

Board of Supervisors  
August 11, 2021  
Minutes

Board Members Present: Scott Lambert, Chair; Rich Orlow, Vice-Chair; and Sue Drummond, Member

Staff Present: John Nagel, Township Manager; Steve Brown, Assistant Township Manager; Donna Wikert, Board Secretary; John Neild, Direct of Public Work; Zach Barner, Director of Planning and Development; Ted Locker, Zoning Officer; Chris Yeager, Police Chief; Joe McGrory, Solicitor; and Krista Stefkovic.

**Mr. Lambert called the Zoom meeting to order at 7:15 P.M. Pledge of Allegiance**

Mr. Lambert asked for a moment of silence for Penn Wynne/Overbrook Hills Fire Company Firefighter Sean W. DeMuyneck (age 35) and Belmont Hills Fire Company Firefighter Tom Royds (age 49).

**Board Briefings:**

Executive Session(s) were held on August 11 at 5pm. (legal and personnel matter)

**Scott R. Nelson, Senior Constituent Advocate for U.S. Representative Chrissy Houlahan's Office:**

Scott discussed The American Rescue Plan and how it will pump at least \$338 million of pandemic relief funding into local governments and school districts across the country. Scott also mentioned that Rep. Houlahan's office is available for help if anyone is in need of help with the IRS, Medicare, Social Security benefits, passports, and other things such as Federal Grant applications. To see a list of all available services, click here. <https://houlahan.house.gov>

Please stop by the office for a visit anytime, West Chester District Office 709 E. Gay Street, Suite 4 West Chester, Pa. 19380 Phone (610) 883-5050. Representative Houlahan's office would be happy to help in any way they can please reach out to [Scott.Nelson@email.house.gov](mailto:Scott.Nelson@email.house.gov) if you have any questions.

Mr. Brown made an announced that East Whiteland Township will take part in West Whiteland's (Exton) Community Day on September 25, 2021. More information will be posted on the Website.

**Technical Evaluation Grant (TEG) meetings:**

Mr. Brown gave an update on the TEG meetings, nothing has changed. The Township will host 2 meetings and DEP will host 1, within 90 days of remediation. DEP responded in an email dated June 2021, they believe the security measure that the owner provided was adequate, they posted No Trespassing signs and secured the gates. Bottom line the owner is responsible for the security of the property. Debbie Mobile is very concerned; she said the security measures are far from safe. She asked if they could protest or complain to DEP.

## **Board Motions & Resolutions:**

Approve and adopt Resolution #31-2021 authorizing the Township to enter into the MICPA agreement with Omnia to purchase the Kompan playground equipment.

Approve Master Intergovernmental Cooperative Purchasing Agreement (MICPA) for Bacton Hill Park cooperative purchase of playground equipment and play surface.

Approve Kompan proposal for Bacton Hill park playground equipment and play surface. \$690,847.11

Mr. Brown gave a brief overview on the first three items for the Board to consider. All three of these are agreements to purchase playground equipment for Bacton Hill Park from Kompan using Omnia to purchase equipment, it's a municipal approved company.

Mr. Orlow made a motion to approve the Resolution, The Master Intergovernmental (MICPA) and the cost of \$690,847.11 for the Bacton Hill Park Playground Equipment. Ms. Drummond seconded the motion; the motion was approved 3-0.

## **Approve purchase of 4 non-verbal communication boards for Township parks \$2,400**

Ms. Drummond made a motion to approve the purchase of 4 non-verbal communication boards. Mr. Orlow seconded the motion; the motion was approved 3-0.

## **Approve hosting of a movie night in Valley Creek Park on October 2, 2021, \$2,500.**

Mr. Orlow made a motion to approve Movie Night. Ms. Drummond seconded the motion; the motion was approved 3-0.

## **Public Hearings:**

- Zoning Map & Text Amendment related to the requested Rezoning of the Knickerbocker Tract from R1 (Low-Density Residential) and O/BP (Office/Business Park) Districts to RMH (Residential MediumHigh Density) District. The subject Tract is located North of Route 202, West of Old Morehall Road, East of Mill Lane, and South of Lapp Road. Board of Supervisors August 11, 2021. Full details of the hearing are contained with the transcript prepared by the court reporter. The transcript is available to view at the Township Building. The hearing ended and Mr. McGrory reconvened into the regular Board meeting to upon Ordinance. Mr. Orlow made a motion to approve the Zoning Map & Text Amendment change. Ms. Drummond seconded the motion; the motion was approved 3-0 - [East Whiteland | Municipal Meeting](#)

- Zoning Text Amendment related to Reduction of Permitted Density within the RMH (Residential Medium-High Density) District c) Zoning Text Amendment related to Visitor Parking requirements for certain Dwelling Types within the table of required parking standards for specified uses. Full details of the hearing are contained with the transcript prepared by the court reporter. The transcript is available to view at the Township Building. The hearing ended and Mr. McGrory reconvened into the regular Board meeting to upon Ordinance. Mr. Orlow made a motion to approve the Zoning Text Amendment change. Ms. Drummond seconded the motion; the motion was approved 3-0 - [East Whiteland | Municipal Meeting](#)

### **Planning & Development:**

Consider Authorizing Solicitor to Draft a Resolution for the following Development Applications:

- a) LD-19-2020 for 20 Moores Road Office Building (Mountain Laurel Funding Company, LLC) – Preliminary/Final Land Development Application. The property, located at 20 Moores Road, is within the PO (Professional Office) District.

Mr. Orlow made a motion to direct the solicitor to prepare a Resolution for LD-19-2020. Ms. Drummond seconded the motion; the motion was approved.

