

WILLISTOWN TOWNSHIP BOARD OF SUPERVISORS MEETING MINUTES
688 SUGARTOWN ROAD, MALVERN, PA
WEDNESDAY, NOVEMBER 7, 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, William R. Shoemaker, and Barbara L. Handelin were present. Also present were Township Manager David R. Burman, Chief of Police John M. Narcise, and Detective Sergeant Jeffrey S. Heim.

Chief Narcise led the Pledge of Allegiance to the Flag and a moment of silence for military personnel.

Special Presentation

Bill Turner, Deputy Director for Emergency Management at Chester County, described the County's capabilities with regard to pipeline emergencies. This is largely a response to concerns regarding the Mariner East 2 pipeline in neighboring municipalities, but also applies to existing pipelines in Willistown. The Board and residents engaged Mr. Turner in a very informative discussion on this matter, and Mr. Burman was asked to work with the County in making information available to the public. The following residents commented during the presentation: Mike Kerr of Stonehenge Lane, Tom Renkey of Tulip Drive, and Rob Rosend of Boxwood Court.

Announcements

Supervisor Lange announced the following:

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.

New Business

Supervisor Handelin moved to approve the minutes of the Regular Meeting of October 15, 2018. Supervisor Lange seconded the motion, as Supervisor Shoemaker was absent from that meeting. There were no comments from the Board or the public, and the motion carried by a vote of 2-0 with one abstention.

Supervisor Shoemaker moved to approve the minutes of the Regular Meeting of October 29, 2018. Supervisor Lange seconded the motion, as Supervisor Handelin was absent from that meeting. There were no comments from the Board or the public, and the motion carried by a vote of 2-0 with one abstention.

Supervisor Shoemaker moved to approve the list of expenditures and interfund transfers dated November 7, 2018. Supervisor Handelin seconded the motion. There were no comments from the Board or the public, and the motion carried by a vote of 3-0.

Supervisor Lange introduced consideration of a Decision & Order in the matter of 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.

Supervisor Handelin moved to approve Conditional Use Application C-3-18 with the following conditions:

1. To the extent not inconsistent with this Order, the development of the Property and construction shall be substantially in accordance with the exhibits and testimony presented by the Applicant.
2. The proposed construction shall be approved by all applicable regulatory agencies with jurisdiction.
3. 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.
4. The Applicant shall execute and provide to the Township a riparian buffer management plan prior to plan recordation, as required by §73-64 of the Code, subject to the review and written approval by the Township engineer. The Applicant shall fully comply with the comments of the Township engineer's review letter concerning the Riparian Buffer Management Plan. Upon approval of the Riparian Buffer Management Plan by the Township engineer, the approved Riparian Buffer Management plan shall be recorded, along with the memorandum of conditional use approval, 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 Code.

Supervisor Shoemaker seconded the motion, stating that he is doing so reluctantly.

Susan Brutico of Hillview Road expressed her disappointment with the pending Decision & Order. She noted that her perception of the comments during recent Planning Commission meetings seemed to conflict with this approval. Supervisor Shoemaker explained that the Applicant had come before the Planning Commission on more than one occasion with two distinctly different applications. Supervisor Lange clarified that the Board does not approve developments haphazardly or lightly. Supervisor

Handlin expressed the Board's support for and care for the environment and the planet. Supervisor Shoemaker indicated that many concerns are addressed with Soil Erosion & Sedimentation Control Stormwater Management Permits. Supervisor Shoemaker concluded by expressing the Board's deep opposition to any disturbance of the Riparian Buffer Area, noting that the Board might be in a difficult legal position if it were to deny an Application that met satisfied the State regulations and Township Ordinance requirements.

There were no further comments from the Board or the public, and the motion carried by a vote of 3 to 0.

Supervisor Lange moved to accept Traffic Signal Easements on the following properties to accommodate upgrades to the signals at Paoli Pike and Sugartown Road: UPI 54-2-109 – 356 Paoli Pike, UPI 54-2-117.1 – 605 Sugartown Road, UPI 54-2-57 – 583 Sugartown Road, and UPI 54-2-88 – 353 Paoli Pike. Supervisor Shoemaker seconded the motion. There were no comments from the Board or the public, and the motion carried by a vote of 3-0.

Police Report

Chief Narcise reported on recent activities of the Police Department.

Citizens' Comments

There were no public comments other than those noted above.

Next Meeting

The next Regular Meeting of the Board of Supervisors is scheduled for Monday, November 19, 2018 at 7:00 PM at 688 Sugartown Road.

Adjournment

Seeing no further business, the meeting adjourned.

Sincerely,



David R. Burman, Secretary