



TOWNSHIP OF UPPER UWCHLAN
BOARD OF SUPERVISORS
REGULAR MEETING,
CONDITIONAL USE HEARING

December 19, 2016

7:00 p.m.

Approved

In Attendance:

Board of Supervisors

Guy A. Donatelli, Chair

Kevin C. Kerr, Vice-Chair

Jamie W. Goncharoff, Member

Kristin Camp, Esquire

Tom Corcoran, Court Stenographer

Township Administration

Cary B. Vargo, Township Manager

Gwen A. Jonik, Township Secretary

Jill Bukata, Township Treasurer

Mike Heckman, Director of Public Works

Al Gaspari, Codes Administrator

Dave Leh, P.E., Township Engineer

Chris Williams, P.E. – Township Traffic Engineer

Sheila Fleming, Township Planner

Matt Brown, P.E., Township Wastewater Engineer

Mary Lou Farrow, Chair - Historic Commission

Mr. Donatelli called the meeting to order at 7:00 p.m., led the Pledge of Allegiance and offered a moment of silence.

Approval of Minutes

Mr. Goncharoff moved, seconded by Mr. Kerr, to approve as presented the minutes of the November 21, 2016 Board of Supervisors meeting. The Motion carried unanimously.

Approval of Payments

Mr. Goncharoff moved, seconded by Mr. Kerr, to approve payments to all vendors as listed December 14, 2016. The Motion carried unanimously.

Treasurer's Report

Jill Bukata reported that the balance sheet remains strong, year-to-date revenues are at 95.2% of budget, year-to-date expenses are at 88.0% of budget, and earned income tax revenues are slightly behind budget.

Supervisor's Report

Mr. Donatelli read the following published calendar: December 26, 2016 Office Closed – Christmas Day holiday; January 2, 2017 Office Closed – New Year's Day holiday; January 3, 2017 (Tuesday) 7:00 p.m. Board of Supervisors Annual Organization Meeting; January 4, 2017 1:00 p.m. Elected Auditors Annual Organization Meeting; January 10, 2017 4:00 p.m. Board of Supervisors Workshop; January 17, 2017 (Tuesday) 7:00 p.m. Board of Supervisors Meeting; Christmas Tree and Yard Waste Collection Dates are December 28, January 4, January 18.

Mr. Donatelli announced that an Executive Session was held this evening to discuss a personnel matter.

Administration Reports

Township Engineer's Report

Dave Leh reported that the Marsh Lea Land Development Plan was reviewed last month and the Conditional Use Application will be reviewed for the January 17, 2017 Hearing.

Building and Codes Department Report

Al Gaspari reported that 71 building permits were issued in November, totaling \$13,717.44 in permit fees; Acme submitted plans for the Frosted Mug restaurant and they're working on relocating the sewer line; T-Mobile installed new antennae on the Milford Road cell tower – 3 stealth panels; Lots 2 and 3 of the former Uppatinas School property have sold (1 single family home on each Lot), with one new home under construction.

Police Chief's Report

Corporal Carr, attending on Chief DeMarco's behalf, was tending to a police matter. Cary Vargo reported that the Department logged 1,297 calls in November, including 20 reported crimes, and 21 arrests.

Mr. Donatelli commented that the Police Department has spent a lot of time analyzing manpower and shift needs. The best defense against crime is involved citizens; please be watchful and report anything suspicious.

Public Works Department Report

Mike Heckman reported that over the past month the Department received 5 Authority-related work orders, completed 44 PA-1 Calls, completed 24 of 30 general work orders, completed 7 parks-related works orders and completed 14 trash/recycling-related work orders; replaced the bollards in the emergency access between Pickering Springs and Byers Station/Ewing so they'll drain and won't freeze in the winter; cleaned storm water inlets; salted this past Saturday (December 17); performed routine maintenance and vehicle inspections.

Don Carlson commented that repairs are needed to green fencing at the Greenridge wastewater treatment facility lagoon.

Mr. Goncharoff commended Mike Heckman and the Department for the installation of the stairway and platform between the compost dumpsters at the Public Works facility. It's a nice, safe structure.

