

UWCHLAN TOWNSHIP BOARD OF SUPERVISORS
MINUTES OF REGULAR MEETING
MAY 13, 2019

The meeting was called to order at 7:30 p.m. by Chairman Bill Miller and the Pledge of Allegiance was recited.

Present: Supervisors: Bill Miller, Mayme Baumann and Kim Doan; Township Manager Doug Hanley; Assistant Township Manager Scott Greenly; Assistant Zoning Officer Tara Giordano; Township Secretary Katie Churchill; Township Treasurer Susan Bernhard; Police Chief Scott Alexander; Township Engineer Dan Daley and Township Solicitor Mark Freed.

Absent: Zoning Officer Tom Cooke and Fire Marshal Mike Holmes

Mr. Miller announced that the meeting is being recorded with hopes that it will be posted on website. Last month's recording had very poor audio so it was not posted.

Minutes: *Mrs. Baumann made a motion to approve the Minutes of April 8, 2019 and Dr. Doan seconded. Mr. Miller asked for public comment.*

Mike Taylor asked for a response to his letter, which asked for the basis of Dr. Doan's abstaining from the motion made at last month's meeting regarding permission for the School District to work on Sundays, if needed, on the Uwchlan Hills School building. Abstention vs. recusal? If she did not vote, she was not doing her job.

Mr. Freed stated that Dr. Doan has a personal relationship with the school district and there was no impropriety.

There being no other comments, the motion was carried unanimously.

REPORTS:

Police: Chief Alexander reported that there were 226 traffic citations issued, 38 traffic accidents and 19 criminal arrests during the month of April. There were no incidents where Narcan was administered.

Treasurer: Ms. Bernhard has submitted her report for the month of April. The following is a list of revenues and expenditures:

<u>Fund</u>	<u>Revenues</u>	<u>Expenses</u>
General	\$709,042.11	\$936,669.52
Hydrant	33,813.86	9,900.00
State Liquid Fuel	-0-	23,920.00
Sewer	596,110.91	263,190.28

To date, the Township has collected approximately 29% of its budgeted revenues and spent about 33% of its budgeted expenditures.

Public Works: Mr. Greenly reported that for the month of April the Public Works Department completed storm water management projects; repaired potholes; paved area on Balderston Dr. that was repaired; marked for PA One Call; performed weekly meter checks and monthly grease trap checks, and performed general maintenance of vehicles.

He also reported that for the month of April the daily average flow to Downingtown was approximately 1.92 million gpd and there were no new sewer connections to either Plant. The Township has received 4.5 inches of rain during April with a year-to-date surplus of 5.5 inches.

Fire Marshal: Mrs. Churchill reported that during the month of April Mr. Holmes responded to 12 fire calls during regular work hours; conducted 13 fire inspections; investigated 2 open burning complaints; and reviewed plans for commercial buildings and inspected those under construction.

Lionville Fire Company: Mrs. Churchill reported that the Fire Company answered 50 alarms during the month of April, 30 of which were in Uwchlan Township.

Uwchlan Ambulance Corps: No one was present.

Mrs. Baumann made a motion to accept the Reports as submitted and Dr. Doan seconded. Mr. Miller asked for public comment. There being none, the motion was carried unanimously.

BUSINESS:

Marchwood Shopping Center: Request for Classic Car Event – May 19th from 12 pm – 4 pm;
Raindate May 26th

The event planned is identical to the previous two held in November and March.

Mr. Miller noted that the Township received comments regarding the entrances to the businesses located in the shopping center being blocked during past events. He asked that there be controls in place so this does not occur again. Tom, from Tom's Jerky, one of the organizers of the event, stated that they will take measures to assure nothing is blocked.

Mrs. Baumann made a motion to approve the Classic Car Event and Mr. Miller seconded. Mr. Miller asked for public comment. There being none, the motion was carried unanimously.

Eagleview Lot #58: Request for 120-Day Extension

This plan was presented as a Preliminary/Final Land Development Plan in March. Since Applicant is still awaiting soil testing results, they requested a 120-day extension, which expires September 10th.

