AGENDA EAST GOSHEN TOWNSHIP BOARD OF SUPERVISORS MEETING Tuesday, July 21, 2009

<u>Fuesday, July 21, 2009</u> 8:00 PM

1. CALL TO ORDER, PLEDGE OF ALLEGIANCE

The Chairman will ask if any resident will be recording the meeting.

2. PUBLIC COMMENT (OPTIONAL)

3. APPROVAL OF MINUTES

A. July 14, 2009

4. CHAIRMAN'S REPORT

- A. Announce that the Board met in executive session regarding pending litigation
- B. Announce that the Board of Supervisor regularly scheduled workshop at 7:00 PM son Tuesday, July 28th meeting will be held at 9:00 AM.

5. PUBLIC HEARINGS

- A. The Board will conduct a public hearing to consider an amendment to Chapter 240 of the Township code pertaining to Conditional Use Decisions.
- B. The Board will conduct a public hearing to adopt an ordinance amending various sections of the Township Code permitting the township to charge interest on monies owned to it.
- C. The Board will conduct a public hearing to consider approving the Metro PCS Conditional Use application for the installation of a new Wireless Communications Facility with the United Church of Christ steeple, locate at 1201 N. Chester Rd.
- D. The Board will conduct a public hearing to consider approving the Conditional Use of the National Bank of Malvern's for the property at 1305 Paoli Pike.

6. STAFF REPORT

- A. Treasurer's Report
- B. Police John Dumond

7. OLD BUSINESS

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8. NEW BUSINESS

- A. Consider approval of Resolution No. 09-51 regarding an Identity Theft Prevention Policy.
- B. Authorize Chairman to Sign the Fourth Supplement Lease between East Goshen Municipal Authority and Township of East Goshen.

9. ANY OTHER MATTER

10. CORRESPONDENCE, REPORTS OF INTEREST

A. Acknowledge the Fire Marshal's Report and the Goshen Fire Company's for June 2009.

- B. Acknowledge McCormick Taylor's notification regarding preparing an application for a DEP Water Obstruction and Encroachment Permit for the Chester County Bridges.
- C. Acknowledge John Schofield, President of Applebrook Carriage Homes
 Community Association's letter regarding the walking path.

11. MEETINGS AND DATES OF IMPORTANCE

July 20, 2009	Deer Committee	7:00 PM
July 21, 2009	Board of Supervisors	7:00 PM
July 28, 3009	Board of Supervisors ws	9:00 AM
August 3, 2009	Deer Committee ws	7:00 PM
August 4, 2009	Board of Supervisors	7:00 PM
August 5, 2009	Planning Commission	7:00 PM
August 6, 2009	Park & Recreation	7:00 PM
August 10, 2009	Municipal Authority	7:00 PM
August 11, 2009	Board of Supervisors ws	7:00 PM
August 12, 2009	Conservancy Board	7:00 PM
August 13, 2009	Historical Commission	7:00 PM
August 17, 2009	Deer Committee	7:00 PM
August 18, 2009	Board of Supervisors	7:00 PM
August 25, 2009	Board of Supervisors ws	7:00 PM

12. ADJOURNMENT

BOARD OF SUPERVISORS MEETING

WORKSHOP

Tuesday July 21, 2009 7:00 PM

- 1. Review meeting agenda
- 2. Review invoices
- 3. Consider traffic engineer recommendation regarding parking of commercial vehicles (report forthcoming)
- 4. Any Other Matter
- 5. Liaison Reports
- 6. Subdivisions/Land Developments/ZHB Applications
- 7. Public Comment
- 8. FYI
 - A. U.S. Municipal Supply price quote
 - B. Westtown Township Planning Commission

Reminder -

NEWSLETTER ARTICLE SUBMISSION DUE DATES:

DELIVERY DATE:

August 12, 2009 November 10, 2009 October 1, 2009 January 1, 2010

Decisions 6 pas

EAST GOSHEN TOWNSHIP PLANNING COMMISSION 1580 PAOLI PIKE WEST CHESTER, PENNSYLVANIA 19380

June 15, 2009

Board of Supervisors East Goshen Township 1580 Paoli Pike West Chester, Pa 19380

Re:

Zoning Amendment

Sections 240-31, 240-55 and 240-59

Dear Board Members:

At our meeting on May 6, 2008 the Planning Commission unanimously passed a motion to recommend that the Board of Supervisors approve the amendments to Sections 240-31, 240-55 and 240-59 of the Township Code.

Very Truly Yours.

Senya D. Isayeff

Chairman

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TOWNSHIP OF EAST GOSHEN CHESTER COUNTY, PENNSYLVANIA

ORDINANCE NO.

AN ORDINANCE OF THE TOWNSHIP OF EAST GOSHEN, CHESTER COUNTY, PENNSYLVANIA, AMENDING THE CODE OF ORDINANCES OF EAST GOSHEN TOWNSHIP, CHAPTER 240, TITLED "ZONING", TO BE CONSISTENT WITH ACT 39 OF 2008, SPECIFICALLY SECTION 240-31 TO SPECIFY NOTICE PROCEDURES REGARDING FINAL DECISIONS BY THE BOARD OF SUPERVISORS CONDITIONAL USE APPLICATIONS; SECTION 240-55 TO REMOVE FROM THE JURISDICTION OF THE ZONING HEARING BOARD APPEALS WHICH CHALLENGE THE PROCEDURAL VALIDITY OF A 240-59 SECTION AND AMENDMENT ORDINANCE ZONING REGARDING FINAL DECISIONS BY THE ZONING HEARING BOARD ON ZONING APPLICATIONS.

BE IT ENACTED AND ORDAINED, by the Board of Supervisors of East Goshen Township, Chester County, Pennsylvania, that Chapter 240 of the East Goshen Township Code, titled "Zoning" is amended as follows:

SECTION I. Section 240-31, titled "Conditional uses; additional standards for specific principal uses," Subsection B(6)(g) is deleted in its entirety and shall be replaced by the following:

"(g) Notice of decision.

[1] A copy of the final decision, or where no decision is called for, a copy of the findings shall be delivered to the applicant personally or mailed to him not later than the day following the date of the decision. To all persons who have filed their names and addresses by the last day of the hearing with the Board of Supervisors, the Supervisors shall provide (in person, by mail or otherwise), not later then the day following the date of the decision, a brief notice of the decision or findings and a statement of the place where the full decision or findings may be examined."

SECTION II. Section 240-55, titled "Zoning Hearing Board," Subsection E.(1)(b) shall be deleted in its entirety and marked "Intentionally Omitted."

SECTION III. Section 240-59, titled "Hearings and procedures" Subsection D(11) is deleted in its entirety and shall be replaced by the following:

"(11) Notice of decision.

- [a] A copy of the final decision, or where no decision is called for, a copy of the findings shall be delivered to the applicant personally or mailed to him not later than the day following the date of the decision. To all persons who have filed their names and addresses by the last day of the hearing with the Zoning Hearing Board, the Board shall provide (in person, by mail or otherwise), not later then the day following the date of the decision, a brief notice of the decision or findings and a statement of the place where the full decision or findings may be examined.
- [b] When a decision has been rendered in favor of the applicant because of the failure of the Zoning Hearing Board to meet or render a decision as hereinabove provided, the Township shall give public notice of said decision within 10 days in the same manner as provided in Subsection 240-59D(1)."

SECTION IV. SEVERABILITY. If any provision, sentence, clause, section or part of this ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts hereof. It is hereby declared as the intent of the Board of Supervisors that this Ordinance would have been adopted had such unconstitutional, illegal or invalid provision, sentence, clause, section or part thereof not been included herein.

SECTION V. REPEALER. All ordinances or parts of ordinances conflicting with any provision of this Ordinance are hereby repealed insofar as the same affects this Ordinance.

<u>SECTION VI.</u> <u>EFFECTIVE DATE</u>. This Ordinance shall become effective five (5) days after enactment as by law provided.

ENACTED AND ORDAINED this	day of, 2009.
	BOARD OF SUPERVISORS EAST GOSHEN TOWNSHIP
ATTEST: Joseph Gill, Secretary	E. Martin Shane, Chairman
	Carmen R. Battavio, Vice Chairman
	Joseph M. McDonough, Member
	Donald R. McConathy, Member
	Thom Clapper, Ph.D., Member

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THE COUNTY OF CHESTER

COMMISSIONERS Terence Farrell Carol Aichele Kathi Cozzone

RONALD T. BAILEY, AICP Executive Director

PLANNING COMMISSION Government Services Center, Suite 270 601 Westtown Road P.O. Box 2747 West Chester, PA 19380-0990 (610) 344-6285 Fax: (610) 344-6515

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Jul



March 5, 2009

Louis F. Smith, Jr., Manager East Goshen Township 1680 Paoli Pike West Chester, PA 19380-6199

Proposed Zoning Ordinance Amendment: Re:

Conditional Use Procedures and Procedural

Challenges to Zoning Ordinances

4493 - East Goshen Township #

Dear Mr. Smith:

The Chester County Planning Commission has reviewed a proposed amendment to the East Goshen Township Zoning Ordinance, submitted pursuant to the provisions of the Pennsylvania Municipalities Planning Code (MPC), Section 609(e). We received this referral for review on February 6, 2009. We offer the following comments to assist in your review of the proposed ordinance amendment:

DESCRIPTION OF THE AMENDMENT:

The first part of the amendment includes provisions for issuing conditional use decisions to applicants and to persons who have filed as parties to the hearing or who have requested to be notified of the decision. The second part of the amendment deletes the Zoning Hearing Board's responsibility for hearing procedural challenges to a zoning ordinance, to be consistent with Pennsylvania Act 39 of 2008 (which gives this responsibility to the Court of Common Pleas).

RECOMMENDATION: The Chester County Planning Commission recommends that the Township act on the proposed amendment according to the recommendations of the Township Solicitor.

We request an official copy of the adopted ordinance be sent to the County Planning Commission as required by Section 609(g) of the Pennsylvania Municipalities Planning Code. This will allow us to maintain a current file copy of your ordinance.

Sincerely,

Ronald T. Bailey, AICP

Secretary

RTB/WSB



THE COUNTY OF CHESTER

COMMISSIONERS Terence Farrell Carol Aichele Kathi Cozzone

RONALD T. BAILEY, AICP Executive Director PLANNING COMMISSION Government Services Center, Suite 270 601 Westtown Road P.O. Box 2747

West Chester, PA 19380-0990 (610) 344-6285 Fax: (610) 344-6515

May 14, 2009

RECEIVED BY:____

CAY 1 5 2009

Louis F. Smith, Jr., Manager East Goshen Township 1680 Paoli Pike West Chester, PA 19380-6199

Re:

Proposed Zoning Ordinance Amendment:

Conditional Use Decision Procedures and

Procedural Challenges to Zoning Ordinances

4524 - East Goshen Township

Dear Mr. Smith:

The Chester County Planning Commission has reviewed a proposed amendment to the East Goshen Township Zoning Ordinance, submitted pursuant to the provisions of the Pennsylvania Municipalities Planning Code (MPC), Section 609(e). We received this referral for review on April 16, 2009 and received grammatical changes to it on May 1, 2009. We offer the following comments to assist in your review of the proposed ordinance amendment:

DESCRIPTION OF THE AMENDMENT:

The first and third parts of the amendment include provisions for issuing conditional use and special exception decisions to applicants and to persons who have filed as parties to the hearing or who have requested to be notified of the decision. The second part of the amendment deletes the Zoning Hearing Board's responsibility for hearing procedural challenges to a zoning ordinance, to be consistent with Pennsylvania Act 39 of 2008 (which gives this responsibility to the Court of Common Pleas).

We initially received this amendment for referral on February 6, 2009, and our comments were forwarded to the Township in a letter dated March 5, 2009 (refer to CCPC # 4493). The current submission contains minor grammatical changes. We have no further comments on the amendment.

<u>RECOMMENDATION</u>: The Chester County Planning Commission recommends that the Township act on the proposed amendment according to the recommendations of the Township Solicitor.

