

WILLISTOWN TOWNSHIP BOARD OF SUPERVISORS MEETING MINUTES
688 SUGARTOWN ROAD, MALVERN, PA
FEBRUARY 27, 2017 AT 7:00 PM

The regular meeting of the Willistown Township Board of Supervisors came to order at 7:00 PM. Supervisors William R. Shoemaker and George J. McHugh IV were present. Also present were Township Manager David R. Burman, Chief of Police John M. Narcise, and Zoning Officer Neil D. Vaughn.

Mr. Vaughn led the Pledge of Allegiance to the Flag, followed by a moment of silence for our troops.

Announcements

Mr. Shoemaker announced that the next meeting of the Board of Supervisors will be our annual Awards Night and will take place on March 13th at 7:00 PM in the cafeteria of the Sugartown Elementary School.

New Business

Mr. McHugh moved to approve the minutes of the Regular Meeting held February 13, 2017. Mr. Shoemaker seconded the motion, as Mr. Lange was absent. There were no comments from the Board or the public and the motion passed by a vote of 2-0.

Mr. McHugh moved to approve the List of Expenditures and Interfund Transfers dated February 27, 2017. Mr. Shoemaker seconded the motion, as Mr. Lange was absent. There were no comments from the Board or the public and the motion passed by a vote of 2-0.

Mr. McHugh moved to adopt the Investment Policy Statement for the Willistown Township Police Defined Benefit Pension Plan, as recommended by the Willistown Police Pension Advisory Board. Mr. Shoemaker seconded the motion, as Mr. Lange was absent. There were no comments from the Board or the public and the motion passed by a vote of 2-0.

Resolution 11 of 2017:

Mr. McHugh moved to approved Resolution 11 of 2017, a Resolution expressing support for the preservation of Crebilly Farm in Westtown Township, Chester County. Mr. Shoemaker seconded the motion and read the following into the record:

WHEREAS, the Board of Supervisors of Willistown Township (the "Board") recognizes that Crebilly Farm located in Westtown Township is a significant open space tract that includes areas of the Brandywine Battlefield, a setting that represents one of the largest single Revolutionary War areas in the War for Independence; and

WHEREAS, historic aspects of Crebilly Farm as set forth in a document presented by the Westtown Township Historical Commission for the Westtown Township Planning Commission Meeting in December 2016 clearly includes preservation recommendations as undertaken by the Chester County Planning Commission on behalf of the National Park Service, and

WHEREAS, the Board is aware that Toll Brothers, Inc. (the "Applicant") has submitted a Conditional Use Plan for the creation of 319 residential lots and 197.2 acres of open space; and

WHEREAS, Willistown Township residents have expressed great dismay regarding the impact of this proposed

development on natural and cultural resources, infrastructure, and roadways, given the scope of the project proposed by the Applicant;

NOW, THEREFORE, BE IT RESOVLED by the Board of Supervisors of Willistown Township, that the Board supports the efforts of Westtown Township Consultants to require archeological surveys, conservation design components, and open space and resource protection and any other studies or measures that will provide guidance in the preservation of Crebilly Farm.

William Sheridan of Stoneybrook Lane, Michael Kerr of Stonehenge Lane and Chief John Narcise commented on the potential impacts of the proposed development. There were no further comments from the Board or the public, and the motion carried by a vote of 2-0.

Police Report

Chief Narcise provided an update on the recovery of a vehicle that had been stolen from Fox Ridge Drive. The vehicle was located in Philadelphia.

The Chief thanked the Supervisors for supporting the installation of a permanent drug takeback box in the Police Station and at Paoli Memorial Hospital. Cynthia Sherbin of Stoneybrook Lane commented on the opioid epidemic. Mr. Shoemaker also remarked on the use of Narcan by our police officers, and expressed empathy to the officers and all those affected by the epidemic.