Mrs. Baumann made a motion to approve the 120-day extension and Dr. Doan seconded. Mr. Miller asked for public comment. There being none, the motion was carried unanimously.

Boas – 581 W. Uwchlan Ave.: Preliminary/Final Land Development Plan Submission

Mrs. Giordano explained that, in November, Applicant was granted approval to move forward with this plan as a Preliminary/Final Land Development Plan. This plan is now formally submitted and will be sent out for engineering reviews.

Mrs. Baumann made a motion to accept the submission of the Boas plan as a Preliminary/Final Land Development Plan and Dr. Doan seconded. Mr. Miller asked for public comment. There being none, the motion was carried unanimously.

Ducharme – 165 Oak Street: Final Land Development Plan Approval
Ducharme: Request for 5 Year Building Extension

Mrs. Giordano stated that this is a simple subdivision plan for 165 Oak St., which is located in the R-1 Zoning District. Mr. Ducharme, Owner of the property, would like to create a new lot, approximately 33,700 s.f. in size, to the rear of his property. This lot would front on Woodland Dr. and have access to public water and sewer. Mr. Ducharme has requested an extension of the five-year limit as required by the Pennsylvania Municipalities Planning Code, Section 508, for building.

The Commission members have seen the plan and have recommended approval of the plan and the additional five-year extension of the original five year limit.

Mrs. Baumann made a motion to approve the simple subdivision plan as well as granting the additional 5-year extension to build contingent on compliance with all comments made by the Planning Commission at their May 1, 2019 meeting. Dr. Doan seconded the motion. Mr. Miller asked for public comment. There being none, the motion was carried unanimously.

Resolution No. 2019-10 – Ducharme – 165 Oak Street: Final Land Development Plan Approval

This Resolution memorializes the approval of the Ducharme Plan as discussed above.

Mrs. Baumann made a motion to adopt Resolution No. 2019-10 and Dr. Doan seconded the motion. Mr. Miller asked for public comment. There being none, the motion was carried unanimously.

151 Sheree Blvd.: Preliminary/Final Land Development Plan Approval

The Applicant has revised the plan for the construction of a 37,938 s.f. flex office/warehouse building behind the existing 65,000 s.f. building that is occupied by General Ecology to show the removal of the island on Sheree Blvd., which will now allow for a left turn lane to be installed for access into the site, adding a painted crosswalk on Sheree Blvd and an ADA ramp and sidewalk to the grass area for pedestrian use.

Mrs. Baumann made a motion to approve the plan for 151 Sheree Blvd. contingent on compliance with the review letters, obtaining all State permits and compliance with the Planning Commission's motion to approve on May 1, 2019. Dr. Doan seconded the motion. Mr. Miller asked for public comment. There being none, the motion was carried unanimously.

Resolution No. 2019-11 – 151 Sheree Blvd.: Preliminary/Final Land Development Plan Approval

This Resolution memorializes the approval of the 151 Sheree Blvd. Plan as discussed.

Mrs. Baumann made a motion to adopt Resolution No. 2019-11 and Dr. Doan seconded the motion. Mr. Miller asked for public comment. There being none, the motion was carried unanimously.

Christian Brothers Automotive – 399 W. Uwchlan Ave.: Request for Conditional Use Hearing - June 10, 2019

The Township has received a request for Conditional Use for this property located at the corner of Peck Rd. and Route 113. Applicant is planning to build a 6,000 s.f. light automotive business that is permitted by Conditional Use.

Mrs. Baumann made a motion to schedule the Conditional Use Hearing for June 10, 2019 and Dr. Doan seconded. Mr. Miller asked for public comment. There being none, the motion was carried unanimously.

Sunoco: Request for Noise Ordinance Variance for Pull Back Activities

The Township has received another request from Energy Transfer/Sunoco for a Noise Ordinance waiver for pull-back activity at the following two locations:

1. Dairy Queen to the Eagleview Corporate Center – Early June
2. Crump Rd. to Dairy Queen – Mid-July

They would like to be able to work 24 hr. days to complete the pull-back activity in an area that is mostly non-residential.