We request an official copy of the adopted ordinance be sent to the County Planning Commission as required by Section 609(g) of the Pennsylvania Municipalities Planning Code. This will allow us to maintain a current file copy of your ordinance.

Sincerely,

Ronald T. Bailey, Alel Secretary

RTB/WSB

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INTEREST 13 pgs

July 7, 2009

East Goshen Township Board of Supervisors 1580 Paoli Pike West Chester, Pa. 19380

Re:

Ordinance Amendment to Ch. 205 and 240

Dear Board Members:

At our meeting on July 1, 2009 the Planning Commission unanimously passed the following motion:

"I move that we recommend that the Board of Supervisors approve the ordinance amendments as presented to us, to Chapters 205 and 240 of the Township code, which outline requirements for charging interest on debts owed."

ery trally yours,

Sehyal D. Isayeff Chairman

EAST GOSHEN TOWNSHIP

CHESTER COUNTY, PENNSYLVANIA

ORDINANCE NO. ___ - __ - 09

EAST GOSHEN TOWNSHIP. AN ORDINANCE OF COUNTY, PENNSYLVANIA, **AMENDING** CHESTER CHAPTER 100 OF THE CODE OF EAST GOSHEN, TITLED, "BUILDING CONSTRUCTION"; CHAPTER 124 OF THE CODE, TITLED "CONTRACTORS"; CHAPTER 128 OF THE CODE, TITLED "ELECTRICAL CODE"; CHAPTER 131 OF THE CODE, TITLED, "EROSION AND SEDIMENT CONTROL"; CHAPTER 133 OF THE CODE, TITLED "EXISTING BUILDING CODE"; CHAPTER 145 OF THE CODE, TITLED "FUEL GAS CODE"; CHAPTER 150 OF THE CODE, TITLED, "MECHANICAL STANDARDS"; CHAPTER 160 OF THE CODE, TITLED "ONE- AND TWO-FAMILY DWELLINGS"; CHAPTER 175 OF THE CODE, TITLED "PLUMBING": CHAPTER 205 OF THE CODE, TITLED "SUBDIVISION AND LAND DEVELOPMENT"; AND CHAPTER 240 OF THE CODE, TITLED "ZONING" TO AUTHORIZE THE **TOWNSHIP** COLLECT INTEREST IF VARIOUS FEES IMPOSED BY THE CODE ARE NOT PAID WITHIN 30 DAYS FROM THE DATE OF BILLING.

BE IT ENACTED AND ORDAINED by the Board of Supervisors of East Goshen Township that the East Goshen Township Code is amended as follows:

SECTION I. Chapter 100, titled "Building Construction," Section 100-2, titled "Additions, insertions and changes to standards," Subsection C, shall be amended as follows:

*C. Section 108.2 is amended to read as follows:

Section 108.2 Fee Schedule. The Board of Supervisors shall, by resolution, adopt a schedule of fees and collection procedure which shall be kept on file by the Township Secretary and shall be reviewed and revised as necessary by the Board of Supervisors. All fees shall be paid upon billing from the Township but in no case later than 30 days from the date of billing. When the 30th day from the date of billing falls on either a weekend or a holiday on which the Township building is closed, payments that are received before the close of business the next business day immediately following the 30th day shall be deemed to be paid on time and no interest shall be applied. If the fee is not paid within 30 days of

billing, the Township shall charge and be entitled to collect interest equal to $\frac{3}{4}$ of 1% of the unpaid balance per month, or fraction thereof, until paid."

SECTION II. Chapter 124, titled "Contractors," Section 124-3, titled "Fees," shall be amended by the addition of the following subparagraph C:

"C. All registration fees shall be paid upon billing from the Township but in no case later than 30 days from the date of billing. When the 30th day from the date of billing falls on either a weekend or a holiday on which the Township building is closed, payments that are received before the close of business the next business day immediately following the 30th day shall be deemed to be paid on time and no interest shall be applied. If the registration fee is not paid within 30 days of the date of billing, the Township shall charge and be entitled to collect interest equal to ¾ of 1% of the unpaid balance per month, or fraction thereof, until paid."

<u>SECTION III.</u> Chapter 128, titled "Electrical Code," Section 128-2, titled "Additions, deletions and modifications to Code," Subsection D, shall be deleted and replaced with the following:

"D. Section 404.2 shall be amended to state as follows:

Section 404.2. Permit Fees. The Board of Supervisors shall, by resolution, adopt a schedule of fees and collection procedure which shall be kept on file by the Township Secretary and shall be reviewed and revised as necessary by the Board of Supervisors. All fees shall be paid upon billing by the Township but in no case later than 30 days from the date of billing. When the 30th day from the date of billing falls on either a weekend or a holiday on which the Township building is closed, payments that are received before the close of business the next business day immediately following the 30th day shall be deemed to be paid on time and no interest shall be applied. If the fee is not paid within 30 days of the date of billing, the Township shall charge and be entitled to collect interest equal to ¾ of 1% of the unpaid balance per month, or fraction thereof, until paid."

SECTION IV. Chapter 131, titled "Erosion and Sediment Control," Section 131-10, titled "Fees," shall be deleted and replaced with the following:

"§ 131-10. Fees.

A. The Board of Supervisors shall, by resolution, adopt a schedule of fees and collection procedure which shall be kept on file by the Township Secretary and shall be reviewed and revised as necessary by the Board of Supervisors. The fee is required upon initial submission of an application under this chapter except as provided by § 131-3F. Cost of inspections will be billed to the applicant as inspections are completed. Payments shall be made within 30 days of the receipt of a bill and no occupancy permit will be issued until all payments have been made. If the applicant has paid a fee under another Township ordinance which is applicable to the requirements of this Chapter, such as Chapter 205, Subdivision and Land

Development, the Zoning Officer may waive any or all of the fees under this Chapter as he determines to be equitable. If an application involves less than one acre, no fee will be required. The permitee shall also be responsible for reimbursement to the Township of the cost of review of the plans and application charged to the Township by the Township Engineer.

B. All fees outlined in Subsection A of this §131-10 shall be paid within 30 days of billing by the Township. When the 30th day from the date of billing falls on either a weekend or a holiday on which the Township building is closed, payments that are received before the close of business the next business day immediately following the 30th day shall be deemed to be paid on time and no interest shall be applied. If the fee is not paid within 30 days of the date of billing, the Township shall charge and be entitled to collect interest equal to ¾ of 1% of the unpaid balance per month, or fraction thereof, until paid."

SECTION V. Chapter 133, titled "Existing Building Code," Section 133-2, titled "Additions, insertions and changes to standards," Subsection D, shall be deleted and replaced with the following:

"D. Section 108.2 shall be amended to state as follows:

108.2 Fee Schedule. The Board of Supervisors shall, by resolution, adopt a schedule of fees and collection procedure which shall be kept on file by the Township Secretary and shall be reviewed and revised as necessary by the Board of Supervisors. All fees shall be paid upon billing by the Township but in no case later than 30 days from the date of billing. When the 30th day from the date of billing falls on either a weekend or a holiday on which the Township building is closed, payments that are received before the close of business the next business day immediately following the 30th day shall be deemed to be paid on time and no interest shall be applied. If the fee is not paid within 30 days of the date of billing, the Township shall charge and be entitled to collect interest equal to ¾ of 1% of the unpaid balance per month, or fraction thereof, until paid."

SECTION VI. Chapter 145, titled "Fuel Gas Code," Section 145-2, titled "Additions, insertions and changes to standards," Subsection D, shall be deleted and replaced with the following:

"D. Section 106.5.2. shall be deleted and replaced with the following:

Section 106.5.2. Fee Schedule. The Board of Supervisors shall, by resolution, adopt a schedule of fees and collection procedure which shall be kept on file by the Township Secretary and shall be reviewed and revised as necessary by the Board of Supervisors. All such fees shall be paid upon billing by the Township but no later than the 30th day from the date of billing. When the 30th day from the date of billing falls on either a weekend or a holiday on which the Township building is closed, payments that are received before the close of business the next business day immediately following the 30th day shall be deemed to be paid on time and no interest shall be applied. If the fee is not paid within 30 days of

the date of billing, the Township shall charge and be entitled to collect interest equal to ¾ of 1% of the unpaid balance per month, or fraction thereof, until paid."

SECTION VII. Chapter 150, titled "Mechanical Standards," Section 150-3, titled "Additions, insertions and changes to standards," Subsection E, is deleted and replaced with the following:

"E. Section 106.5.2 shall be deleted and replaced with the following:

Section 106.5.2. Fees and Inspections/reinspections. The Board of Supervisors shall, by resolution, adopt a schedule of fees and collection procedure which shall be kept on file in the Department of Code Enforcement and revised as necessary by the Board of Supervisors. All such fees shall be paid upon billing by the Township but no later than the 30th day from the date of billing. When the 30th day from the date of billing falls on either a weekend or a holiday on which the Township building is closed, payments that are received before the close of business the next business day immediately following the 30th day shall be deemed to be paid on time and no interest shall be applied. If the fee is not paid within 30 days of the date of billing, the Township shall charge and be entitled to collect interest equal to ¾ of 1% of the unpaid balance per month, or fraction thereof, until paid."

SECTION VIII. Chapter 160, titled "One- and Two-Family Dwellings," Section 160-3, titled "Additions, deletions and modifications to code," Subsection D, is hereby deleted and replaced with the following:

"D. Section R108.2 shall be amended to state as follows:

R108.2. Fee Schedule. The Board of Supervisors shall, by resolution, adopt a schedule of fees and collection procedure which shall be kept on file in the Office of the Secretary of East Goshen Township and revised as necessary by the Board of Supervisors. All fees under this Chapter shall be paid upon billing by the Township but no later than the 30th day from the date of billing. When the 30th day from the date of billing falls on either a weekend or a holiday on which the Township building is closed, payments that are received before the close of business the next business day immediately following the 30th day shall be deemed to be paid on time and no interest shall be applied. If the fee is not paid within 30 days of the date of billing, the Township shall charge and be entitled to collect interest equal to ¾ of 1% of the unpaid balance per month, or fraction thereof, until paid."

SECTION IX. Chapter 175, titled "Plumbing," Section 175-3, titled "Additions, insertions and changes to standards," Subsection F, is deleted and replaced with the following:

F. Section 106.6.2. shall be deleted in its entirety and replaced with the following:

106.6.2. Fee Schedule. The Board of Supervisors shall, by resolution, adopt a schedule of fees and collection procedure which shall be kept on file with the Township Secretary and revised as necessary by the Board of Supervisors. All fees under this Chapter shall be paid upon billing by the Township but no later than the 30th day from the date of billing. When the 30th day from the date of billing falls on either a weekend or a holiday on which the Township building is closed, payments that are received before the close of business the next business day immediately following the 30th day shall be deemed to be paid on time and no interest shall be applied. If the fee is not paid within 30 days of the date of billing, the Township shall charge and be entitled to collect interest equal to ¾ of 1% of the unpaid balance per month, or fraction thereof, until paid."

SECTION X. Chapter 205, titled "Subdivision and Land Development," Section 105–15, titled "Fees," is hereby deleted and replaced with the following:

"§ 205-15. Fees.

A. Applicants for subdivision or land development approval shall pay a filing fee to cover the administrative cost for the Township's review of plans and a fee to be placed in escrow to cover the Township's professional consultants' costs relating to the review of the application and any supporting documents and materials, and report to the Township on the same. The term "professional consultants" shall include any persons who provide expert or professional advice, including but not limited to, architects, attorneys, certified public accountants, engineers, geologists, land surveyors, landscape architects or planners. The Board of Supervisors shall by resolution establish the filing fee and the amount to be escrowed.

The escrowed money shall be placed in an account held by the Township and monies shall be disbursed from this account to pay the actual costs of the professional consultants. The Township shall provide the applicant with a breakdown of all monies disbursed from the account. If the account balance goes below an amount specified by the Board of Supervisors the applicant shall deposit additional monies sufficient to bring the account balance back up to the original amount within 30 days of notification. Upon approval or denial of the land development or subdivision application and payment of the final invoices from the professional consultants the balance of funds in the account shall be returned to the applicant.

