

**Board of Supervisors**  
**September 8, 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 Steve Anella from HRMML.

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

**Board Briefings (SL):**

Executive Session(s) were held on September 8 at 6pm (legal, personnel, and real estate) Bulk Trash Pickup – Tuesday, October 5 through Friday, October 8 Drop off Saturday October 9, 7am to 2pm)

Loren Nafziger briefed the Board on Hurricane Ida and Aqua’s communication during this time. The acting Chief was able to staff the firehouse with additional staff and volunteers prior to the storm. They were able to staff multiple units and service all corners of the township. They handled over 20 incidents removing people from stranded cars and helping them get on their way safely. After the storm they were able to assess the damage and report immediately to the county. The county has set up a website to access all information on reporting damages.

[www.chesco.org/ida](http://www.chesco.org/ida)

The Township declared an “Emergency Declaration” so that we are in-line for any aide that may be available. Residents are encouraged to visit the site and report their damage. The county set up a Multi-Agency Coordination Center in Thorndale for in person consultation. Please visit the website for dates and times. Loren thanked everyone involved for all the hard work and long hours they have kept over the past several days.

Receiving communication from Aqua has been difficult, not sure why it is so hard to get information from Aqua, hoping that it will be addressed in the future. Aqua is unable to give an estimate on repair time; please keep a watch on their website for all updates. The township will also keep our website updated with information as it is made available. There will be a water truck from Aqua available starting today at the firehouse, please bring containers to fill up with water.

Mr. Lambert thanked everyone involved with helping during Hurricane Ida. He mentioned the Public Works department helped residents pump out their basements and worked nonstop cleaning up debris and roads. It is very much appreciated.

**Board Motions & Resolutions:**

Approve Purchase of 2021 Dodge Durango (Police) from New Holland Dodge Chrysler Jeep

RAM through COSTARS for \$34,985 (\$54,000 Total); Board Previously Approved Purchase of 2021 Ford Explorer (Patrol 42-07)

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

Approve Proposal to Establish Friends of East Whiteland Township Parks (501(c)(3))

Mr. Brown asked the Board to approve this (501-c-3) which would work closely with Parks and Recreation. Details will need to be worked out, but this will allow the (501-c-3) to fund raise and accept donations for events whereas the Parks & Recreation department cannot. The cost to set this up would be in the range of \$3000 to \$4000.

Ms. Drummond made a motion to accept the proposal. Mr. Orlow seconded the motion; the motion was approved 3-0.

Mr. Brown explained the next three items are for Movie Night at Valley Creek Park October 1, 2021, 6:30 to 8:30 pm. "Shrek" will be the movie of choice.

Approve Agreement with Workspace for overflow parking for Movie Night in Valley Creek Park  
Waive Alcohol Policy for Movie Night in Valley Creek Park

Approve Agreement for Township Indemnification with Locust Lane Brewery for Movie Night in Valley Creek Park

Mr. Orlow made a motion to approve the parking agreement, waiving the alcohol policy and amending the agreement with Locust Lane to include the movie night. Ms. Drummond seconded the motion; the motion was approved 3-0.

Approve Policy for Bench and Tree Donations for Parks. Mr. Brown explained currently there is not a policy regarding donation of memorial benches, plaques, and tree planting in memory of a loved one at the different parks in the Township. This would be a policy in place with rules and standards to apply by.

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

Consider Approval to proceed with application to DCED for the project Yellow Springs/Sidley/Phoenixville Pike intersection

Mr. Barner explained that East Whiteland Township partnered with Charlestown Township to apply for a Multi-Mode Transportation fund grant. This grant is through the Department of Community Economic Development. Charlestown Township owns the signal light at Yellow Spring and Sidley Roads, but East Whiteland township owns the property. We have committed to

matching funds at our August 2021 Board of Supervisors meeting. Charlestown Township is the applicant. When they submitted for this application, the State came back with items to address, one being a letter of support that needs to be included in their application from East Whiteland Township, being the owner of the property. This is not a letter to proceed with the project, but an acknowledgement from East Whiteland Township, as the land owner.

**Motion to Advertise:**

For Sale on MunicBid – Township Vehicle(s) 2008 Ford Escape

Mr. Orlow made a motion to approve advertisement of sale on MunicBid. Ms. Drummond seconded the motion; the motion was approved 3-0.

2022 Heating Oil and Diesel Fuel Bid:

Ms. Drummond made a motion to approve to advertise for 2022 Heating Oil and Diesel Fuel Bids. Mr. Orlow seconded the motion; the motion was approved 3-0.

**Public Hearings:**

[CU-08-2021](#) for Disturbance of Steep Slopes at 9 South Malin Road (10 Malin Road Associates) Conditional Use application pursuant to §200-57.F(4) to permit driveways and parking lots in areas of steep slopes for construction of a landscape contracting facility. The property, located at 9 South Malin Road, is within the I (Industrial) Zoning District.

Full details of the hearing are contained within the transcript prepared by a 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 vote upon Condition Use application.

Mr. Orlow made a motion to approve the CU-08-2021 request in accordance with the testimony and conditions presented. Ms. Drummond seconded the motion; the motion was approved 3-0.