The Board members asked the Energy Transfer representative and Michels representative if they anticipate any issues and is the pull-back activity similar to the one recently finished in Marchwood? They responded stating that no issues are expected with the pull-back, which is similar to the one just finished in Marchwood. Their rationale for working 24 hr. days is, again, that the likelihood of failure is greater if they must stop and start the pull-back process.

Residents John McGrath, Dr. Patrick Brown, Margaret Quinn, Carrie Gross, Alex Thigpen, Pat Devlin and Diane O'Dwyer were present and had the following concerns:

1. Noise level during the recent process is excessive especially right before they do the “pull”
2. Why is Sunoco able to ask permission for waiver from the Noise Ordinance but don't have to ask permission to put in additional pipelines?
 - Noise is a Township issue that can be enforced

3. Last month the Township had little notice to make a decision with regards to a similar waiver. Did Sunoco respond to Mr. Miller's request for additional data to support a continuous pull-back?
 - No exact data was received by the Township. If waiver had been granted by the Board, both pipes would have been pulled through simultaneously.
4. Pull back was accomplished within a week last time with no granting of waiver to the Noise Ordinance so why the need for a waiver?
 - There is always the possibility for a failure, which could add anywhere between 3 days to 120 days to correct depending on whether a new hole needs to be bored.
5. Is there a risk to the public during the pull-back or just a risk of delay of project?
 - Risk is in delay of project
6. Contamination of waterways caused by boring process, corrosion of pipes, method of sealing?
 - Since the issue before the Board tonight is only a waiver of the Noise Ordinance, questions dealing with specific engineering questions were tabled.

The waiver request in front of the Board is only for the 16" pipe.

Mr. Miller made a motion to approve the waiver of the Noise Ordinance for the pull-back from Whitford Rd. to the Dairy Queen in mid-July. No one seconded. Motion was not carried.

Mr. Miller made a motion to approve the waiver of the Noise Ordinance for the pull-back from Dairy Queen to the Eagleview Corporate Center in early June. No one seconded. Motion was not carried.

ANNOUNCEMENTS:

1. 05/15 – Zoning Hearing Board – 7:00 pm – 100 Princeton Rd. - Decision
2. 05/15 – Environmental Advisory Council – 6:30 pm
3. 05/16 – Comprehensive Plan Meeting – 3:00 pm
4. 06/05 – Planning Commission – 7:30 pm
5. 06/10 – Board of Supervisors – 7:30 pm
6. First Sunday of each month April – November – Historical Properties Open to the Public

OPEN TO THE PUBLIC FOR QUESTIONS AND COMMENTS

1. Craig Colistra raised his concern with speeding along Route 113. Mr. Colistra spoke to PennDOT who told him that a speed study of the roadway came back with a recommendation of 50 mph. for the road. Mr. Miller explained that the road is not a Township road but deferred to Chief Alexander who stated that Route 113 is heavily monitored for speeding.
2. Mike Taylor questioned why the UTIDA is considering a change in their legal representation. Mr. Miller answered that consideration is being made to change the personnel as a result of the current Attorney saying that he is not willing to work with a Democrat.

3. Mr. Hanley asked the Board members to accept his and Tom Cooke's resignation effective July 1, 2019 and formally appoint Scott Greenly as Township Manager, Katie Churchill as Township Secretary/Assistant Township Manager and Tara Giordano as Building & Zoning Official.

The Board members thanked Mr. Hanley for his 38 years of service. Mr. Freed acknowledged him as an unbelievable planner.

Mr. Miller made a motion to accept Mr. Hanley's and Mr. Cooke's resignation effective July 1, 2019 and Mrs. Baumann seconded. The motion was carried unanimously.

There being no other business, Mrs. Baumann made a motion to adjourn the meeting at 9:00 pm and Dr. Doan seconded. The motion was carried unanimously.

Respectfully submitted,

Katie Churchill
Township Secretary

/jc