- B. Applicants who receive subdivision and land development approval shall, if applicable, reimburse the Township for the costs incurred by the Township for the inspection of improvements depicted on the approved plan. The applicant shall be billed by the Township on a monthly basis for such inspections, and applicant shall pay the amount due within 30 days of such billing.
- C. When the 30th day from the date of billing for the Township's professional consultants' review and inspection costs falls on either a weekend or a holiday on which the Township building is closed, payments that are received before the close of business the next business day immediately following the 30th day shall

be deemed to be paid on time and no interest shall be applied. If the fee is not paid within 30 days of the date of billing, the Township shall charge and be entitled to collect interest equal to ¾ of 1% of the unpaid balance per month, or fraction thereof, until paid."

SECTION XI. Chapter 240, titled "Zoning," Section 240-53, titled "Filing fees and costs," shall be deleted in its entirety and replaced with the following:

"§ 240-53. Fee schedule.

The Board of Supervisors shall adopt, by resolution, a schedule of fees and a collection procedure relating to all applications filed pertaining to this Chapter. No application shall be considered filed until all fees are paid. All fees shall be paid upon billing by the Township but no later than the 30th day from the date of billing. When the 30th day from the date of billing falls on either a weekend or a holiday on which the Township building is closed, payments that are received before the close of business the next business day immediately following the 30th day shall be deemed to be paid on time and no interest shall be applied. If the fee is not paid within 30 days of the date of billing, the Township shall charge and be entitled to collect interest equal to ¾ of 1% of the unpaid balance per month, or fraction thereof, until paid."

SECTION XII. Severability. If any sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts hereof. It is hereby declared as the intent of the Board of Supervisors that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

<u>SECTION XIII</u>. Repealer. All ordinances or parts of ordinances conflicting with any provision of this Ordinance are hereby repealed insofar as the same affects this Ordinance.

<u>SECTION XIV</u>. Effective Date. This Ordinance shall become effective in five days from the date of adoption.

	ENACTED AND ORDAINED this d	ay of, 2009.
ATTE	ST:	EAST GOSHEN TOWNSHIP BOARD OF SUPERVISORS
Secre	tary	E. Martin Shane, Chairman
		Carmen R. Battavio, Vice-Chairman
		Joseph M. McDonough, Member
		Donald R. McConathy, Member
		Thom Clapper, Ph.D., Member

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THE COUNTY OF CHESTER

COMMISSIONERS Terence Farrell Carol Aichele Kathi Cozzone

RONALD T. BAILEY, AICP Executive Director

Louis F. Smith, Jr., Manager East Goshen Township 1680 Paoli Pike West Chester, PA 19380-6199

PLANNING COMMISSION Government Services Center, Suite 270 601 Westtown Road P.O. Box 2747 West Chester, PA 19380-0990 (610) 344-6285 Fax: (610) 344-6515

May 14, 2009



RECEI

Re:

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Proposed Ordinance Amendments:

Municipal Fees and Procedures for Late

Payments, Construction Regulations

M-185 - East Goshen Township

Dear Mr. Smith:

The Chester County Planning Commission has reviewed proposed amendments to various East Goshen Township ordinances. We received this referral for review on April 16, 2009. We offer the following comments to assist in your review of the proposed ordinance amendments:

DESCRIPTION OF THE AMENDMENTS:

The amendments include provisions for the charging fees and of penalties when Township invoices are unpaid after a specified date (i.e., an additional three-quarters of one percent of the unpaid balance is to be paid after 30 days after the billing date). The amendments also include changes to Township ordinances related to erosion and sedimentation control, contractors, the electrical code, the fuel gas code, the existing building code, mechanical standards, one-and two-family dwellings, and plumbing (i.e., primarily relating to the Pennsylvania State Construction Code as modified by the Township). The Chester County Planning Commission previously received an earlier version of these amendments, and our comments on the initial submission were forwarded to the Township in a letter dated February 25, 2009 (refer to CCPC # M-178).

In addition, the Chester County Planning Commission concurrently received an amendment to the Township Zoning Ordinance relating to provisions for the charging of, and payment of, municipal fees and procedures for addressing the late payment of such fees. Our review of that Zoning Ordinance amendment will be forwarded to the Township in a separate letter (refer to CCPC #4526, dated May 14, 2009). The submission was also accompanied with a related amendment to the Township Subdivision and Land Development Ordinance relating to fees. Our review of that amendment will be forwarded to the Township in a separate letter (refer to CCPC # 900, dated May 14, 2009).

COMMENT:

These amendments are not proposed to be adopted under the provisions of the Pennsylvania Municipalities Planning Code (MPC), and we have no official recommendations. However, we suggest that the Township Building Codes Official review and comment on the amendments.

Sincerely,

Ronald T. Railey, AICP

Secretary



THE COUNTY OF CHESTER

COMMISSIONERS Terence Farrell Carol Aichele Kathi Cozzone

RONALD T. BAILEY, AICP Executive Director PLANNING COMMISSION Government Services Center, Suite 270 601 Westtown Road

P.O. Box 2747

West Chester, PA 19380-0990 (610) 344-6285 Fax: (610) 344-6515

PF

May 14, 2009

RECEIVED BY:____

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Louis F. Smith, Jr., Manager East Goshen Township 1680 Paoli Pike West Chester, PA 19380-6199

Re: Proposed Subdivision and Land Development

Ordinance Amendment: Municipal Review

Fees and Procedures for Late Payments

900 - East Goshen Township

Dear Mr. Smith:

The Chester County Planning Commission has reviewed a proposed amendment to the East Goshen Township Subdivision and Land Development Ordinance, submitted pursuant to the provisions of the Pennsylvania Municipalities Planning Code (MPC), Section 505(a). We received this referral for review on April 16, 2009. We offer the following comments to assist in your review of the proposed East Goshen Township Subdivision and Land Development Ordinance amendment:

DESCRIPTION OF THE AMENDMENT:

The amendment includes provisions for reimbursing the Township for expenses relating to its review of subdivision and land development plans, and the charging of, and payment of, municipal fees and procedures for addressing the late payment of such fees. The Chester County Planning Commission reviewed an earlier version of this amendment and our comments on the initial submission were forwarded to the Township in a letter dated February 25, 2009 (refer to CCPC # 889).

In addition, the Chester County Planning Commission concurrently received a related amendment to the Township Zoning Ordinance, which also addressed fees. Our review of that amendment will be forwarded to the Township in a separate letter (refer to CCPC #4526, dated May 14, 2009).

The submission was also accompanied with associated amendments to Township ordinances pertaining to erosion and sedimentation control, building construction, cable television, the electrical code, the existing building code, the fuel gas code, mechanical standards, one-and two-family dwellings, plumbing, and sewers (i.e., primarily relating to the Pennsylvania State Construction Code as modified by the Township). Our review of those amendments will be forwarded to the Township in a separate letter (refer to CCPC # M-185, dated May 14, 2009).

COMMENT:

The East Goshen Township Subdivision and Land Development Ordinance amendment includes provisions for the charging of permit fees and for the charging of additional fees if payment is delayed (i.e., an additional three-quarters of one percent of the unpaid balance is to be charged starting 30 days after the billing date). The Township's current amendment is similar to the previous submission that was reviewed by the Chester County Planning Commission (CCPC # 889, dated February 25, 2009), but language relating to the charging of additional interest upon unpaid balances is clarified. The Planning Commission has no further comments on this amendment.



Page: 2

May 14, 2009

Re: Proposed Subdivision and Land Development Ordinance Amendment:

Municipal Review Fees and Procedures for Late Payments

900 - East Goshen Township

RECOMMENDATION: The Chester County Planning Commission recommends that the Township adopt the proposed amendment.

We request an official copy of the adopted ordinance be sent to the County Planning Commission as required by Section 505(b) of the Pennsylvania Municipalities Planning Code. This will allow us to maintain a current file copy of your ordinance.

Sincerely,

Ronald T. Bailey, AICP

Secretary

RTB/WSB



THE COUNTY OF CHESTER

COMMISSIONERS
Terence Farrell
Carol Aichele
Kathi Cozzone

RONALD T. BAILEY, AICP Executive Director

Louis F. Smith, Jr., Manager East Goshen Township 1680 Paoli Pike West Chester, PA 19380-6199 PLANNING COMMISSION
Government Services Center, Suite 270
601 Westtown Road
P.O. Box 2747
West Chester, PA 19380-0990
(610) 344-6285 Fax 610 344-6515

May 14, 2009



.

Re: Proposed Zoning Ordinance Amendment:

Municipal Fees and Procedures for Late

Payments

4526 - East Goshen Township

Dear Mr. Smith:

The Chester County Planning Commission has reviewed a proposed amendment to the East Goshen Township Zoning Ordinance, submitted pursuant to the provisions of the Pennsylvania Municipalities Planning Code (MPC), Section 609(e). We received this referral for review on April 16, 2009. We offer the following comments to assist in your review of the proposed East Goshen Township Zoning Ordinance amendment:

DESCRIPTION OF THE AMENDMENT:

The amendment includes provisions for the charging of, and payment of, municipal fees and procedures for addressing the late payment of such fees. The Chester County Planning Commission initially reviewed an earlier version of this amendment and our comments were submitted to the Township in a letter dated February 25, 2009 (refer to CCPC # 4489).

The submission was accompanied with related amendments to the East Goshen Township Subdivision and Land Development Ordinance. Our review of those amendments will be forwarded to the Township in a separate letter (refer to CCPC # 900, dated May 14, 2009).

Additionally, the submission was accompanied with related amendments to East Goshen Township ordinances pertaining to erosion and sedimentation control, contractors, building construction, the electrical code, the existing building code, the fuel gas code, mechanical standards, one-and two-family dwellings, and plumbing (i.e., primarily relating to the Pennsylvania State Construction Code). Our review of those amendments will be forwarded to the Township in a separate letter (refer to CCPC # M-185, dated May 14, 2009).

COMMENT:

This East Goshen Township Zoning Ordinance amendment includes provisions for the charging of permit fees and for the charging of additional fees if payment is delayed (i.e., an additional three-quarters of one percent of the unpaid balance is to be paid after 30 days after the billing date). The Township's current submission is similar to a previous submission (CCPC # 4489, dated February 25, 2009) except for grammatical changes. The Chester County Planning Commission has no further comments on this amendment.

<u>RECOMMENDATION</u>: The Chester County Planning Commission recommends that the Township adopt the proposed amendment.

Page: 2

May 14, 2009

Re:

Proposed Zoning Ordinance Amendment:

Municipal Fees and Procedures for Late Payments

#

4526 - East Goshen Township

We request an official copy of the adopted ordinance be sent to the County Planning Commission as required by Section 609(g) of the Pennsylvania Municipalities Planning Code. This will allow us to maintain a current file copy of your ordinance.

Sincerely,

Ronald 4 Secretary

RTB/WSB

5 PUBLIC VENCING C.

Memo East Goshen Township 1580 Paoli Pike West Chester, PA 19380

Voice (610) 692-7171 Fax (610) 425-8950

E-mail rsmith@castgoshen.org

Date: July 17, 2009

To: Board of Supervisors

From: Rick Smith, Township Manager

Re: Metro PCS, Conditional Use Application,

The Planning Commission has recommended approval with conditions and the Conservancy Board has reviewed the landscaping. They have been incorporated into the draft motion.

Draft Motion is as follows: I move that we approve the Conditional Use Application for Metro PCS for the installation of a new Wireless Communications Facility within the United Church of Christ steeple, located at 1201 North Chester Rd. being TPN 53-2-41.1, as indicated on the plans and as outlined in §240-31.C.(3.)(h.) of the Township Zoning Ordinance with the following conditions:

- 1. The installation will be carried out with strict conformity to the plan unless revisions are resubmitted for review and approval by the Township.
- 2. The applicant will follow all applicable federal, State and Local ordinances and secure all proper permits prior to installation of the facility.
- 3. As recommended by the Conservancy Board the evergreen trees should be of various types in order to provide a more interesting view.
- 4. The applicant is responsible for maintaining the landscaping and its replacement as necessary.
- 5. The applicant shall provide the township with a pre and post installation noise studies. The post installation study shall be completed within 30 days of the issuance of the temporary Certificate of Completion. The final Certificate of Completion will be issued upon receipt of the post installation noise study that confirms that the noise emanating from the existing wireless communications facility and the Metro PCS wireless communications facility is in compliance with the noise standards set forth in the Township Code.
- 6. Appropriate signage as outlined in page two of the Kenneth R. Foster and Associates letter dated June 7, 2009, be posted within the steeple area.