Subdivision and Land Development

With regard to Application L-4-15, the Application of Rudloff Group, Mr. Shoemaker moved to approve and authorize the Township Manager to execute the various Land Development, Financial Security, Landscaping, and Stormwater Management Agreements, upon presentation in form and amount acceptable to the Township Solicitor and Township Engineer. Mr. McHugh seconded the motion. There were no further comments from the Board or the public, and the motion carried by a vote of 2-0.

Public Hearings

Mr. Shoemaker introduced a public hearing for consideration of Conditional Use Application C-1-17, the application of Mr. and Mrs. Brian Parsons for conditional use approval pursuant to §§73-32(D) of the Willistown Township Code in order to construct building additions and grading within prohibitive and precautionary slopes of the Steep Slope Conservation District. The property consists of one parcel known as tax parcel #54-3-301, with an address of 647 S. Warren Avenue, Malvern, PA 19355. The property consists of approximately 15.78 acres and is located in the RA Zoning District. A court reporter was present and a stenographic record of the proceedings will be on file in the Township offices. The Applicants were represented by Joseph S. Nescio, Esquire. Mr. Parsons testified during the hearing. David Fiorello of Momenee, Inc. also testified on behalf of the Applicant. Tom Wilcox and Cynthia Sherbin, both of Sugarbrook Lane, commented on the Application. The record was closed at the conclusion of the hearing and Mr. McHugh moved to approve the request for Conditional Use. Mr. Shoemaker seconded the motion and read the following conditions into the record:

1. To the extent not inconsistent with this Order, the development of the Property and construction of the proposed improvements shall be substantially in accordance with the exhibits and testimony presented by the Applicant.
2. The Applicant shall fully comply with the comments of the Township engineer's review letter dated January 31, 2017, and the Applicant shall obtain written confirmation from the Township engineer that the

aforementioned comments have been satisfied.

3. The proposed improvements shall be approved by all authorities having jurisdiction, which may include, but not necessarily limited to, the Pennsylvania Department of Environmental Protection and/or the Chester County Conservation District.

4. The Applicant shall execute and provide to the Township a recordable, notarized copy of a memorandum containing a metes and bounds description of the property in question and stipulating the terms and conditions of this approval and shall consent to the recording by the Township in the office of the Recorder of Deeds of Chester County within thirty (30) days following expiration of the appeal period.

5. Nothing contained in this Decision and Order shall be construed to abrogate or limit the obligation of the Applicant to seek and obtain building and use and occupancy permits or any other necessary permits and approvals for construction and occupancy on the Property. This approval shall be deemed null and void eighteen (18) months from the date hereof unless construction has heretofore been commenced or unless, prior to the expiration of the eighteen-month period, the Board of Supervisors shall grant an extension for cause shown by the Applicant.

6. The Applicant shall express to the Board in writing within fourteen (14) days of the date of this Decision and Order, its agreement to the above conditions or the Application is denied; the Board expressly finding and concluding that the Application in the absence of compliance with the said conditions is inconsistent with the objective criteria set forth in the applicable provisions of the Zoning Ordinance.

Mr. Nescio indicated that his client had no objection to the proposed conditions. There were no further comments from the Board or the public, and the motion was approved by a vote of 2-0.

Citizens' Comments

Mike Kerr of Stonehenge Lane inquired as to whether there had been any activity concerning the Chance Property. Mr. Shoemaker reported that the Township was unaware of anything new. Mr. Kerr inquired with regard to the status of the trail at Dayleford Abbey. Mr. Burman reported that he expected the trail to be accepted for dedication and open to the public within about a month.

Next Meeting

The next meeting of the Board of Supervisors will be held on Monday, March 13, 2017 at 7:00 PM in the cafeteria of the Sugartown Elementary School.

Adjournment

There being no further business, Mr. McHugh moved to adjourn the meeting. Mr. Shoemaker seconded the motion. There were no comments from the Board or the public and the meeting adjourned.

Respectfully submitted,



David R. Burman
Secretary

