

**WILLISTOWN TOWNSHIP BOARD OF SUPERVISORS MEETING MINUTES
688 SUGARTOWN ROAD, MALVERN, PA
MONDAY OCTOBER 29, 2018 AT 7:00 PM**

The Regular Meeting of the Willistown Township Board of Supervisors came to order at 7:00 PM. Supervisors Robert T. Lange and William R. Shoemaker were present. Also present were Township Manager David R. Burman and Lieutenant Robert P. Klinger.

Mr. Burman led the Pledge of Allegiance to the Flag and a moment of silence for military personnel, as well as those who lost their lives in the attack at the Tree of Life Synagogue in Pittsburgh.

Announcements

Mr. Lange announced the following:

1. Willistown Township Parks & Recreation will host an informational meeting concerning the Spotted Lanternfly. The meeting is scheduled for Thursday, November 15, 2018 at 7 PM at General Wayne Elementary School Auditorium. The speaker will be Michael E. Panuschka, a Forester with the Pennsylvania Department of Agriculture, Bureau of Plant Industry, Entomology Division. Topics will include: General information about the Spotted Lanternfly; identification; what pest management homeowners, landscapers, property managers, and municipal employees can undertake throughout the year; Tree of Heaven management; and the Willistown Parks Spotted Lanternfly Program.
2. In honor of our veterans, no meetings will be held on Monday, November 12, 2018. Therefore, the next meeting of the Board of Supervisors will take place on Wednesday, November 7, 2018.

New Business

The Board tabled approval of the minutes of the Regular Meeting of October 15, 2018.

Supervisor Shoemaker moved to approve the list of expenditures and interfund transfers dated October 29, 2018. Supervisor Lange seconded the motion in Supervisor Handelin's absence. There were no comments from the Board or the public, and the motion carried by a vote of 2-0.

Supervisor Shoemaker moved to approve and issue a Decision & Order in the matter of Conditional Use Application No. C-2-18, the Application of Dotti Katz for conditional use approval pursuant to §139-73 of the Willistown Township Code in order to operate an adult day care center for persons with memory loss, dementia, Alzheimer's or similar conditions. The property consists of one parcel known as tax parcel 54-1-2.2, with an address of 15 Industrial Blvd, Paoli, PA 19301. The property is located in the Restricted Industrial Zoning District. Supervisor Shoemaker read the following conditions into the record:

1. Any deviation or change from the testimony, plans and exhibits presented on behalf of the Applicant, or from this decision and any conditions imposed hereby shall require an amendment to this decision and order by the Board of Supervisors following proper application and hearing.
2. The proposed use shall be limited to 15% of the total leaseable area of the building located on the Property housing the adult day care center, per Section 139-75.1.B of the Zoning Ordinance. As such, the day care center is limited to approximately one-thousand (1,000) square feet within Suite 103 of the Property.

3. The Applicant shall provide proof of licensure from the Pennsylvania Department of Health satisfactory to the Township prior to the commencement of operation of the adult day care center. Such licensure shall be maintained continuously by the Applicant at all times that the business is in operation. Should the Applicant fail to maintain the appropriate licensure, all day care activities shall cease immediately and the Applicant shall provide notice to the Township within five (5) days. The Certificate of Occupancy for the day care shall be conditioned upon the Applicant receiving and maintaining a license to operate in good standing from the Department of Health.

4. Prior to the issuance of the use and occupancy permit for the adult day care center, the Applicant shall provide written proof to the Township that the Property with the inclusion of the adult day care center has the necessary off-street parking spaces in order to comply with Section 139-98 of the Zoning Ordinance.

5. The Applicant shall cause the owner of the Property to 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.

6. This approval shall be deemed null and void eighteen (18) months from the date hereof unless the Applicant has commenced operation of an adult daycare center or unless, prior to the expiration of the eighteen-month period, the Board of Supervisors has granted an extension for cause shown by the Applicant.

7. 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.

Supervisor Lange seconded the motion in Supervisor Handelin's absence. There were no comments from the Board or the public, and the motion carried by a vote of 2-0.

Supervisor Shoemaker moved to accept the Sanitary Sewer Easement for 2 McKinley Avenue, Parcel ID No. 54-3-50 and revised Sanitary Sewer Easement for 15 Long Lane, Parcel ID No. 54-3-33. Supervisor Lange seconded the motion in Supervisor Handelin's absence. Mr. Burman reported that these easements were necessary because the damaged pipe in the vicinity of Long Lane and McKinley Avenue was installed in an area outside of the original easement area. There were no further comments from the Board or the public, and the motion carried by a vote of 2-0.

Supervisor Lange introduced Conditional Use Application No. C-3-18, the Application of Seth & Kristin Hofmann for conditional use approval pursuant to §§73-62.A(2)(a) and B(1)(a) of the Willistown Township Code in order to construct a driveway in the Riparian Zone 1 and 2 buffer area. The property consists of one parcel known as tax parcel #54-3-331, with an address of 724 Hillview Road, Malvern, PA 19355. The property is located in the RU Zoning District. A court reporter was present and a transcript of the proceedings are on file in the Township offices. The Applicant was represented by Andrew D.H. Rau of Unruh Turner Burke & Frees. Testimony was provided by the Applicant and Andrew Eberwein of Edward B. Walsh and Associates Inc. Susan Brutico, a neighboring landowner, requested Party status.

There were no objections. At the conclusion of the hearing, the record was closed and the Board took the matter under advisement, indicating that a Decision would be rendered within the 45-day time limit.

Police Report

Lieutenant Klinger reported on recent activities of the Police Department. In particular, Lt. Klinger provided several seasonal safety reminders, including visibility of trick-or-treaters and caution regarding deer activity.

Citizens' Comments

Mike Kerr of Stonehenge Lane inquired with regard to the impact of Supervisor Handelin's participation in the Township's Group Health Insurance on the budget projections for 2019.

Next Meeting

The next Regular Meeting of the Board of Supervisors is scheduled for Wednesday, November 7, 2018 at 7:00 PM at 688 Sugartown Road.

Adjournment

Seeing no further business, the meeting adjourned.

Sincerely,



David R. Burman, Secretary