



# EAST WHITELAND TOWNSHIP

THE HEART OF GREAT VALLEY

## Board of Supervisors

May 8, 2019

### Agenda

Action Meeting – 7:00pm

(Revised 5/6/2019)

#### 1. Action Meeting (SD):

- a) Call to Order by Chair
- b) Pledge of Allegiance

#### 2. Board Briefings:

- a) Joint Community Meeting with East Goshen Township is Being Set for Wednesday June 5, 2019 at 7:00pm at Immaculata University Regarding Traffic Issues at Route 352 and King Road.
- b) In October 2018, Governor Wolf signed Act 79 into law which made significant changes to the protection from abuse order requirements. On April 10, 2019, Act 79 took effect. Under Act 79, firearms, ammunition and other weapons can be relinquished to any law enforcement agency (including at the East Whiteland Township building), sheriff's office, federal firearms licensed dealers or a licensed commercial armory, and certain third parties. Firearms, ammunition, and other weapons must be relinquished within 24 hours of the issuance of a final protection order or the service of a temporary protection order, unless special circumstances exist. Chief Yeager will be establishing measures to safely accept these items.
- c) PECO - Underground & Meter Work (Indoor & Outdoor) will be performed in the Township over the next several weeks on a total of 121 residential properties: Birch Road, Buck Run Lane, Carol Lane, Conestoga Road, Deer Run Lane, Doe Lane, Fairview Drive, Kevin Way, Lancaster Avenue, Locust Drive, Madeline Drive, Manor View Circle, Pine Road, Queen Ann Lane, Summit Road and Swedesford Road. PECO will be directly contacting individual homeowners.
- d) Proclamation: 9th Annual Bike to Work Challenge on Friday, May 17<sup>th</sup>, from 7:30am to 9:00am. Meet Up Locations: Exton Park Trailhead, 140 Church Farm Lane, Exton **OR** Westlakes Trailhead, 1000 Westlakes Drive, Berwyn. Register now at [www.tmacc.com](http://www.tmacc.com).
- e) Seasonal Maintenance Worker – Great job for seasonal employment. Season is from June through August, 40 hours per week. Duties include parks and roads maintenance. Submit application to East Whiteland Township, Attn. HR
- f) A Joint Meeting of the Planning Commission and Parks & Recreation Board will be held on May 15<sup>th</sup> at 7:00pm to discuss the *draft* Official Map and *draft* Ordinance Amendments related to Bicycle & Pedestrian Amenities.

### 3. Board Motions & Resolutions (Consider Board Action):

- a) Motion to Advertise:
  - i. Amendment to Non-Union Employee Defined Contribution Plan (for Employees Hired after January 1, 2017) (CK)
- b) Consider Motion to Award:
  - i. Traffic Signal (Preventive) Maintenance Contract with TBD (JN)
- c) Consider Sending Township Solicitor to Zoning Hearing Board to Support / Oppose (SB):
  - i. ZHB 2019-7 To hear the appeal of the Lamar Companies for a variance (from §200-85.E) to allow an off-premises sign as a principle use where an existing office building already exists at 49 Lancaster Avenue.
  - ii. ZHB 2019-8 To hear the appeal of Bacton Hill Partners, LLC for special exceptions (per §200-41 and §200-93.2.E) and variance (from §200-42) to allow a contractor office and fueling station at 32 Bacton Hill Road.
  - iii. ZHB 2019-9 To hear the appeal of Brandon and Christine Regn for a variance from the side yard setback for an addition and the accessory setback for a shed at 12 Buttonwood Avenue.
- d) Consider Resolution 32-2019 adopting the [Special Study for Valley Creek Trunk Sewer \(VCTS\) System](#) as an amendment to the Township's Official Act 537 Sewage Facilities Plan to reflect the AQUA as the new owner of the VCTS System (JW).
- e) Battle of the Clouds – Consider the recommendation of the Park and Recreation Board to construct a gaga ball pit in the park (SB).
- f) Sidley/Mill Road Chester Valley Trail connector – Consider the adoption of a resolution to commit \$213,000 to seek a Greenway, Trails, and Recreation Program (GTRP) grant in the amount of \$250,000 from the DCED for the survey & engineering for proposed phases 1 & 2 of the trail project (SB).

