



Upper Uwchlan Township
Board of Supervisors Workshop,
Draft 2018 Budget Workshop,
Conditional Use Hearing
November 14, 2017

4:00 p.m.

Minutes

Approved

In attendance:

Kevin Kerr, Chair
Jamie Goncharoff, Vice-Chair
Guy Donatelli, Member
Cary Vargo, Township Manager
Shanna Lodge, Assistant Township Manager

Jill Bukata, Treasurer
John DeMarco, Police Chief
Mike Heckman, Public Works Director
Gwen Jonik, Township Secretary

Kevin Kerr called the Workshop to order at 4:06 p.m. The Workshop was held in the Pickering Valley Elementary School. The Limerick Generating Station Emergency Drill was being held in the Township's Public Meeting Room. Supervisor-Elect Sandy D'Amico was in attendance.

449 Milford Road Lot Line Change

Craig Styer and Walt Styer were in attendance to request the Board's approval of a minor subdivision/lot line change, transferring a total of .543 acres between 3 adjacent family-owned parcels. No construction or land development is proposed. Two parcels have dwellings; the third is vacant. The Planning Commission had reviewed the Plan at their October 12, 2017 meeting and recommended approval.

Mr. Donatelli moved, seconded by Mr. Goncharoff, to approve the Final Minor Subdivision Plan known as "Minor Subdivision for 449 Milford Road", as prepared by Edward B. Walsh & Associates, Inc. dated June 30, 2017 and last revised November 7, 2017. The following conditions accompany the approval. The Motion carried unanimously.

1. The plans shall be revised to comply with Gilmore & Associates, Inc. review letter dated November 2, 2017.
2. The plans shall be revised to comply with the Chester County Planning Commission review letter dated November 1, 2017.
3. A waiver from SALDO Section 162-7.A.(1).(e), requiring a restriction from further subdivision for minor subdivision applications, is hereby granted.
4. Waivers from SALDO Sections 162-9.B.(1).(h) and (2).(d).(1,2,3), which require a site analysis and impact plan be provided, are hereby granted.

Act 42 of 2017 Mini-Casinos

Cary Vargo explained that the State passed a Law October 30, 2017 which allows large casinos operating in the State to open a "mini casino" – 300-750 slot machines and up to 40 tables – in the State, outside a 25-mile radius of an existing casino. The host Municipality would receive 50% of the 4% local assessment fee paid by the casino to the State. If a Township does not favor a mini-casino being located within its boundaries, it must adopt and submit a Resolution to the Pennsylvania Gaming Board by December 31, 2017. Mr. Vargo advised this type of business wasn't included in the Township's Comprehensive Plan. Kevin Kerr commented he had read that increased services outweigh the revenue benefit and there are other elements that draw concern. If a Township adopts the Resolution that they don't want a casino located in their boundaries, they have 1 chance in the future to rescind it. Once rescinded, prohibition cannot be

reinstated. The Board will consider adopting a Resolution prohibiting the location of a mini-casino in Upper Uwchlan Township at the November 20 meeting.

Draft 2018 Budget

Cary Vargo highlighted the following topics from the draft 2018 Budget:

Proposed budget – All Funds \$10,307,222; real estate tax rate remains at 1.034 mills; 12.7% increase in operating revenue due to increased earned income tax receipts, real estate tax receipts and building permits; 7.2% increase in operating expenses; 3% salary increase for all non-uniformed personnel and 3% contractual salary increase for uniformed personnel. Personnel are in the median salary range for their positions – they're not in the top 1/3 of the range nor the bottom 1/3. The County real estate tax rate is 4.369 and Downingtown School District is 27.182.

The Water Resource Fund (previously known as the Storm Water Management Fund) includes the repair or replacement of storm water related infrastructure, and Phase 3 of the Water Resource Protection Fee Program that is being considered by the Board. The Board has to approve each step along the way.

The Liquid Fuels Fund will include the reconstruction of Pennsylvania Drive.

Lou LanzaLotto, Park & Recreation Board member, asked if the Township can work with Musco Lighting regarding their estimates for field lights at Hickory Park and inquired of the netting that's to be installed at the field along the Turnpike. Cary Vargo advised we are working with the Turnpike to have that netting installed for the Spring 2018 baseball season. Mr. LanzaLotto commented that GEYA would like to honor local athlete, Pat Krall, by hosting a "Pat Krall Day" next Spring and the Marsh Creek Eagles will use Fellowship Fields the next 3 weekends to host a Pop Warner tournament.

The Capital Fund includes the following projects/equipment: Park Road reconstruction and trail (Phase IV) from Hickory Park to Marsh Creek State Park (\$767,104); Eagle Village pocket park (\$385,000 - Parcel 5C Developer contributing \$206,000); Hickory Park playground re-design and pavilion improvements (\$224,800). The Township has received 3 of 10 property right-of-way/easement agreements for the Park Road trail project; Upland Farms Barn improvements for ADA compliance (\$70,000); hire an architect to design the expansion of the Township Building (\$170,000 -design, engineering, permitting); a new vehicle for Cary Vargo – Shanna Lodge will use Mr. Vargo's current vehicle; multi-function copy machine replacement; Police vehicle replacement (\$38,200); Public Works skid steer w/attachments; an enclosed pole barn for equipment storage; purchase a crew cab pickup truck to be shared with the Authority; new 11' plow, which is wider and taller and used to push snow farther back off of the road after the storm.

