continued to Monday, September 17, 2012. Ms. Zarro agreed. Hearing adjourned.