

**WEST WHITELAND TOWNSHIP
BOARD OF SUPERVISORS**

BUSINESS MEETING

Minutes of the First April Meeting

April 11, 2018

1. Call to Order

Chairwoman Theresa Santalucia called to order the first April 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	-	Director of Planning and Zoning
Ted Otteni	-	Public Works Director
Amy Heinrich	-	Finance Director
Mark Moses	-	Codes Director
Joseph Catov	-	Police Chief
Vince Pompo	-	Solicitor

ANNOUNCEMENTS:

The Board met in executive session on April 5, 2018, and prior to the meeting this evening to discuss matters of litigation and personnel.

PUBLIC COMMENT

A resident expressed concern with the increase in development resulting in increasing traffic throughout the Township, especially on Whitford Road during rush hour.

PRESENTATIONS:

1. Catalyst Outdoor (Electronic Media Center & Public Market at Route 100 & Township Line Road)

Thaddeus Bartkowski, majority owner of Catalyst Outdoor Advertising, gave a presentation of the electronic media center and farm market proposed at 500 Pottstown Pike. On March 26, 2018, Catalyst performed a demonstration of the proposed sign and displayed a succession of messages similar to what would run if constructed. Residents were given an opportunity to ask questions and express their thoughts about the project.

Many residents in attendance expressed concerns about increased traffic accidents from driver distraction caused by the sign; increased traffic accidents with vehicles turning onto Township Line Road due to the alignment and speed of traffic on Route 100 near the proposed

site; light pollution to neighboring property owners; and decreased property values. Residents also expressed skepticism about the viability of a farm market at the site and disliked the idea of additional traffic that would be generated by it. A few residents in attendance spoke in favor of the project because of the benefits of redeveloping a blighted property and support for a farm market, or did not object to the sign if the light level was similar to that experienced during the demonstration or if the proposed screening could be guaranteed to block the light.

In response to a resident questioning why the Township was even hearing the Applicant's proposal when, under the current Ordinance, billboards are prohibited at the site, Mr. Pompo, Township Solicitor, explained that the Applicant filed a legal challenge to the Township's current Ordinance alleging that the Ordinance is legally deficient regarding provisions for billboards. He explained that under the current Ordinance billboards are permitted along the Route 30 Bypass but billboards cannot be placed there because the State has designated it as a scenic highway. Therefore, the Applicant alleged in the legal challenge that billboards are effectively not permitted in the Township and included regulations to "cure" the legal deficiency in the Ordinance which would allow them to put the billboard where they want to.

Mr. Pompo further explained that this Applicant also has produced a site plan for further consideration in an effort to settle the legal challenge. If the curative amendment proceeds to a formal hearing before the Board, there will be notice and residents can attend and participate if they wish. If the matter proceeds to a hearing and the Board finds that the Ordinance is not deficient, the Applicant could appeal, with the possibility that the Court would grant the Applicant the relief they seek, including approval of the electronic billboard at this site. The ability for everyone to have input might be lost if the matter goes to Court. Under the scenario of a settlement, everyone can provide input about what ultimately is built on the site and consideration of that option is the purpose of tonight's meeting.

Further comments and concerns were taken from the audience.

HEARINGS:

1. Hanover Exton Square – Conditional Use Decision & Order

This is a continuation of the hearing on the application of Hanover R.S. Limited Partnership for conditional use approval for construction of 342 apartment units in a six-story building at the northeast corner of N. Pottstown Pk. and the west entrance to the Exton Square shopping center. Denise Yarnoff was in attendance representing the Applicant.

A Decision and Order marked "Solicitor Draft April 11, 2018" had been reviewed by the Applicant and the Board of Supervisors. Mr. Pompo noted two changes to condition no. 6: Delete the first word "Any" and replace with "The required"; and in the second sentence of condition no. 6 insert the word "required" after the first word "The". Applicant was in agreement with the changes.

A record was taken by Elaine Parrish, Court Reporter.

Ms. Moll made a motion, seconded by Ms. Jones, to approve the Decision and Order marked Solicitor draft April 11, 2018 with the two changes to condition #6 discussed tonight, regarding the conditional use application of the Hanover R. S. Limited Partnership for the construction of a six-story multi-family residential building at 181 North Pottstown Pike in West Whiteland Township. Ms. Santalucia called for public comment and there were none. The motion was unanimously approved.

REGULAR BUSINESS:

1. Approval of March 28, 2018 Minutes

Ms. Jones made a motion, seconded by Ms. Moll, to approve the March 28, 2018 Minutes. Ms. Santalucia called for public comment and there were none. The motion was unanimously approved.

2. Accounts Payable Warrant Report

Ms. Moll made a motion, seconded by Ms. Jones, to approve the April 11, 2018, Accounts Payable Warrant Report. Ms. Santalucia called for public comment and there were none. The motion was unanimously approved.

3. Resolution 2018-18 Disposition of Media

Ms. Jones made a motion, seconded by Ms. Moll, to enact Resolution 2018-18, for the disposition of media. Ms. Santalucia called for public comment and there were none. The motion was unanimously approved.

NEW BUSINESS:

1. Adoption of Sewer Ordinance Amendment – Tapping Fees & Sewer Rental

Ms. Moll made a motion, seconded by Ms. Jones, to adopt Ordinance No. 440 amending Chapter 253 "Sewers and Sewage Disposal", by consolidating Part 1, "Sewer Rental Fees, Article I, Rates and Charges", and Part 5, "Tapping Fees, Article VI, Imposition", into a restated and amended Part 1, "Sewer Rates, Charges and Fees". Ms. Santalucia called for public comment and there were none. The motion was unanimously approved.

2. Adoption of Building Code Amendment – One- and Two Family Dwellings & Plumbing

Ms. Jones made a motion, seconded by Ms. Moll, to adopt Ordinance No. 441 amending Chapter 129, "Uniform Construction Code, Article III, One- and Two-Family Dwellings", and Article V, Plumbing, of the Code of the Township of West Whiteland. Ms. Santalucia called for public comment and there were none. The motion was unanimously approved.

3. Approval of Traffic Signal Easement – Reserve at Glen Loch (1281 King Road)

Ms. Jones made a motion, seconded by Ms. Moll, to approve the Extinguishment and Termination of the Traffic Signal Easement Agreement executed on April 24, 2017 by The Parker Brothers and recorded on May 18, 2017; and to approve and accept the Traffic Signal Easement Agreement from 1281 King Associates, LLC. Ms. Santalucia called for public comment and there were none. The motion was unanimously approved.

4. Authorization of Temporary Road Closure (Cinco de May Run)

Ms. Moll made a motion, seconded by Ms. Jones, to authorize the closing of Swedesford Road between Ship Rd. and Valley Creek Blvd. in both directions, on Saturday, May 5, 2018, from 8 a.m. to 12 noon. Ms. Santalucia called for public comment and there were none. The motion was unanimously approved.

5. Update on Clover Mill Road

Mr. Otteni provided the Board with an update on the sink hole on Clover Mill Road. Geotechnical engineers have done soil borings and are currently developing a remediation plan. The road currently remains open, but if it is determined that the road needs to be closed, Jeffers Circle can be used as a detour.

ADJOURNMENT

The meeting adjourned at approximately 9:15 p.m.

Respectfully submitted,



Mimi Gleason
Recording Secretary