Land Development

Mr. Donatelli announced Toll Brother's escrow release requests for the Reserve at Chester Springs (Frame Property). The consultants have recommended releasing \$872,751.39 for site work / public improvements and \$79,980.93 for sanitary sewer infrastructure. Mr. Kerr moved, seconded by Mr. Goncharoff, to release as recommended the \$872,751.39 for site work and Mr. Goncharoff moved, seconded by Mr. Kerr, to release the recommended \$79,980.93 for sanitary sewer infrastructure. The Motions carried unanimously.

ADMINISTRATION

Upper Uwchlan Township Police Association Contract Extension. Mr. Donatelli advised that the Township and the Police Association have negotiated a 2-year extension to the current contract which would expire December 31, 2017. The 2-year extension covers January 1, 2018 through December 31, 2019 and includes a 3% salary increase each year. Mr. Goncharoff moved, seconded by Mr. Kerr, to approve the 2-Year Contract Extension. The Motion carried unanimously.

Resolution Adoption.

2017 Budget and Tax Millage Rate Resolution #12-19-16-16. Cary Vargo announced the 2017 Budget, all Funds, totals \$9,440,525.00, a 12% decrease from the 2016 Budget. The 2017 Budget includes the addition of 1.5 full-time employees in Administration/Finance, no change in healthcare costs, stable pension costs, major capital projects – construction of Phase 1 of the Eagle Village Trail Connections, final design of the Park Road Trail Phase IV, design of an expansion to the Township Building, purchasing a 10-wheeled dump truck and a street sweeper/vacuum truck. There is no increase to the trash/recycling fee. The 2017 Tax Millage Rate remains 1.034 mills, consisting of .784

mils for General Purposes, .25 mils for Emergency Services. The Township's 2017 Hydrant Tax is .087 mils.

2017 Pension Plan Contribution Rates: Resolution #12-19-16-17 for Non-Uniformed Employees; **Resolution #12-19-16-18** for Uniformed Employees. The 2017 Defined Benefit Pension Plan contribution rate for both non-uniformed and uniformed employees is 5% of salary.

2017 Fee Schedule Resolution #12-19-16-19 includes revisions in the manner by which new construction permit fees are calculated, the addition of a Stucco Replacement permit, increased Residential Resale Use & Occupancy Certificate Fee (now \$100.00), Township Consultants' fees, real estate tax certification fee, returned check fee.

2017 Emergency Services Providers Resolution #12-19-16-20. The following agencies and organizations provide emergency services to the Township: Lionville Fire Company, Ludwigs Corner Fire Company, East Brandywine Fire Company, Glenmoore Fire Company, Uwchlan Ambulance Corps, as well as Public Works and Police Department employees – First Responders, Ludwigs Corner Fire Company QRS, East Brandywine Fire Company QRS, Glenmoore Fire Company QRS.

Mr. Kerr moved, seconded by Mr. Goncharoff, to adopt all of the aforementioned Resolutions with one Motion. The Motion carried unanimously.

Disposition of Township Property. Cary Vargo advised that we are interested in donating to Wallace Township the Kohler generator that used to power the township building in emergencies, which was replaced a few years ago. It isn't in use nor needed at any Upper Uwchlan Township facilities. Wallace Township's Public Works Department recently experienced an outage and doesn't have an emergency generator. We are interested in donating the Kohler generator to Wallace Township. We are also interested in donating a decommissioned, older-model laptop (s/n 2CE10103XV) to Chester County Women's Services. The laptop would be wiped clean prior to donation. Second Class Township Code §1504(c)(2) permits disposing of township property in this manner. Mr. Goncharoff moved, seconded by Mr. Kerr, to donate the Kohler generator to Wallace Township and the laptop to Chester County Women's Services. The Motion carried unanimously.

Open Session

No comments were offered.

Mr. Donatelli adjourned the business meeting at 7:21 p.m. and announced a recess would be taken until 7:30 p.m. when the Conditional Use Hearing would begin.

Conditional Use Hearing #2: Applicant is McKee-Milford Associates, LP

Mr. Donatelli reconvened the evening at 7:31 p.m., called the Conditional Use Hearing to order, announced the evening would end @ 9:15 p.m. and asked Ms. Kristin Camp to conduct the Hearing.

