



**WEST WHITELAND TOWNSHIP
BOARD OF SUPERVISORS**

BUSINESS MEETING

Minutes of the First February Meeting

February 13, 2019

1. Call to Order

Chairwoman Theresa Santalucia called to order the first February business meeting at 6:30 p.m. Those present besides Ms. Santalucia were as follows:

Michele Moll	-	Vice-Chairman
Elizabeth Jones	-	Member
Mimi Gleason	-	Township Manager
Pam Gural-Bear	-	Assistant Township Manager
John Weller	-	Planning & Zoning Director
Ted Otteni	-	Public Works Director
Joseph Catov	-	Police Chief
Amy Heinrich	-	Finance Director
Vince Pompo	-	Solicitor

ANNOUNCEMENTS:

The Board of Supervisors met in executive session on February 7 and prior to tonight's meeting to discuss matters of litigation and personnel.

The Township Building will be closed on Monday, February 18, in observance of Presidents' Day.

PUBLIC COMMENT:

None.

HEARINGS & PLANS:

1. CSH Exton, LLC – Conditional Use

The Conditional Use application of CSH Exton, LLC (Capital Seniors Housing) is for construction of a 3-story, 99-bed assisted living facility on a 4-acre lot in the Oaklands Corporate Center. Attorney Stephan Pahides was in attendance on behalf of the Applicant.

The Board reviewed a draft Decision and Order dated February 13, 2019, and asked questions and revised condition nos. 5, 6, and 8. A record was taken by Court Reporter, Elaine Parrish.

Ms. Moll made a motion, seconded by Ms. Jones, to approve the Decision and Order dated February 13, 2019, as amended at tonight's meeting, approving the Conditional Use application of Capitol Seniors Housing for the construction of a 99-bed assisted living facility at 100 Oaklands

Minutes of First February Business Meeting
February 13, 2019

Blvd. in the Oaklands Corporate Center in West Whiteland Township. Ms. Santalucia called for public comment and there were none. The motion was unanimously approved.

2. Buckman's Preliminary/Final Land Development

The land development application of Ski Properties II, LLC, is for construction of a 2-story addition to an existing commercial building and other site improvements located at 403 N. Pottstown Pike. Jeff Buckman and Kim Kryder were in attendance on behalf of the Applicant.

Mr. Weller reviewed his Memorandum dated February 8, 2019. In response to a question from Ms. Moll, Mr. Weller confirmed that the sidewalks were shown as recommended by the Planning Commission – along Rockland Drive to the corner and providing a painted crosswalk across Rockland Drive and a handicapped accessible ramp on the south side.

Ms. Jones made a motion, seconded by Ms. Moll, to approve the land development plan for Buckman's Ski and Snowboard Shop for the construction of a 2-story addition to the existing building at 403 N. Pottstown Pk. and other improvements as depicted on the 16-sheet plan set prepared by Bursich dated September 14, 2018 and most recently revised on January 22, 2019 with the waivers and condition nos. 1-17, as outlined on pages 1-2 of John Weller's Memorandum dated February 8, 2019. Ms. Santalucia called for public comment and there were none. The motion was unanimously approved.

3. Lochiel Farm Final Land Development

The land development application of Donovan Investment Partners is for construction of 140 townhouse dwellings and renovation of two existing historic structures as single-family detached dwellings on a 32.3-acre tract known as Lochiel Farm. Tom Bentley, Scott Emerson, and Attorney Ross Unruh were in attendance on behalf of the Applicant.

Mr. Weller reviewed his Memorandum dated February 8, 2019. The project previously received conditional use and preliminary land development approval. Mr. Weller explained that the site is adjacent to an EPA superfund site. The Applicant is required to enter into an Environmental Covenant with EPA detailing what has been done and how it will accommodate any remaining concerns. This Covenant will be recorded and a copy provided to the Township, along with confirmation of compliance with the Covenant, prior to the issuance of a Use & Occupancy Permit for any structure shown on the plan.

Mr. Bentley then gave a history of the Applicant's meetings with the EPA over the last 3 years, and noted that the pollution levels continue to decrease.

Ms. Moll questioned the comment from SSM Group regarding the rise in flood elevation. Mr. Weller explained that this did not conflict with EPA's requirement that the project not affect groundwater flow, as the SSM comment was in reference to the stream on the surface, while the EPA reference was concerned with subsurface water.

Mr. Unruh said the Environmental Covenant between would be referenced in the deeds for the properties when purchased. Also, a disclosure noting the history of the property and what has been done to remediate it would be included in the purchasing offer agreement to prospective

buyers. Ms. Jones asked that an additional condition of approval be added to provide a copy of the disclosure to the Township.

Ms. Moll noted that Police Chief Catov recommended no left-turns out of Livingston Lane be allowed, but yet the plan showed left-turn lanes. Mr. Unruh explained that the property is subject to an existing easement benefitting the neighboring property owner which provides for a full functioning intersection and therefor the applicant could not agree to that change. Mr. Pompo said once the road is dedicated to the Township, it could restrict left turns. Mr. Otteni will make note of this.

Ms. Moll made a motion, seconded by Ms. Jones, to approve the Final Land Development Plan of Lochiel Farm Livingston Lane depicted on the 35-sheet plan set prepared by D.L. Howell and Associates dated November 28, 2017, most recently revised December 12, 2018, including the landscape plan prepared by Orsatti & Stuart dated April 11, 2018 and most recently revised December 12, 2018, with the waivers and condition nos. 1-26 as outlined on pages 1-4 of John Weller's Memorandum dated February 8, 2019, with the addition of a condition no. 27 that the Township be provided a copy of the disclosure language that will be given to prospective buyers. Ms. Santalucia called for public comment and there were none. The motion was unanimously approved.

CONSENT:

Ms. Jones made a motion, seconded by Ms. Moll, to approve the Consent Agenda consisting of the following:

- Minutes of January 23, 2019
- Accounts Payable Warrant Report dated February 13, 2019
- Resolution 2019-10 Disposition of Media

Ms. Santalucia called for public comment and there were none. The motion was unanimously approved.

BUSINESS:

1. Discussion About Bicycle and Pedestrian Plan Recommendations

Justin Smiley presented the draft Bicycle and Pedestrian Plan, the main purpose of which is to identify and plan for a safe and accessible bike and pedestrian circulation network while providing additional accessibility to major destinations within and around the Exton Crossroads. Mr. Smiley presented a list, identified by residents through a survey and public meeting, of 16 bike and pedestrian connection projects that they would like to see. The projects were ranked by amount of resident interest, feasibility and constraints. Mr. Smiley asked the Board members to review the various projects and provide their feedback on the rankings of each by the end of the month.

Mr. Smiley explained that many of the projects would be implemented through the land development process and a lesser number through the Township's Capital Improvements Plan. Tentatively, the Planning Commission will review the draft plan at its February 19 meeting and make a recommendation to the Board of Supervisors on March 5. The Board will then be asked

Minutes of First February Business Meeting
February 13, 2019

for authorization to advertise on March 13, with final adoption tentatively scheduled for the first meeting in May.

2. Ratification of Petitions to Intervene

Ms. Jones made a motion, seconded by Ms. Moll, to ratify two Petitions to Intervene; one regarding the Safety Seven case, and one for the Public Utilities Commission complaint against Sunoco. Ms. Santalucia called for public comment and there were none. The motion was unanimously approved.

ADJOURNMENT

The meeting adjourned at approximately 8:30 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Mimi Gleason', with a long horizontal flourish extending to the right.

Mimi Gleason
Recording Secretary