Authorize Advertisement of Proposed 2018 Budget

Jamie Goncharoff moved, seconded by Guy Donatelli, to authorize the advertisement of the proposed 2018 Budget for consideration and adoption at the Supervisors' December 18, 2017 Meeting. The Motion carried unanimously.

Open Session

Ray Erfle, Windsor Ridge resident, made comment regarding the Budget, including hiring another Police Officer, Police departments county-wide should have the same policies and procedures, salary increased based on merit. Mr. Erfle also commented on expanding the agenda descriptions for all Boards and Commissions.

Kevin Kerr adjourned the business portion of the Workshop at 5:44 PM and announced a short recess to prepare for the Black Horse ELU, LLC (Jankowski) Conditional Use Hearing, advertised to begin at 6:00 PM.

CONDITIONAL USE HEARING – Applicant: Black Horse ELU, LLC

Kevin Kerr reconvened the evening at 6:01 PM.

In attendance on behalf of the Township:

Supervisors Kevin C. Kerr, Jamie W. Goncharoff, Guy A. Donatelli

Supervisor-Elect Sandy D'Amico, Cary B. Vargo – Township Manager,

Gwen A. Jonik – Township Secretary

Sheila Fleming – Brandywine Conservancy, Mary Lou Lowrie – Gilmore & Associates,

Chris Williams – McMahon Associates

Kristin Camp, Esq. – Buckley Brion McGuire & Morris

Mark Hagerty – Court Reporter

Mr. Kerr requested Ms. Camp conduct the Conditional Use Hearing (#2) for the Application of Black Horse ELU, LLC to build 55 homes on property known as the Jankowski Tract, a 40.6 acre parcel in the R-2 Residential District within the F-1 Flexible Development Overlay District. Hearing #1 was held June 19, 2017. Mark Hagerty recorded the proceedings.

Board Exhibits 1-11 had been entered in the Record at the June 19, 2017 Hearing. The following Board Exhibits were entered into the Record:

B12 - John Jaros, Esq., July 7, 2017 email requesting continuance of the Hearing

B13 - John Jaros, Esq., August 16, 2017 email requesting continuance of the Hearing

B14 - Kristin Camp, Esq., September 18, 2017 email notice of continuance to Parties

B15 - Kristin Camp, Esq., October 23, 2017 email notice of tonight's Hearing to Parties

B16 - Proof of publication

B17 - Affidavit of property posting

B18 - Gilmore & Associates review letter dated September 8, 2017

B19 - Draft October 12, 2017 Planning Commission meeting minutes

Ms. Camp read the names of the Parties of Status entered at the June 19, 2017 Hearing – one Party was present this evening -- and asked if anyone else wished to become a Party. There was none. There were 7 citizens in attendance. Ms. Camp advised there have been several revisions to the Plans between the June Hearing and now, in response to Township comments or Applicant's design. Applicant's Exhibits A-1 to A-19 were presented at the June Hearing.

In attendance on the Applicant's behalf were:

John Jaros, Esq., - Riley Riper Hollin & Colagreco, John Mostoller – Envision Land Use

(Developer), Ted Gacomis – E. B. Walsh & Associates, David Babbitt – Babbitt and Associates,

Greg Richardson – Traffic Planning & Design.

Testimony is briefly summarized as follows. The Court Reporter's transcript is the official Record of the Hearing. Exhibit A-3 was the Plan presented in June; Exhibit A-3A is tonight's modified Plan. The Applicants propose 55 homes (40 base density plus bonus density from increased open space); mid \$500,000 - mid \$600,000; relocated 11 of the lots onto the connector road providing more open space and less roadway; interior roadway proposed 28' wide with parking on one side; connector road 24' wide plus 9' parking, with traffic calming islands at entrances; trail along Route 100 on only the south side of the parcel; interior trail through open space, and a dog park, will be maintained by the HOA, though the trail could become public if the Township insists; 12,200+ GPD of wastewater treatment and disposal needed – discussing with Municipal Authority; subject to a Traffic Impact Fee; sidewalk on only 1 side - along interior open space and loop interior roadway and 1 side of connector road; 2 accesses to the connector road rather than just the 1 as originally planned; all roads will be dedicated to the Township; traffic study suggests 48 new trips during AM peak and 61 during PM peak, but no undue congestion or safety hazards; no pedestrian crossing of Route 100; no traffic light proposed or warranted at this time with connector road at Route 100, which is opposite Garrison Drive.

There being no further testimony or comments from witnesses or attendees, Ms. Camp closed the Record and advised that the Board has 45 days to render a Decision, most likely at the December 18, 2017 Supervisors Meeting.

The Hearing was adjourned at 7:24 PM.

Respectfully submitted,

Gwen A. Jonik
Township Secretary