Ms. Camp noted this was a continuance of the Hearing that commenced November 21, 2016. The Applicant seeks approval to develop a 375-dwelling Active Adult Community on the 142-acre Fetters Property on Milford Road and to permit portions of certain dwellings, road, utilities, sanitary sewer drip area, storm water management areas and grading to be located in areas of precautionary steep slopes. Two more witnesses will provide testimony for the Applicant this evening. Tom Corcoran recorded the proceedings. There were approximately 25 citizens in attendance. Ms. Camp asked if there was anyone else who'd like to become a Party to the Hearing. A Party to the Hearing lives in close proximity to the subject property and would be impacted by the development, may ask the witnesses questions, can present their own evidence, and can challenge the Board of Supervisors' Decision, which has to be rendered within 45 days. Cruz Sigala of 626 Benson Lane was admitted as a Party, along with those Parties admitted at the November 21, 2016 Hearing.

Ms. Camp entered into the Record the following Board's Exhibits:
B-8 – The Reserve at Eagle Final Land Development Plan recorded October 12, 2001
B-9 – The Reserve at Chester Springs Final Major Subdivision Plan recorded August 15, 2016

Lou Colagreco, Esq. – Riley Riper Hollin and Colagreco, questioned the Applicant's witnesses: Fred Ebert, Ebert Engineering, Wastewater Engineer and Matt Hammond, Traffic Planning & Design (TPD). Testimony is briefly summarized and provided in detail in the Court Stenographer's transcript: The development would trigger the need for Phase 3 of the Route 100 Wastewater Treatment Plant, adding 300,000 gpd of treatment capacity at the Plant; drip disposal fields are proposed; the conditional use request includes approval for sanitary sewer infrastructure within precautionary slopes; the Applicant will comply with the wastewater consultant's comments; a Sanitary Sewer Agreement is being drafted to include all pertinent details. Traffic related issues include 2 accesses on Milford Road; safety and volume at Milford Road and Little Conestoga Road, Font Road and Route 100, Little Conestoga and Park Road; approximately 105 new morning peak hour trips, 115 afternoon peak hour trips; widen Milford Road along development frontage; will meet with PennDOT to discuss traffic signal at Milford and Little Conestoga; potential access in Reserve at Eagle and in Reserve at Chester Springs; Act 209 Transportation Impact Fee would be @ +\$260,000; the Applicant will work out all of the traffic consultant's comments. Ted Gacomis clarified information regarding emergency service providers' comments regarding adequate accesses, hydrant locations, interior road widths. Kevin McLaughlin, McKee Group, confirmed the home construction would be done in phases and would take a number of years to build out.

Mr. Colagreco introduced Exhibit A-21, the Historic Resource Impact Study and A-22, the Structural Engineering Report (October 2016), which suggests the structures -- barn, house, springhouse -- should be demolished. The farmhouse analysis was done from the outside only. Once an interior inspection is done, if it is economically feasible to reuse it they will; otherwise it will be demolished.

Applicant's Exhibits A-1 through A-22 were admitted into the Record by Ms. Camp.

Township Consultants Chris Williams (Traffic) and Sheila Fleming (Planner) provided comments in support of improvements to Milford Road; road connections, or at the very least trail connections and/or emergency accesses, to the adjacent properties – Reserve at Eagle, Reserve at Chester Springs;
Lou pointed out that if those connections are made full access, they'd withdraw the streets being private.

Parties to the Hearing provided comments regarding upgrading the sanitary sewer infrastructure that this development would connect to; concerns with increased traffic, construction noise, and adequate landscaping buffer with the existing homes on Patricia Drive and Dee Circle.

Ms. Camp closed the Record at 9:31 p.m., announced the Board of Supervisors has 45 days to render a Decision – most likely at their January 17, 2017 meeting, and she would draft a Decision for the Board and Applicant to review prior to that meeting.

Adjournment

There being no further business to be brought before the Board, Mr. Donatelli adjourned the evening at 9:34 p.m.

Respectfully submitted,

Gwen A. Jonik,
Township Secretary