You need to ask the applicant if they agree with these conditions.

You also need to ask the applicant if they will waive the time limit on receiving a written decision.





To: Board of Supervisors

At the Conservancy Board Meeting of July 8, 2009 the following recommendations were made:

- METRO PCS We recommended that the evergreen trees they are planting should be of various types. It is a more interesting view and will be less prone to disease wiping out the whole planting.
- Angellini We looked at the list of trees that were presented as possible trees to use to replace 16 trees. The list was approved.
- Malvern Bank We feel that we cannot recommend the encroachment into the riparian zone. We feel this would be setting a message that would be contrary to our efforts to recommend what is best from an environmental standpoint.

Jane Fava Chair, Conservancy Board AREA CODE 610 692-7171

> EAST GOSHEN TOWNSHIP PLANNING COMMISSION

5. Public ykaring C. 303/1

1580 PAOLI PIKE, WEST CHESTER, PA 19380-6199

July 7, 2009

East Goshen Township **Board of Supervisors** 1580 Paoli Pike West Chester, Pa. 19380

Re:

Metro PCS

Conditional Use Application

53-2-41.1

Dear Board Members:

At our meeting on July 1, 2009 the Planning Commission passed the following motion:

"I move that we recommend that the Board of Supervisors approve the Conditional Use Application for Metro PCS for the installation of a new Wireless Communications Facility within the United Church of Christ steeple, located at 1201 North Chester Rd, being TPN 53-2-41.1, as indicated on the plans and as outlined in §240-31.C.(3.)(h.) of the Township Zoning Ordinance with the following conditions:

- 1. The proposed plantings for screening are approved by the Conservancy Board.
- The installation to be carried out with strict conformity to the plan unless revisions are resubmitted for review and approval by the Township.
- The applicant will follow all applicable federal, State and Local ordinances and secure all proper permits prior to installation of the facility.
- 4. The applicant shall provide the township with a Pre and Post installation noise study to determine the impact of the noise from mechanical equipment in accordance with the township noise ordinance standards.
- 5. Appropriate signage as outlined in page two of the Kenneth R. Foster and Associates letter dated June 7, 2009, be posted within the steeple area."

Very truly yours,

Senya D. Isayeff

Chairman

Smith, Rick

rom:

Merwin, Mike

Sent:

Thursday, July 09, 2009 8:21 AM

To:

Smith, Rick; Gordon, Mark

Cc:

'Mark Miller'

Subject:

conservancy

Conservancy Meeting 7/8/09

1. Angelini subdivision planting substitute list was accepted by the board.

2. Metro Pcs was asked to use a variety of plants instead of one type because of different diseases.

3. The board rejected the idea of a waiver for the driveway in the Riparian buffer.

4. The board is support Mr. Mummert's request for a variance.

A big issue at the meeting was the tree planting of the YMCA trees. The company doing the work has stopped working and is not returning phone calls or E-mails. They have also stopped watering. The conservancy board and Supervisor

have asked me to look into this. Can anyone help with this?

Mike

Kenneth R. Foster & Associates

Electromagnetic Safety Consulting

June 7, 2009

Mr. Lee Peart
MetroPCS
Site Acquisition Manager
510 Virginia Drive
Fort Washington, PA 19034

Re: MetroPCS Site PH0715A (United Church of Christ)

Dear Mr. Peart:

This is in response to your request for an estimate of the levels of radiofrequency (RF) electromagnetic energy associated with a proposed MetroPCS radio installation. The antennas will be mounted within the steeple of the United Church of Christ, 1201 N. Chester Rd., East Goshen PA. I provide an opinion regarding the compliance of the site with FCC limits for human exposure to radiofrequency energy.

Summary of Findings The maximum exposure at any location of public access from the proposed MetroPCS base station will be far below the relevant FCC exposure limit. The site meets FCC regulations related to RF energy exposure as stipulated in Part 24 of the FCC Rules and this site has been evaluated based on methods prescribed by the FCC (as contained in FCC Document OET Bulletin 65). The site remains in compliance considering the combined emissions from the existing and proposed communications antennas inside the steeple. Antennas for additional low-powered communications systems could be mounted on the structure without exceeding exposure limits.

Technical Data My report is based on plans for the proposed MetroPCS base station that were provided to me on 6/5/09 by Mr. Grady Jones on behalf of MetroPCS, as well as information about the MetroPCS system that I have obtained on several occasions from the company itself.

The proposed MetroPCS system will include six panel antennas (Kathrein 742 215 or equivalent) mounted to the tower with their centers at a height of 51 ft. above grade (approximately 20 ft. above the top of the main roof). The antennas will be grouped into three sectors, with two antennas per sector. I base my analysis on the highest operating level that the company indicates would be considered for the site, with a cumulative ERP of 2500 W in each sector, summed over all radios operating in a sector. Sometimes MetroPCS makes minor changes in the configuration of the antennas, for example by adding additional antennas or by substituting equivalent antennas. Such changes would not affect the conclusions of this report.

Environmental Levels of RF Energy

Outside the church. I have calculated the power densities of RF energy from the MetroPCS base station, at ground level and at an elevation of 26 ft, at all distances from the transmitting antennas. The calculations are based on upper-limit assumptions: that the base station is broadcasting at maximum power, and that there is constructive interference as the wave reflects from the ground. In practice there is also substantial attenuation of the energy as it passes through buildings, which I do not take into account in my calculations. I base my analysis on the antennas being directed at an angle of 5 degrees below the horizon, a conservative value. Therefore, my calculations represent upper-limit values. The actual levels of RF signals near the cell site will be below my calculated values.

¹ Calculations were done in accordance with FCC Bulletin 65, "Evaluating Compliance with FCC Guidelines for Human Exposure to Radiofrequency Electromagnetic Fields", Washington DC 1997.

Mr. Lee Peart
June 7, 2009
Page 2 of 4
Re: MetroPCS Site PH0715A (United Church of Christ)

The results of my analysis are shown in the table below.

Calculated RF Exposure Levels From the Proposed MetroPCS Base Station Installation

Distance From Base of Tower, ft	Height Above Ground, ft. (Assuming Level Terrain)	Power Density, μW/cm ² From MetroPCS Base Station
Any distance	Ground level	< 4.5 (maximum field intensity) (< 0.45 % of FCC limits*)
Any distance	26 ft. above ground (representative of rooftop level of a two story building)	< 15 (maximum field intensity) (< 0.15 % of FCC limits)
More than 300 ft from antennas	Any distance above ground (including in the direct beam of the antenna)	<10 (<1 % of FCC limits)

^{*}FCC exposure limits for the general population are 1000 µW/cm² at PCS frequencies. Signal levels are calculated on the basis of the maximum foreseeable buildout on the site, not on present design information. Limits apply to any member of the population, for any duration of exposure.

Inside the church The proposed facility will employ directional antennas mounted within the steeple, facing away from the building. Antennas of this type transmit significant energy only from their front surfaces, and transmit very little energy in the downward or backward directions. Consequently, RF signal levels at any location within the church or on its roof will be very low, and certainly far below FCC limits. Likewise, the RF signal levels at all places inside the steeple itself behind the transmitting antennas will be below FCC limits.

Close approach to the antennas As with any cellular or PCS transmitting antenna, RF field levels might exceed FCC exposure limits within a few feet (typically within 10 ft) directly in front of the transmitting surfaces of the antennas if the exposure is sustained for sufficiently long times (several minutes or more). Because of the location of the antennas, within the steeple and more than head height above the church roof, it would be highly unlikely that personnel would be located in front of the transmitting surfaces of the antennas. That might be possible, however, during certain maintenance operations on the steeple. Appropriate signeage or other measure is recommended to ensure that RF exposure levels to personnel working on the steeple are kept below FCC limits.

Mr. Lee Peart June 7, 2009 Page 3 of 4 Re: MetroPCS Site PH0715A (United Church of Christ)

Co-Location of Multiple Transmitters on a Structure To minimize the visual impact of wireless communications on the community, it has become standard practice to co-locate multiple transmitters on the same structure. When multiple transmitters are present, FCC regulations stipulate that the RF signal levels from each transmitter should be added as a fraction of FCC limits at the respective frequency. If the cumulative exposure is below 100% of the FCC limits, the site is deemed to be in compliance. Given the low power levels at which conventional communications systems operate, a number of other transmitting antennas could be located on the structure without exceeding FCC exposure limits.

Presently within the steeple are antennas for a T-Mobile base station at 60 ft. above grade. Base stations that carrier operate at generally similar power levels and use directional antennas of generally similar design as those of the proposed MetroPCS facility, and their emissions at any place of public access will likewise be far below FCC limits. Consequently, based on my experience and analysis, I can reliably assume that the cumulative signal levels from both sets of communications antennas on the structure will be far below FCC exposure limits at any place of public access.

Discussion The RF signal levels from the proposed MetroPCS base station will be far below FCC exposure limits at any place of public access. To put matters in perspective, base stations from communications systems, including those of MetroPCS, operate at power levels comparable to those from many other low-power communications facilities, such as police, fire, ambulance, and other municipal communications systems. These power levels are far below those used by many commercial TV and radio broadcast transmitters, and the levels of RF signal they produce in publicly accessible areas are characteristically very far below pertinent exposure limits.

The biological effects of RF energy have been extensively studied, and there are several thousand reports in the scientific literature on this subject. These reports have been critically reviewed by numerous independent panels, most recently the IEEE (formerly Institute of Electrical and Electronics Engineers) and the International Commission on Nonionizing Radiation Protection. These groups have affirmed existing health standards, or have developed and proposed health standards for exposure to RF energy, which are broadly similar to the FCC limits cited in the table above.

National Telecommunications Act of 1996 This Act provides that "no state or local government or instrumentality thereof may regulate the placement, construction, and modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the [Federal Communications] commission's regulations concerning such emissions." That is certainly the case with the installation considered here.

For Further Information The Federal Communications Commission (FCC) maintains a World Wide Web site at http://www.fcc.gov. A general information sheet about possible health and safety issues regarding radiofrequency energy is at: http://www.fcc.gov/oet/rfsafety/cellpcs.html.

Sincerely yours,

Kenneth A Foster

Kenneth R. Foster, Ph.D., P.E.

Mr. Lee Peart
June 7, 2009
Page 4 of 4
Re: MetroPCS Site PH0715A (United Church of Christ)

SUMMARY RESUME

NAME

Kenneth R. Foster

DATE/PLACE OF BIRTH July 21, 1945 Baltimore, Maryland

NATIONALITY

United States Citizen

EDUCATION

1967

B.S.(Honors) Physics

Michigan State University

1971

Ph.D. (Physics) Indiana University

Professional Engineer in the State of Pennsylvania

(Certificate Number: PE-030018-E).

EMPLOYMENT

Lieutenant, Medical Service Corps, USNR 1971-6

Department of Bioengineering

University of Pennsylvania 1976-present

Postdoctoral Fellow (1976-7) Assistant Professor (1977-83)

Associate Professor (1983-present)

Professor (1999-)

Consultant, World Health Organization EMF Project, Geneva, Switzerland 2000

(sabbatical leave from the University of Pennsylvania)

HONORS/DISTINCTIONS

Indiana University Physics Department Award for Excellence in Teaching, 1970.

Defense Nuclear Agency Certificate of Achievement, 1976. Fellow, Institute of Electrical and Electronics Engineers, 1988.