### 4. Public Hearings (JW)

- i. [2019-05-CU](#) for Rock Gym at 57 Lancaster – Conditional Use application to permit a “for-profit recreation” use where office and warehouse uses currently exist.
- ii. [2019-07-CU](#) for Frame Avenue Apartment – Conditional Use application to convert and expand two existing office buildings into twelve (12) to fifteen (15) multifamily residential dwelling units.
- iii. Consider repeal of Township Ordinance #307 (regarding §200-29 of the Zoning Ordinance) which provided for building standards and requirements for retail businesses selling firearms.
- iv. Ordinance for Deferred Retirement Option Plan for the Firefighter and Emergency Medical Technicians – Ordinance #309 (CK)

### 5. Planning & Development (ZB):

- a) Consider the Request for Waiver of Land Development:
  - i. Application of “[Haypak](#)” at 27-43 Great Valley Parkway to allow the installation of a trailer in the parking lot to the rear of the building.
- b) Consider Authorizing Solicitor to Draft Resolutions for the following Subdivision & Land Development Applications:
  - i. [2018-10-SD](#) for HP Flanagan / Bacton Way – Preliminary Subdivision
  - ii. [2019-09-SD](#) for 400 Three Tun Road – Preliminary / Final Subdivision

- c) Consider Approval of the following Subdivision & Land Development Applications:
  - i. [2019-01-SD](#) for “Frame Avenue Twin” – Preliminary / Final Subdivision
  - ii. [2019-06-SD](#) for “Swedesford / South Bacton Hill Road” – Preliminary / Final Subdivision
  - iii. [2019-08-SD](#) for 891 King Road – Preliminary / Final Subdivision (may draft in advance)
- d) Consider Motion to Advertise [Ordinance Amendments](#) (SB & ZB):
  - i. New Definitions of Brew Pub and Brewery – view document
  - ii. New Definition Medical Office and Medical Related Uses (various) – view document
  - iii. Updated Definition of Family, Group Home, and Housekeeping Unit – view document
  - iv. Height of Signs in the FC (Frontage Commercial) District – view document
  - v. Permitted Uses in the FC (Frontage Commercial) District – view document
  - vi. New Definition of In-Law Suite with Corresponding Guidelines – view document
  - vii. Accessory Uses with Corresponding Guidelines in Residential Districts – view document
  - viii. Footnote Clarification related to Drive-In Facilities – view document
  - ix. Expiration of Zoning Hearing Board Decisions – view document

**6. Consent Agenda (Consider Board Action):**

- a) Approve Meeting Minutes from April 4<sup>th</sup> and April 10<sup>th</sup> (DW)
- b) Acceptance of the Treasurer’s Report (CK): As of March 31, 2019
- c) Ratify Payment of Bills (CK): \$1,233,108.79 (March 2019) and \$850,116.61 (April 2019)
- d) Approve 2019 Contribution (\$6,000) to Malvern Fire Company (JN)
- e) Approve Letter of Support for West Whiteland Township for a new Municipal Service Facility (SD)
- f) Friends of Summer Stage – Consider request to waive “no alcohol” policy for four concerts in Valley Creek Park (SB).
- g) Locust Lane Brewery – Consider entering into indemnification agreement to allow beer garden at four Friends of Summer Stage concerts in Valley Creek Park (SB).
- h) Spruce Road monitoring well – Consider agreement to allow installation of a monitoring well in the right-of-way of the Spruce Road cul-de-sac at the request of the EPA to monitor the extent of ground water contamination from the Malvern TCE Superfund site (SB).
- i) Approve Police Computer & Windows Upgrade Project Proposal from All Covered for a Cost Not to Exceed \$24,934 (CK)
- j) Approve Civilian Computer Project Proposal from All Covered for a Cost Not to Exceed \$9,985 (CK)
- k) Approve Memorandum of Understanding with Chief of Police (JN)
- l) Approve Memorandum of Understanding with Police Lieutenant (JN)
- m) Approve Reimbursement of Expenses for PSATS Conference (JN)
- n) Approve Professional Services Agreement with Keystone Municipal for Building Inspection Services (JN)
- o) Approve Professional Services Agreement with Flagger Force for Traffic Management Services (WS)
- p) Approve Final Release of Escrow for the following Developments (ZB) – **None**
- q) Consider Amendments to the Township Fee Schedule – **None**

**7. Announcements**

- a) Executive Session(s) were held on May 1<sup>st</sup> at 3:00pm (to discuss personnel matters) and May 8<sup>th</sup> (to discuss personnel and legal matters)

**8. Other Business (SD)**

**9. Public Comment: General** (for items not specifically listed on the Agenda)

**10. Meeting Adjournment**

**Public Meetings:**

Historical Commission

June 5, 2019 at 7:30pm

Environmental Advisory Council

June 6, 2019 at 7:30pm

Board of Supervisors

June 12, 2019 at 7:00pm

Park & Recreation Committee

May 28, 2019 at 7:00pm

Planning Commission

May 22, 2019 at 7:00pm

Zoning Hearing Board

May 17, 2019 at 7:15pm

Open Space Plan Public Advisory Committee

, 2019 at 7:00pm

Pension

May 15, 2019 at 4:30pm