**Planning & Development:**

Presentation given by Mr. David Schrader of Schrader Group, regarding Proposed 5/6<sup>th</sup> Grade Center at KD Markley School of Great Valley School District, (click link below)

[GVSD - EWT Supervisors Presentation - 2021.09.08.pdf](#)

This plan includes a new 160,000 square foot building, along with associated improvements for vehicular parking and circulation, playfields, a multi-use trail, sanitary sewer, and stormwater management. The plan also calls for the consolidation of four (4) existing lots into two (2) lots. The property, located at 354 Swedesford Road, is within the NS (Neighborhood School) and OS (Open Space) Zoning Districts.

Consider Rendering a Decision on the Following Development Applications:

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 approve LD-19-2020. Ms. Drummond seconded the motion; the motion was approved 3-0.

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.

Ms. Drummond made a motion to approve LD-01-2021. Mr. Orlow seconded the motion; the motion was approved 3-0.

**Discussion of Route 30 Corridor Implementation, Review of Overall Land Use Recommendations, Consideration of Residential Uses and Potential Design Guidelines for Development Projects:**

Mr. Barner gave a presentation regarding the Rt. 30 Corridor Master Plan, which was adopted in 2018. The presentation focused primarily on the Transportation and Land Use and Zoning Recommendations. The purpose of the presentation was to provide an overall refresher on the Plan and seek feedback from the Board as to how to proceed with implementation.

Mr. Barner provided an overview of some existing “properties of interest” along the corridor. These are locations that the Township is aware of that possess redevelopment potential or which the Township has received inquiries from developers and the public. Each property has its own mix of opportunities and constraints.

Further discussion is required to determine whether to include residential only within the MUCs or also within the ESC. There may be benefits to focusing commercial uses within the MUCs and allowing residential elsewhere.

Strike the balance of dwelling types and the impacts associated with each (i.e. apartments do not generate large numbers of school children compared to other dwelling types).

Focus on problem areas along the corridor, such as decrepit and vacant properties.

Avoid gentrification of lower income areas and reduce impact on existing residential areas. Draw from lessons learned on previous developments, such as the Linden Hall Townhouse development and Malvern Yards (a.k.a. GMH) apartment complex.

Need for transportation upgrades, especially at the intersection of Rt. 30/352. This is a priority intersection for existing and future traffic issues.

The Board expressed interest in moving forward with the general recommendations of the Plan, within further discussion required on where to allow residential uses. Staff will provide additional information for the Board to review and compare, including zoning maps and tables of permitted uses.

**Zoning:**

ZHB 11-2021 – Application of Green Fig Land LLC, for variances from the INS-CCRC and I Zoning Districts for two separate parcels at 954 Swedesford Road and 15 S. Bacton Hill Road. The applicant is requesting an extension of variances previously granted for one property and the same set of variances for the second parcel, which was previously not included in the application. These variances would allow: a second microwave tower, relief from perimeter landscaping of parking areas, relief from landscaping within parking lots, a reduced number of parking spaces from the ordinance requirement, and to modify otherwise required buffering.

Several questions from the Board were concerning Traffic studies, and possibly having a Fiscal Impact study. The fiscal impact study is not required, Mr. Calagrecó said they would be fine providing that, if necessary, when the time comes. Concerns with whether PECO can handle and will this impact East Whiteland Township in any way. Mr. Lyddane, the applicant has been conversing with PECO on this issue. Another concern was asked if this was going to have any impact on moving the Chester Valley Trail. Mr. Lyddane explained the only way it would is if it was a deal breaker to a major tenant concerning security. Only then would it the county look into possibly moving the trail. Ms. Drummond mentioned this has been discussed for years and it is a very low impact on traffic and strongly believes if this isn't a possibility it would be looked at for housing development. The Board all agreed.

Ms. Drummond made a motion to send the solicitor in support of this project to the Zoning Hearing Board. Mr. Orlow seconded the motion; the motions was approved 3-0.

ZHB 12-2021 – Application of Paul & Alice Choi for Variance from Section 200-20B., Attachment 3, to allow the construction of an aluminum motorized pergola. The addition of the pergola will increase the building coverage slightly over the allowable 16% coverage. The subject property is located at 5 Accord Drive, Malvern, and is within the R-1 Residential Cluster Overlay with 40% Open Space Zoning District. No need to send solicitor.

**Public Comment:**

Ms. Deb Mobile asked if there has been any update from DEP on when they will release documents and meet with the public. Mr. Brown said he has been advised by DEP that by month end they will provide information to the public and staff.

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

- Approve Meeting Minutes from August 11, 2021
- Ratify Payment of Bills: \$572,797.96 (August 2021)
- Accept Treasurer's Report as of August 31, 2021
- Approve PennDOT Traffic Signal Maintenance Agreement
- Approve Purchase of Fire Pre-Planning Software from First Due (\$6,600 Start-up: \$5,000 Annual Maintenance)
- Approve Recommendation from Pension Trustees to Reduce Actuarial Assumption for Rate of Return to 7.25%
- Approve 2022 Minimum Municipal Obligations (Pension Act 205)
- Ratify the Emergency Declaration signed September 2, 2021
- Approve Bid from Steinbauter, Inc. for Gunkle's Mill Stonework \$7600

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

**Meeting Adjournment** 9:30

**Donna Wikert**  
**Board Secretary**