Fellow, American Institute of Medical and Biological Engineering, 1991

PROFESSIONAL SERVICE

AdCom, IEEE Engineering in Medicine and Biology Society, 1984-6, 1988-

Associate Editor, IEEE Transactions on Biomedical Engineering, 1985-1989

Program Chair, 1987 IEEE EMBS Annual Meeting (1200 papers presented)

Conference Chair, 13th Annual Northeast Bioengineering Conference, 1987

Chair, IEEE Committee on Man and Radiation 1997-9

Chair, IEEE EMBS Ethics and Professional Responsibility Committee, 1989-1993

President, IEEE Society on Social Implications of Technology 1996-8

President, Philadelphia Society for Risk Analysis 1996-7

President, IEEE Society on Social Implications of Technology, 1996-8

Member, IEEE/ANSI C95.1 (sets exposure standards for RF energy) 1998-

Member, National Council on Radiation Protection and Measurements 2000 - 2004

RESEARCH EXPERIENCE AND DIRECTION

Since receipt of the Ph.D. in 1971, Dr. Foster has been engaged in studies on the interaction of nonionizing radiation and biological systems, with more than 100 papers in peer-reviewed journals on topics including biophysical mechanisms of interaction, electrical properties of biological materials, and medical applications. In addition he has written widely about the public controversy surrounding these issues. He is coauthor or coeditor of two books on risk assessment and the law.



Yerkes Associates, Inc.

Consulting Engineers / Site Planners / Land Surveyors

IJUN 3 0 2009

June 29, 2009

East Goshen Township 1580 Paoli Pike West Chester, Pennsylvania 19380

Attn: Mark Gordon, Township Zoning Officer

Re: Metro PCS - 1201 North Chester Road

Conditional Use Plan Review

Dear Mark:

The following plans prepared by CMX have been received by our office for review:

Metro PCS Site No. PH0715A, last revised June 18, 2009

Sheet T-1: Title Sheet

Sheet Z-1: Site Plan

• Sheet S-1: Compound Plan & Elevation

Sheet ES-1: Erosion & Sedimentation Control Plan & Details

The plan submission also included the following supporting documents:

- June 19, 2009 Plan Submission Letter prepared by Debra Shulski
- June 7, 2009 Radiofrequency letter prepared by Kenneth R. Foster & Associates
- June 12, 2009 Shared Site Interference Analysis prepared by RF Studies LTD
- June 18, 2009 letter prepared by Master Locators, Inc.

The parcel owner is United Church of Christ. The parcel is located on the east side of the North Chester Road (S.R. 0352) intersection with Greenhill Road and is situated within the R-2 Low Density Suburban Residential Zoning District. The plans depict a proposed 12 foot wide by 15 foot long lease area located at the northeast corner of the Church. The lease area will contain equipment cabinets on a 10 foot square concrete pad which will serve six antennas to be attached to the inside of the Church steeple at a height of approximately 51 feet above ground level.

All comments from my previous review letter of May 22, 2009 have been satisfactorily addressed except for the following that are numbered as they appeared previously:

Professional services since 1874

Metro PCS June 29, 2009 Page 2 of 3

Zoning Ordinance

Wireless Communications Facilities

- 1. <u>Section 240-31.C.3.h.2.e</u> within the R-2 Zoning District, Conditional Use approval is required to locate communication antennae on an existing steeple and to install support equipment on the ground. The requirements for Conditional Use approval as outlined by section 240-31.C.1 and .2 must be addressed to the Board's satisfaction.
- 6. Section 240-31.C.3.h.g.ii When antennae are to be located on an existing structure, the applicant shall provide engineering details showing what steps have been-taken to prevent "microwave bonding" to wiring, pipes, or other metais. "Microwave Bonding" refers to the coupling or joining of microwave energy to electrical circuits during which process the transfer of energy from one circuit to another occurs. The plan submission letter notes that the applicant's civil engineer and radio frequency engineer are not aware of any issue relating to microwave bonding and do not believe that microwave bonding is relevant to the proposed antenna installation. The analysis summary for the Shared Site Interference Analysis states that "The site analysis was completed using RF Studies Software and no interference was predicted." The requirement to address "microwave bonding" appears to be satisfactorily addressed.
- 8. Section 240-31.C.3.h.2.n: Where antenna(e) are proposed to be attached to an existing structure, a structural engineer shall certify that both the structure and the antenna(e) and their appurtenances meet minimum industry standards for structural integrity. General note 13 on sheet S-1 states that a structural analysis shall be performed by the owner's agent to certify that the existing / proposed communication structure and its components are structurally adequate. The preparation of a structural analysis and inspection report should be a condition of Conditional Use approval.
- 10. <u>Section 240-31.C.3.h.2.q:</u> The plan shall comply with requirements of Chapter 205, Subdivision and Land Development Ordinance as follows:
 - d. <u>Section 205-33.B.17</u>: The certification of ownership and plan acknowledgment on sheet Z-1 must be signed and notarized by the parcel owner.
- 11. Section 240-31.C.3.h.2.t: A description of the anticipated maintenance needs, including frequency of service, personnel needs, equipment needs, and the traffic safety and noise impacts of such maintenance should be provided with the application. The plan submission letter notes that the Applicant has agreed to undergo a noise study and the results of this study will be submitted under separate cover.

Metro PCS June 29, 2009 Page 3 of 3

The plans should be in proper order for conditional use approval once the above comments have been satisfactorily addressed. Please call if you have any questions concerning this review.

Sincerely,

YERKES ASSOCIATES, INC.

Michael Conrad, P.E.

Cc: Phillip A. Burtner, P.E., CMX

Debra Shulski, Riley, Riper, Hollin, & Colagreco

5. PUBLICHEARING D. 19. pgs

Memo East Goshen Township 1580 Paoli Pike West Chester, PA 19380

Voice (610) 692-7171 Fax (610) 425-8950

E-mail rsmith@eastgoshen.org

Date: July 17, 2009

To: Board of Supervisors

From: Rick Smith, Township Manager

Re: National Bank of Malvern

The Planning Commission has recommended approval and the Conservancy Board has recommended that a waiver not be granted for the intrusion into the riparian buffer. It is my understanding that you do not intend render a decision on Tuesday, however, I thought it would be helpful to have something to start with.

I move that we approve the Conditional Use Application for the National Bank of Malvern (Bank) to construct a Bank use with additional shared parking at 1305 Paoli Pike in accordance with §240-31 of the Township Zoning Ordinance, with the following conditions:

- 1. The land development plan shall be generally in conformance with the plan submitted with the application except for any revisions that are needed to address Township Code requirements and/or the concerns expressed by the Township Traffic Engineer.
- 2. A pedestrian walkway shall be depicted adjacent to Airport Road. This walkway shall be installed by the Bank upon written notice from the Township.
- 3. The shared parking agreement between the YMCA and the Bank shall be reviewed and approved by the Township Solicitor prior to land development approval.
- 4. The Bank is responsible for ensuring that parking occurs only in designated parking spaces. If parking is observed occurring in non-designated parking spaces the Bank shall upon immediately take action to prevent such illegal parking. It is the intention of this condition to ensure that the parking situation does not become an eye sore to the community either now or in the future.
- 5. All landscaping depicted on the final land development plan, with the exception of any landscaping proposed to be installed with 25' feet of the bank building, shall be installed and maintained by the Bank.
- 6. The aforementioned landscaping shall be installed prior to any of the parking spaces depicted on the plan being put into use.

F:\Data\Shared Data\Property Management\\$3-3\\$3-3-1.9A (1305 Paoli Pike)\2009 Nat. Bank of Malvern CU\BoS Draft Motionss 071709.doc

Note: Traffic Sudy in front of your book

AREA CODE 610 892.7171

EAST GOSHEN TOWNSHIP PLANNING COMMISSION

1880 PAOLI PIKE, WEST CHESTER, PA 19380-6199

July 7, 2009

East Goshen Township Board of Supervisors 1580 Paoli Pike West Chester, Pa. 19380

Ro.

National Bank of Malvern Conditional Use Application 53-3-1,9A

Dear Board Members:

At our meeting on July 1, 2009 the Planning Commission passed the following motion with a 4 to 2 vote and I abstention:

"I move that we recommend that the Board of Supervisors approve the Conditional Use Application for the National Bank of Malvern to construct a Bank use with additional shared parking in accordance with §240-31 of the Township Zoning Ordinance, with the following conditions;

- 1. Pedestrian walkways shall be provided on the plan, to be installed at later date if determined necessary by the Township.
- 2. The shared parking agreement between the YMCA and the Applicant shall be reviewed and approved by the Twp. Solicitor prior to land development approval,"

truly yours,

Schya D. Isayeff

Chairmhn

AREA CODE 610 692-7171 www.eastgoshen.org

BOARD OF SUPERVISORS EAST GOSHEN TOWNSHIP

CHESTER COUNTY 1580 PAOLI PIKE, WEST CHESTER, PA 19380-6199

July 6, 2009

Board of Supervisors 1580 Paoli Pike West Chester PA 19380

Re:

National Bank of Malvern, Conditional Use Application

Dear Mr. Chairman:

The Planning Commission has forwarded the Board a recommendation to approve the Conditional Use application for the National Bank of Malvern. To address comment # 4 of the Township Engineer's letter dated July 1, 2009; I offer the following:

The ordinance states:

240-27.A.(4) Yard requirements for new lots on existing streets. For all new lots that abut an existing street which has a right-of-way less than that specified in Subsection A(3), the front and/or side street yard requirements shall be increased by the difference between the existing right-of-way and the right-of-way specified in Subsection A(3). It is the intention of this requirement to provide for a reasonable setback to accommodate the potential widening of the existing street.

The National Bank of Malvern's property is not a newly created lot therefore this requirement is not applicable. The plan does show the existing 80' right-of-way and the future right-of-way width of 100' for Paoli Pike. The design has incorporated the future right-of-way width into the parking lot and monument sign locations which provide adequate front yard separation for a widening of Paoli Pike, if that should occur.

Please contact me if you have any question regarding this matter.

Sincerely,

Mark A. Gordon

Township Zoning Officer

Conditional Use Ad (National Bank of Malvern), 1305 Paoli Pike

The East Goshen Township Board of Supervisors will hear a Conditional Use application from National Bank of Malvern on July 21, 2009 at 8:00 pm. The applicant is seeking approval to construct a Bank and shared parking on their property at 1305 Paoli Pike, West Chester PA 19380, pursuant to section 240-31 of the Township Zoning Ordinance. The hearing will held at the East Goshen Township Administration Building, located at 1580 Paoli Pike, West Chester, PA 19380.

If any person who wishes to attend the hearing has a disability and/or requires an auxiliary aid service or other accommodation to observe or participate in the hearing, he or she should contact the Township at 610-692-7171 to discuss how those needs may be accommodated.

AREA CODE 610 692-7171 www.eastgoshen.org

BOARD OF SUPERVISORS EAST GOSHEN TOWNSHIP

CHESTER COUNTY 1580 PAOLI PIKE, WEST CHESTER, PA 19380-6199

May 6, 2009

Robert Adams, Esquire Gawthrop Greenwood PC P.O. Box 562 West Chester, PA 19881-0562

Re: National Bank of Malvern Conditional Use Application

Dear Bob:

I have reviewed the Conditional Use application for National Bank of Malvern and have processed the application, forwarding the plans to the Township Engineer for review.

The review clock can't begin on this application until the Zoning Variances currently being sought for the property have been granted. In the event that the Variance requests are denied, your client is still responsible for any review fees incurred by the Township for the review of the Conditional Use Plan.

Please give me a call at 610-692-7171 or e-mail me at mgordon@eastgoshen.org if you have any questions or need additional information.

Sincerely

Mark A. Gordon Township Zoning Officer

CC: Rick Smith; Township Manager

Planning Commission

AREA CODE 610 692-7171 www.eastgoshen.org

BOARD OF SUPERVISORS EAST GOSHEN TOWNSHIP

CHESTER COUNTY 1580 PAOLI PIKE, WEST CHESTER, PA 19380-6199

May 29, 2009

Dear Property Owner:

The purpose of this letter is to inform you that the National Bank of Malvern has submitted a Conditional Use application requesting approval to develop their property located at 1305 Paoli Pike, West Chester PA, 19380. The applicant proposes to construct a bank branch and parking on the property. Parking proposed on the North side of this property will be leased to the YMCA.