- b) LD-01-2021 for Commons at Great Valley Lot 15 Parking Lot Expansion (1303 Wrights Lane Associates LP) – Preliminary/Final Land Development Application. The property, located at 83 General Warren Boulevard, is located within the O/BP (Office/Business Park) District.

Mr. Orlow made a motion to direct the solicitor to prepare a Resolution for LD-01-2021. Ms. Drummond seconded the motion; the motion was approved.

### **Consider Extension of Time to Render a Decision on the Following Development Applications:**

SD-17-2020 for Three Lot Subdivision at 31 Coffman (Renehan Building Group) – extension to November 30, 2021.

Ms. Drummond made a motion to approve extension of time. Mr. Orlow seconded the motion; the motion was approved 3-0.

LD-01-2021 for Parking Lot at 83 General Warren Boulevard – extension to September 30, 2021.

Ms. Drummond made a motion to approve extension of time. Mr. Orlow seconded the motion; the motion was approved 3-0.

**Consider Motion to Authorize Advertising for the Following Ordinance Amendments:**

Zoning Map Amendment to rezone Township-owned property located at 6 Mill Lane from R-1 (Low-Density Residential) District to (INS) Institutional District. The subject Tract is located on Mill Lane, adjacent to the East Whiteland Township Municipal Complex and Fire House.

Mr. Orlow made a motion to approve advertising of Zoning Map Amendment. Ms. Drummond seconded the motion; the motion was approved 3-0.

**Zoning: Property Maintenance Codes – Briefing on Recent Activity – Ted Locker**

Mr. Locker, Zoning Officer reported that several violations and fines went out for the following: trash accumulating on properties, high grass, sanitation infest station, stagnated pool. The property located at 577 Lancaster Avenue is working toward the demolition process. A violation letter went out to a resident in the Village operating a Landscaping Company in a residential area and using the road to stage vehicles. A letter went out to Fetter’s Mill Home Association to maintain the buffer area which is required by their land development approval.

**Consider Sending Township Solicitor to Zoning Hearing Board to Support or Oppose:**

ZHB 10-2021 – Application of Main Line Armory, LLC for a Special Exception from Section 200- 41, Attachment #8 to allow a gun range, with educational and retail components. The property is located at 60 Three Tun Road, Malvern, PA., and is within the Industrial Zoning District.

Mr. Locker started off by saying this is not an outdoor range it is an indoor range, fully encased in concrete and is being proposed along with retail, educational training, and a lounge for members.

Mr. Lambert asked what is meant by “Lounge”? Mr. Locker explained it would be more of a relaxation lounge, no alcohol, just sitting and relaxing. Mr. Orlow said he sees nowhere in the district special exceptions is there a description that comes close to a shooting range and retail gun outlet. Mr. Locker said the Industrial District is a catch-all; anything not specific or of the same general character. Mr. Orlow commended the applicant, the presentation in the packet was professional, the background wonderful, the service and expertise wonderful; Greg’s background is impeccable. I just don’t know if we need another gun shop in our Township. If this goes forward who will get notice of this? Mr. Locker said immediate adjoining properties, but there is no legal requirement to notify the neighbors.

Mr. McGrory said the Township can notify as many people as they like. Mr. Orlow said yes, they should have to notify the neighbors on Judith Way. Mr. Orlow is concerned more about the retail than the range. Mr. Greg Butler, the applicant, said just to be clear the retail component feeds the training, it is not a retail store it is a training center. The retail is only to keep him afloat. It would be solely for people that want to learn to shoot safely. He has met with the Chief and has agreed to every concern the Chief had or may have and has taken every security measure possible. Greg offered to invite all residents that want to come to his place and ask questions, to please do so. He personally will send letters out to the residents on Judith Way. Mr. Orlow said that would be helpful and would also make him feel more comfortable.

ZHB 12-2021 – Application of Turf Club Op Co. for A Special Exception from Section 200-82A (b) and (c) to allow a sign of 42.5 SF, in excess of the 50 square feet (SF) permitted on one side of the building and to exceed 400 SF on any one lot. A Variance from Section 200-82 A (2) (d) and (f) to allow a 42.5 SF sign, where more than ten signs of 5 SF exist and will be within 150 feet of another sign. The property is located at 10 Liberty Boulevard Malvern, PA. and is within the O/BPS Zoning District.

Mr. Orlow is not happy about this. This is a use we were not aware of until land development. It feels like the sports betting aspect was intentionally hidden. Mr. Strong is counsel for the Parks, not for the prior applicant Chickee and Pete's. My client is looking for variance to the existing sign. No need to send solicitor.

**Public Comment:** None

**Consent Agenda:**

- Approve Meeting Minutes from July 14, 2021
- Ratify Payment of Bills: \$929,106.96 (July 2021)
- Accept Treasurer's Report as of June 30, 2021
- Approve Proposal (\$6,490) from General Code for Interactive Zoning Map
- Ratify Purchase of APC Smart-UPS Systems (3) for Server Protection (Police; \$6,754)
- Approve Resolution of Support and Financial Commitment of \$150,000 for Charlestown Township's Grant Application to Department of Community and Economic Development (DCED) Multimodal Transportation Fund (MTF) for Phoenixville Pike and Sidley/Yellow Springs Road Intersection Improvements
- Approve increase of ARRO budget for additional services related to Bacton Hill Park by \$12,250 to \$67,801.75 total.

Ms. Drummond made a motion to approve Consent Agenda as read by Chair. Mr. Orlow seconded the motion; the motion was approved 3-0.

**Meeting Adjournment: 10:45PM**

**Donna Wikert, Board Secretary**