The property is Zoned Business Park (BP); where a bank use is a permitted Conditional Use. A subsequent Land Development Application and Plan will follow this application, should the Conditional Use be approved for the property.

Pursuant to Township policy, property owners and residents within 1000 feet of the properties seeking zoning relief; are notified of Zoning Variance applications.

The meeting dates and times when this application will be discussed are outlined below.

<u>June 3, 2009</u> - Planning Commission meeting (workshop at 7 pm, formal meeting @ 7:30 pm)

<u>July 1, 2009</u> - Planning Commission meeting (workshop at 7 pm, formal meeting @ 7:30 pm)

<u>July 21, 2009</u> - Board of Supervisors meeting (workshop at 7:00 pm, formal meeting @ 8:00 pm)

All meetings are held at the Township Administration Building and are open to the public. The application and plans are available for review during normal business hours. Please give me a call at 610-692-7171 or email me at mgordon@eastgoshen.org if you have any questions or need additional information.

Sincerely

Mark A. Gordon

Township Zoning Officer

Cc: All Township Authorities, Boards and Commissions Ross Unruh, Esq. Zoning Hearing Board Solicitor

Rick Craig, P.E., Township Engineer, West Goshen Township

East Goshen Township

To: Township Zoning Officer

Name of Applicant: National Bank Of Malvern

Applicant Address: 2 West King Street, Malvern, PA 19355

Telephone Number:610-647-0100

Fax: 610-647-2404

Email Address:

info@natbankmal.com

Property Address: North side of Paoli Pike, east of Airport Road

Tax Parcel Number: 53-3-1.9A

Zoning District: BP Acreage: 4.56

Description of proposed use:

Bank, savings and loan or other financial institution; and business, professional and governmental office.

Conditional Use is provided in Zoning Ordinance Section:

240-21.C(14) & (19)

We hereby acknowledge that we have read this application and state that the above is correct and agree to comply with all provisions of the East Goshen Township Zoning Ordinance applicable to this project and property.

GAWTHROP GREENWOOD, PC

April 30, 2009

Signature of Applicant, Robert F. Adams, Attorney for Applicant

Date

17 East Gay Street, Suite 100 West Chester, PA 19301-0562

610-696-8225

(F) 696-344-0922

rfadams@gawthrop.com

Attest: N/A

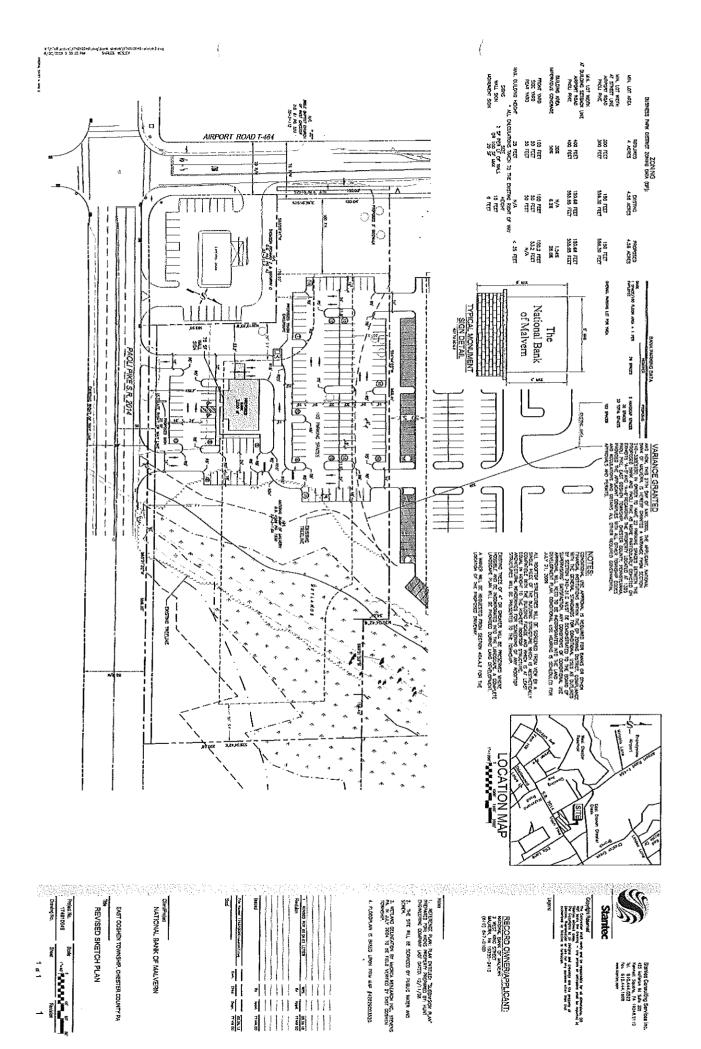
^{*}Review the formal Planning Commission review procedure on page three.

Township Administration use only:

This checklist outlines the steps and items needed to insure completeness of the application and to insure the application follows the process and conforms to the timeframe outlined by the state of Pennsylvania and East Goshen Township. This checklist is broken into two parts, the Application process and the Review Process. The application process must be completed in its entirety prior to the applications advancement into the Review Process.

Application Checklist:

 Completed Township Application Form: All related materials submitted: Township application and review fees paid: . 	
_	Title: ZONING DEFICIAL VIRW CLOCK WILL NOT BAGIN ZONING VARIANCE APPROVAL. PROVED) Date 5-28-69
Review Process Checklist UNTILL	VIRW CLOCK WILL NOT BAGIN ZONING VARIANCE APPROVAL.
1. Start date:	PRIOURID) Date 5-28-61
Submission of complete application:	6-3
3. Sent to Twp. Engineer: 4. Date presented to Planning Commission 5. Abutting Property Letter sent:	: <u>6-5</u>
6. Date sent to CB:7. Date sent To MA:	<u>s</u>
8. Date sent to HC:	<u>ч</u>
11. Date by which the PC must act:	st act: 7-건
13. Drop Dead Date; (Day 60):	<u>7-21</u>
16. Property Posted:	





Yerkes Associates, Inc.

Consulting Engineers / Site Planners / Land Surveyors

July 1, 2009

Planning Commission
East Goshen Township
1580 Paoli Pike
West Chester, Pennsylvania 19380

RECEIVED

Re:

National Bank of Malvern - Paoli Pike

Conditional Use Plan Review

Commission Members:

The following plan and supporting documents prepared by Stantec Consulting Services, Inc. has been submitted to this office for review:

Revised Sketch Plan, sheet 1 of 1, last revised June 10, 2009 Traffic Impact Assessment, dated June 2009 June 15, 2009 Plan Submission Letter

The plan depicts the proposed site layout of tax map parcel 53-3-1.9A for the construction of a bank building with a drive-thru window canopy, 32 parking spaces, and an auxiliary 103 space parking area to be leased to the YMCA. The parcel consists of 4.56 acres with frontage on Paoli Pike and Airport Road. A tributary stream to the East Branch of Chester Creek flows across the east side of the parcel. The plan notes that the parcel is to be served by public water and sewer. The parcel is situated within the BP Business Park Zoning District.

All comments from my previous review letter of June 3, 2009 have been satisfactorily addressed except for the following that are numbered as they appeared previously:

Zoning Ordinance

- Section 240-21.C.14 Conditional use approval is required for banks or other financial
 institutions within the BP Zoning district. Compliance with the general standards for
 conditional uses as outlined by section 240-31.C must be demonstrated to the Board
 of Supervisors' satisfaction. Any conditions of conditional use approval will need to be
 incorporated into the land development plan.
- 4. <u>Sections 240-27.A.4 & .6</u> Paoli Pike is classified as an Arterial Highway. Arterial Highways require a minimum future right-of-way width of 100 feet. For all new lots that abut an existing street which has a right-of-way less than the required future right-of-way width, the front yard requirements shall be increased by the difference between

National Bank of Malvern July 1, 2009 Page 2 of 2

the existing right-of-way width and the future right-of-way. The front yard building setback line should be shown to be 100 feet from the future right-of-way line or a variance appears to be required to permit the proposed building setback from Paoli Pike as shown on the plan.

- 5. Section 240-27.C.1 Existing trees of four inch caliper or greater shall be preserved where possible and be incorporated into the landscape plan. The plan notes that a complete landscape plan will be provided during land development. The plan should also identify the location, species, and size of four inch caliper or greater trees within the proposed parking areas. The location of parking stalls and landscape islands should be adjusted as necessary to allow tree preservation.
- 7. Section 240-27.C.5 The plan submission letter notes that access to Paoli Pike is limited to right-in/right-out only and also notes that the traffic impact study has been sent directly to Dean Kaiser at Orth Rodgers. Comments and recommendations from Orth Rodgers will need to be considered as part of the conditional use application.
- 9. <u>Section 240-27.E.11</u> Pathways and walkways shall be provided to link building entrances, any open spaces, other pathways and walkways, and nearby pedestrian destinations to the maximum extent possible. Although the plan indicates a sidewalk to be installed along the parcel's frontage with Airport Road, a complete pedestrian connection between the YMCA and the Paoli Pike and Airport Road intersection needs to be addressed.

Ordinance 129-M-03

13. Section 404.A.2 – If a perennial stream passes through the site, the applicant shall create a riparian buffer extending a minimum of 50 feet to either side of the top of bank of the channel. The buffer area shall be maintained with appropriate native vegetation. The plan notes that a waiver will be requested to allow the location of the proposed Paoli Pike entrance driveway. Mitigation measures to enhance the existing riparian buffer should be presented as part of the waiver request.

The plan should be in proper order for conditional use approval once the above comments have been satisfactorily addressed. Please contact me if you have any questions concerning this review.

Sincerely,

YERKES ASSOCIATES, INC.

Michael Conrad, P.E.

cc: Mark Gordon

Stantec Consulting Services, Inc.

EAST GOSHEN CONSERVANCY

July 15, 2009

To: Board of Supervisors

At the Conservancy Board Meeting of July 8, 2009 the following recommendations were made:

- METRO PCS We recommended that the evergreen trees they are planting should be of various types. It is a more interesting view and will be less prone to disease wiping out the whole planting.
- Angellini We looked at the list of trees that were presented as possible trees to use to replace 16 trees. The list was approved.
- Malvern Bank We feel that we cannot recommend the encroachment into the riparian zone. We feel this would be setting a message that would be contrary to our efforts to recommend what is best from an environmental standpoint.

Jane Fava Chair, Conservancy Board

June 30, 2009

Mr. Mark A. Gordon, Zoning Officer East Goshen Township 1580 Paoli Pike West Chester, PA 19380

RE:

National Bank of Malvern Conditional Use Plan Review

Dear Mark:

Orth-Rodgers & Associates, Inc. (ORA) is in receipt of Stantec Consulting Services Inc. June 2009 Traffic Impact Assessment Report (TIA) for the above referenced project. The report details the traffic impact of a 3,025 square-foot (GFA) banking facility to be located on Paoli Pike east of Airport Road adjacent to the existing Penn Liberty Bank. The following constitutes our review of the report and site plan:

Introduction

1. ORA concurs with the building size, lot size and lot use presented in this section.

Existing Conditions

- 2. ORA concurs with the description of the intersections of Paoli Pike with Airport Road and Ellis Lane. One minor comment would be that the Airport Road intersection technically is not operating as a "master controller" since the interconnect construction project has not been started to date.
- 3. Existing traffic counts at the requested intersections of Airport Road and the YMCA driveway, Airport Rd & Paoli Pike and Paoli Pike & Ellis Lane look to be consistent with area growth and traffic counts conducted for the YMCA back in April & May 2005. One note, traffic to/from East High School is significantly higher now than back in 2005.

Site Access

4. We have concerns about the accessibility to/from the site along Paoli Pike at this time. The western most right-only exit is only located 60' from the existing Penn Liberty Bank access. As this section of Paoli Pike sees westbound weaving traffic due to the right lane turning into a right-only at Airport Road, we know many drivers still get confused after passing Ellis Lane from the east and make abrupt movements in the vicinity of the proposed driveways. Any possibility of locating the western exit further east would be beneficial.

Trip Generation

5. The latest Edition of the Trip Generation Manual was issued in 2008 and should be used accordingly. Values have changed for trip rates per 1,000 sf of drive-in banking. The following compares the values of the 7th Edition to the 8th Edition:

	Ave. Rate	<u>Enter</u>	Exit
Weekday			
7 th Edition	246.49	447	447
8 th Edition	148.15	224	224
AM PEAK			
7 th Edition	12.34	21	17
8 th Edition	12.35	21	17

Mr. Mark A. Gordon, East Goshen Twp. National Bank of Malvern TIA Review Page 2 of 2 – June 30, 2009

PM PEAK

7th Edition 45.74 83 83 8th Edition 25.82 39 39

This revision benefits the bank in that impact fees will be based only on the 78 trips (less the 47% pass-bys). This new rate is based on the fact that more "on-line" banking is done versus actually going to banks. Impact fee will be accessed on the 41 new PM Peak Hour generated trips.

Leased parking and YMCA Access

- 6. 32 parking spaces are provided for the bank facility (two more than per ordinance). 102 parking spaces are being provided for the YMCA overflow parking. Has it been determined that this amount will significantly help the parking situation for the YMCA, or is this just the amount that can meet the impervious coverage requirement in the ordinance?
- 7. Circulation of the proposed YMCA lot looks acceptable. We agree that approximately 25% of YMCA bound traffic will utilize the Paoli Pike access (as 42% was originally proposed from the east on Paoli Pike and Ellis Lane).

Conclusion

- 8. We concur that the bank facility will have little impact to the adjacent roadway network. We know the Paoli Pike closed loop system project is forth-coming and will help to improve coordination between Airport Road and Ellis Lane.
- 9. We do feel that the driveways need to be staged depending on the time frame that the bank is built compared to the YMCA parking lot (as it has been explained that the lot may be built in advance). The right-in, right-out would be preferable for the YMCA lot access.
- 10. Due to their location between Airport Road and Ellis Lane intersections, it is recommended that neither access allow left turns entering or exiting. The traffic flow on Paoli Pike between the two traffic signals is such that weaving occurs regularly at higher travel speeds and left turns would have to cross at least three lanes of traffic
- 11. The western most driveway should be relocated to gain as much distance as possible between itself and the existing Penn Liberty Bank access.

I can be reached at (610) 407-9700 or <u>dkaiser@orth-rodgers.com</u> if you have any questions or comments.

Sincerely:

ORTH-RODGERS & ASSOCIATES, INC.

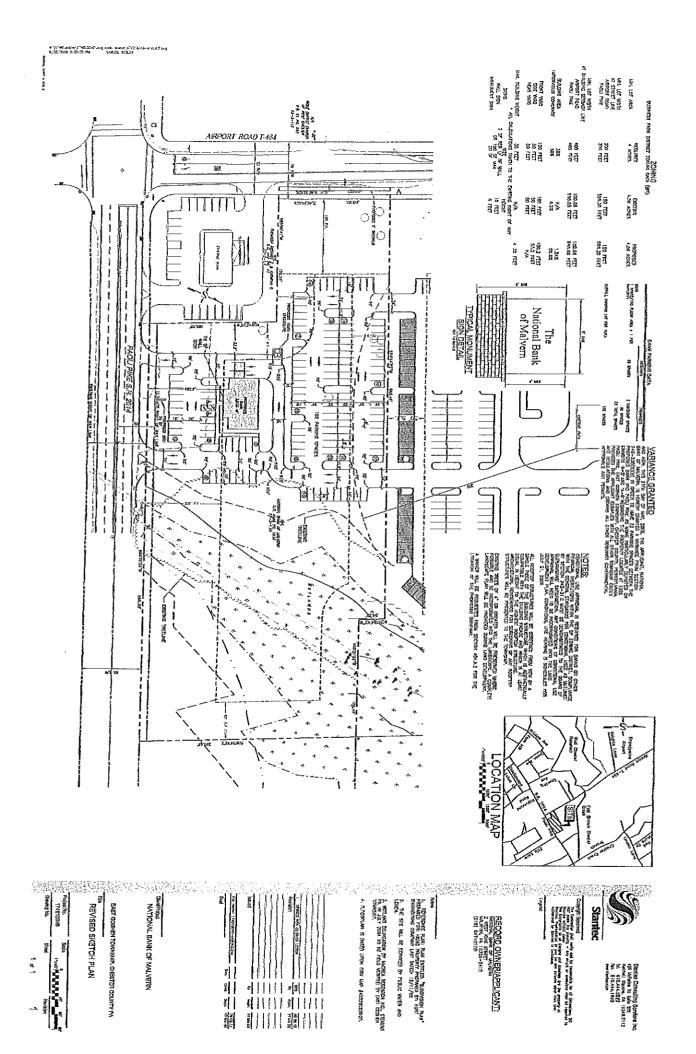
DEAN KAISER, PE, PTOE

Director of Traffic Signal Operations

DJK:djk

F:\2009_116_EGT_BankRev\Documents\Correspondence\Letters\06-30-09_National Bank Review.doc

cc: Rick Smith - EGT Manager



EAST GOSHEN TOWNSHIP PLANNING COMMISSION

1580 PAOLI PIKE, WEST CHESTER, PA 19380-5199

July 7, 2009

East Goshen Township Board of Supervisors 1580 Paoli Pike West Chester, Pa. 19380

Re:

National Bank of Malvern Conditional Use Application

53-3-1.9A

Dear Board Members:

At our meeting on July 1, 2009 the Planning Commission passed the following motion with a 4 to 2 vote and 1 abstention:

"I move that we recommend that the Board of Supervisors approve the Conditional Use Application for the National Bank of Malvern to construct a Bank use with additional shared parking in accordance with §240-31 of the Township Zoning Ordinance, with the following conditions:

- 1. Pedestrian walkways shall be provided on the plan, to be installed at later date if determined necessary by the Township.
- 2. The shared parking agreement between the YMCA and the Applicant shall be reviewed and approved by the Twp. Solicitor prior to land development approval."

ery truly yours,

Senya D. Isayeff Chairman AREA CODE 610 692-7171 www.eastgoshen.org

BOARD OF SUPERVISORS EAST GOSHEN TOWNSHIP

CHESTER COUNTY 1580 PAOLI PIKE, WEST CHESTER, PA 19380-6199

July 6, 2009

Board of Supervisors 1580 Paoli Pike West Chester PA 19380

Re:

National Bank of Malvern, Conditional Use Application

Dear Mr. Chairman:

The Planning Commission has forwarded the Board a recommendation to approve the Conditional Use application for the National Bank of Malvern. To address comment # 4 of the Township Engineer's letter dated July 1, 2009; I offer the following:

The ordinance states:

240-27.A.(4) Yard requirements for new lots on existing streets. For all new lots that abut an existing street which has a right-of-way less than that specified in Subsection A(3), the front and/or side street yard requirements shall be increased by the difference between the existing right-of-way and the right-of-way specified in Subsection A(3). It is the intention of this requirement to provide for a reasonable setback to accommodate the potential widening of the existing street.

The National Bank of Malvern's property is not a newly created lot therefore this requirement is not applicable. The plan does show the existing 80' right-of-way and the future right-of-way width of 100' for Paoli Pike. The design has incorporated the future right-of-way width into the parking lot and monument sign locations which provide adequate front yard separation for a widening of Paoli Pike, if that should occur.

Please contact me if you have any question regarding this matter.

Sincerel

Mark A. Gordon

Township Zoning Officer

Memo East Goshen Township 1580 Paoli Pike West Chester, PA 19380

Voice 610-692-7171
Fax 610-692-8950
rsmith@eastgoshen.org

Date: July 13, 2009

To: Board of Supervisors

From: Rick Smith, Township Manager Re: Identity Theft Prevention Policy

Pursuant to the Fair and Accurate Credit Transaction Act of 2003 (the "Act"), the Federal Trade Commission has issued regulations that require creditors to develop, adopt and implement written identity theft prevention programs. The regulations require that creditors, which includes a municipality that provides utility service where the payment for the utility service is deferred to a future date must identify, detect and respond to patterns, practices or specific activities known as "red flags" that could indicate identity theft. Because the Township bills commercial property owners for sewer service in arrears pursuant to Section 188-10(b) of the East Goshen Township Code, the Township is defined as a "creditor" under the Act and just adopt a written Identity Theft Protection Policy.

The Board of Supervisors shall adopt this program by Resolution. The Township Manager shall annually review the policy to determine if it continues to be in compliance with the Act. Appropriate revisions will be made based on changes in federal law or if there are changes in the way that the Township administers utility accounts where fees are collected in arrears.

Attached please find a draft of the Identity Theft Prevention Policy Resolution for your review.

F:\Data\Shared Data\ABC'S\Board of Supervisors\Resolutions\2009\Drafts, memos etc\Identity Theft Protection Resolution Memo.doc

DRAFT

EAST GOSHEN TOWNSHIP CHESTER COUNTY, PENNSYLVANIA

RESOLUTION NO. 09-51

IDENTITY THEFT PREVENTION POLICY

PURSUANT TO the Fair and Accurate Credit Transaction Act of 2003 (the "Act"), the Federal Trade Commission has issued regulations that require creditors to develop, adopt and implement written identity theft prevention programs; and

WHEREAS, regulations require that creditors, which includes a municipality that provides utility service where payment for the utility service is deferred to a future day, must identify, detect and respond to patterns, practices or specific activities known as "red flags" that could indicate identity theft; and

WHEREAS, the Township bills commercial property owners for sewer service in arrears pursuant to Section 188-10(b) of the East Goshen Township Code, therefore the Township is defined as a "creditor" under the Act and must adopt a written Identity Theft Protection Policy.

BE IT RESOLVED THAT the East Goshen Township Board of Supervisors Identity Theft Prevention Policy shall be as follows:

- Identification of Red Flags: The Township receives notice from a customer, a victim of identity theft or a law enforcement agency that an account has been opened or used fraudulently.
- 2. Detecting Red Flags: If the Township receives notice that a customer's identity may have been stolen by using the information obtained by the Township in opening or processing a sewer account, the Township Utility Coordinator or Manager will contact the complaining customer and perform an investigation to determine the basis for the complaint.
- 3. Responding to Red Flags: Township Utility Coordinator or Manager will prepare a report of his or her investigation and file the report with the Board of Supervisors and if necessary the Westtown-East Goshen Police Department.
- 4. <u>Administering the Program</u>: Township Manger shall annually review the policy to determine if it continues to be in compliance with the Act. Appropriate revisions will be made based on changes in federal law or if there are changes in the way that the Township administers utility accounts were fees are collected in arrears.

RESOLVED AND ADOPTED, this day of	, 2009.
ATTEST:	EAST GOSHEN TOWNSHIP BOARD OF SUPERVISORS
Secretary	

8. NEW BUSINESS B. Tpgs

FOURTH SUPPLEMENTAL LEASE

DATED DECEMBER 15, 2008

BETWEEN

EAST GOSHEN MUNICIPAL AUTHORITY

AND

TOWNSHIP OF EAST GOSHEN

FOURTH SUPPLEMENTAL LEASE

THIS FOURTH SUPPLEMENTAL LEASE dated December 15, 2008, by and between **EAST GOSHEN MUNICIPAL AUTHORITY**, an authority organized and existing under the laws of the Commonwealth of Pennsylvania ("Authority") and the **TOWNSHIP OF EAST GOSHEN**, a municipality organized and existing under the laws of the Commonwealth of Pennsylvania ("Township"),

WITNESSETH:

WHEREAS, the Authority is a body corporate and politic organized by the Board of Supervisors of the Township of East Goshen, Chester County ("Township") and existing under the Municipality Authorities Act of 1945 (Act of May 2, 1945, P.L. 382, as amended and supplemented) of the Commonwealth of Pennsylvania ("Act"), as evidenced by its Certificate of Incorporation dated May 23, 1967; and

WHEREAS, the Authority was organized for the purpose of acquiring, holding, constructing, improving, maintaining and operating, owning, leasing, either in the capacity of lessor or lessee, sewers, sewer systems, or parts thereof, and sewage treatment works, including works for treating and disposing of industrial waste for the Township and for such other territory as it may be authorized to serve; and

WHEREAS, the Authority has acquired and constructed in increments a sewage collection and treatment system, which by a Contract and Lease dated December 30, 1968 ("Original Lease") it has leased to the Township, including any real estate thereafter acquired for or in connection therewith (collectively called "Sewer System"); and

WHEREAS, the Authority heretofore issued its Sewer Revenue Bonds, Series of 1968 ("1968 Bonds") secured by the Authority's Trust Indenture dated December 30, 1968 ("Original Indenture") with the National Bank of Chester County and Trust Company, as trustee, of which bank First Union National Bank is the successor by a series of mergers ("1968 Trustee"); and

WHEREAS, simultaneously with the execution of the Original Lease, the Authority assigned its interest therein to the 1968 Trustee under the Original Indenture; and

WHEREAS, to provide money for and toward the estimated cost of construction of certain Capital Additions to the Sewer System, the Authority has issued its Sewer Revenue Bonds, Series 1994 ("1994 Bonds") under and secured by the Original Indenture as supplemented by a Second Supplemental Indenture dated December 1, 1994; and

WHEREAS, the Authority sold and issued the 1994 Bonds to the Delaware Valley Regional Finance Authority ("DVRFA"); and

WHEREAS, the Authority and the Township entered into a Second Supplemental Lease dated December 1, 1994 ("Second Supplemental Lease") amending and supplementing the

Original Lease, which Second Supplement Lease was assigned to the 1968 Trustee to secure the 1994 Bonds; and

WHEREAS, the Authority, at the request of the Township, undertook certain improvements to the Sewer System in 1998 consisting of a capital contribution to be made to West Goshen Municipal Authority to purchase additional treatment capacity in the expanded plant of such Authority (collectively "1998 Improvements"); and

WHEREAS, the Authority also determined in 1998 to refund the 1968 Bonds and the 1994 Bonds (collectively "Refunded Bonds"); and

WHEREAS, in order to provide money toward the cost of redemption and payment of the Refunded Bonds and the costs of the 1998 Improvements, the Authority issued to DVRFA its Guaranteed Note Series of 1998 in the principal amount of \$1,340,000 ("1998 Note") pursuant to a Loan Agreement dated October 28, 1998 ("1998 Loan Agreement") with DVRFA; and

WHEREAS, the 1968 Trustee redeemed all of the Refunded Bonds on December 15, 1998 and, as authorized by the Indenture, the 1968 Trustee reassigned the Lease to the Authority; and

WHEREAS, the Authority and the Township entered into a Third Supplemental Lease dated October 15, 1998 ("Third Supplemental Lease") amending and supplementing the Original Lease and the Second Supplemental Lease; and

WHEREAS, the Authority has determined to undertake certain capital projects ("2008 Improvements") consisting of (i) the upgrade and expansion of the Ridley Creek Sewer Plant, (ii) improvements to the Sewer System, and (iii) the payment of the costs of issuance of the \$9,500,000 Guaranteed Sewer Revenue Notes, 2008 Series ("2008 Note") pursuant to a Loan Agreement dated December 15, 2008 ("2008 Loan Agreement") with DVRFA; and

WHEREAS, the Authority and the Township have both approved the plans for the 2008 Improvements as prepared by Pennoni Associates, Inc., consulting engineers for the Authority, and the estimated cost thereof; and

WHEREAS, the Township is willing to pay as additional rental under the Lease any amounts which may become due by the Authority under the 2008 Loan Agreement as described above (collectively "Rentals"); and

WHEREAS, the Township has agreed to lease the Sewer System from the Authority and to maintain and operate it, and has agreed in the Original Lease to fix, charge, impose and collect during the entire term of said Lease from the users of the Sewer System rents and charges which will be sufficient, together with other available funds (including tapping fees which are to be collected by it as agent of the Authority), to provide funds for the payment in each year of (i) the estimated expenses of operating, maintaining and repairing the Sewer System and the making of all ordinary improvements, additions and extensions which may be necessary or proper to provide or maintain adequate service, the costs of which are not otherwise provided for and the

payment of all applicable taxes, (ii) the rentals payable under the Original Lease and under any and all supplemental or additional sewer leases, and (iii) the Administration Expenses of the Authority.

NOW, THEREFORE, in consideration of the mutual covenants hereinafter contained, each intending to be legally bound hereby, the Authority and the Township do hereby agree as follows:

ARTICLE I DEFINITIONS

Section 1.01. All capitalized terms used herein which are not defined herein shall have the same meanings as are set forth in the Original Lease, as amended.

ARTICLE II 2008 IMPROVEMENTS

- Section 2.01. The Authority agrees, out of the proceeds to be received by it from the sale of the 2008 Note and such other money as may be available to it, to pay all expenses incurred by the Authority in connection with the issuance and sale of the 2008 Note and all expenses related to the 2008 Improvements and to reimburse the Township for expenses heretofore incurred by it with respect thereto.
- Section 2.02. The Township acknowledges that it has complete and satisfactory information with respect to the 2008 Improvements and with respect to the estimated cost of construction of the 2008 Improvements. To the extent that the proceeds of the 2008 Note are insufficient to pay the cost of the 2008 Improvements, as it may be modified with the prior approval of the Township, the Township will either provide funds to pay such costs or assist the Authority in obtaining such funds through supplemental financing.

ARTICLE III AMENDMENTS TO ORIGINAL LEASE

- Section 3.01. The Original Lease is hereby amended as set forth below in this Article. Unless otherwise indicated herein, the previous amendments to the Original Lease shall remain in effect.
- Section 3.02. The terms defined in the recitals hereto are hereby added as definitions to Article I of the Original Lease.
- Section 3.03. Section 2.04 is hereby amended so that section shall hereafter read in full as follows:
- A. The amount to the credit of the Sewer Revenue Account shall be applied by the Township for the payment of the expenses and operation, maintenance and repair of the Sewer System and the making of all ordinary improvements and additions to such System, and

the payment of administration expenses of the Authority. The Township agrees that it will not make any withdrawal from the Sewer Revenue Account except for the purposes and in the manner provided in this Section.

- B. As long as the 2008 Note is outstanding, the Township shall pay to the Authority, in addition to the amounts due under the 1998 Note, as additional rentals ("Rentals") for use of the Sewer System, the following: (i) on the 25th day of each month beginning in January, 2009, an amount equal to the debt service on the Note becoming due on each such date, but not exceeding in the aggregate in any calendar year the amount specified as the maximum for such year as set forth on Schedule A attached hereto, which is based upon debt service becoming due on the Note at its maximum rate of 15% per annum; and (ii) promptly upon request by DVRFA from time to time, and to the extent the revenues of the Authority are insufficient for such purpose, all amounts becoming due by the Authority to DVRFA under the 2008 Loan Agreement, all as specified in bills from DVRFA, copies of which will be promptly sent by the Authority to the Township.
- C. The Township shall no longer transfer annually, after receipt of the annual financial statements of the Sewer Revenue Account and the annual financial statements of the Authority for the preceding year, from the Sewer Revenue Account to the Township's General Fund, an amount equal to one-half of the excess of total revenue of the Sewer System over total expenses of the operation of the Sewer System, including administrative costs and debt service. Such excess revenue shall instead remain in the Sewer Operating Account and shall be used to fund the debt service of the 2008 Note.
- D. The balance of the Capital Additions Fund, if any, created by the Third Supplemental Lease shall be invested only as permitted by the Municipality Authorities Act, and shall be used solely for any purpose related to the Sewer System.
- Section 3.04. Section 2.16, as added by the Second Supplemental Lease and amended by the Third Supplemental Lease, is hereby amended to read in full as follows:

The Township hereby covenants and agrees that it will (i) include in its budget for each year the amounts payable in respect of its rental obligations under this Lease, as supplemented by the Fourth Supplemental Lease, and any subsequent Supplemental Lease, (ii) appropriate such amounts, from its general or other available revenues, to such payments, and (iii) duly and punctually pay, or cause to be paid, to the Authority or its assignee, from any of its revenues or funds, amounts due from it under the Lease, as so supplemented, at the times, in the manner, and according to the true intent and meaning thereof. For such budgeting, appropriation and payment, the Township hereby pledges its full faith, credit and taxing power. This covenant shall be specifically enforceable.

Section 3.05. Section 4.01 is hereby amended so that it will read in full as follows:

In the event that the Township shall fail to pay when due any of the Rentals provided for in Section 2.04 hereof, or shall fail to comply with any other of its covenants or agreements in this Contract and Lease, as the same has been supplemented and amended, for a

period of sixty (60) days after written notice from the Authority or its attorney, the Authority or its attorney may without further notice terminate this Contract and Lease, as so supplemented and amended, and take possession of the Sewer System and each and every part thereof. In the event that the Authority shall be entitled to terminate this Contract and Lease, as so supplemented and amended, upon default of the Township as aforesaid, any trustee appointed by the holders of the Note or other obligations of the Authority and pursuant to the Municipal Authorities Act of 1945, or any receiver appointed pursuant to said Act, may as the attorney-infact of the Authority exercise all its rights to terminate this Contract and Lease as above provided and may take possession of the Sewer System. In the event that this Contract and Lease shall be terminated as above provided, the Township shall surrender all its books and records relating to the Sewer System and all moneys held in the Sewer Revenue Account to whomever shall take possession of the Sewer System.

Section 3.06. Section 4.02 is hereby amended so that it will read in full as follows:

The Township shall furnish to the Authority (a) on or before May 31 of each year during the term of this Contract and Lease, as supplemented and amended, commencing May 31, 2009, an operating statement for the Sewer System for the preceding Fiscal Year. Such statements shall be in such form as may be reasonably required by the Authority, showing, among other things, sewer rents and other charges (including sewer connection charges) collected; sewer rents and other charges (including sewer connection charges) due and unpaid; the amounts paid to the Authority as Rentals under Section 2.04; the amount retained as working capital; the amounts transferred to the Capital Additions Fund; the amount of assessments, if any, made; the amounts, if any, paid to the Authority representing assessments and the amount of assessments due and unpaid.

The annual operating statements shall be prepared and certified by an independent certified public accountant satisfactory to the Authority. Such statements shall be accompanied by a certificate of such accountant stating whether in performing its audit, the accountant has become aware of any breach by the Township of any of the provisions of this Contract and Lease, as supplemented and amended, specifying the nature of the breach.

The Township shall furnish or cause to be furnished to the Authority and DVRFA on or before June 15 of each year commencing June 15, 2009, a copy of said operating statement and report for the preceding Fiscal Year and, in addition, the following (1) a copy of the complete financial statement of the Township for the preceding fiscal year; and (2) a copy of the budget of the Township for the current fiscal year.

Section 3.07. Section 4.06 which was added by the Second Supplemental Lease and amended by the Third Supplemental Lease at the end of Article IV of the Original Lease is hereby amended to read in full as follows:

As long as the 2008 Note is outstanding, the Township shall deliver to DVRFA, as soon as available and in any event within 120 days after the end of each fiscal year, audited financial statements of the Township or the Annual Audit and Financial Report submitted to the Department of Community and Economic Development of the Commonwealth of Pennsylvania.

The treasurer of the Township shall, at the reasonable request of the DVRFA or the DVRFA's trustee, discuss its financial condition and provide the DVRFA with any information or documents necessary for the credit enhancement, remarketing or rating of the DVRFA's outstanding bonds.

Section 3.08. Section 5.01 is amended to change the termination date of the Lease to June 25, 2032.

ARTICLE IV MISCELLANEOUS

Section 4.01. This Fourth Supplemental Lease is executed and shall be considered as supplemental to and amendatory of the Original lease, as heretofore supplemented and amended by the Second and Third Supplemental Leases and shall form a part thereof, and the Original Lease, as so supplemented and amended, is hereby ratified and confirmed.

Section 4.02. This Fourth Supplemental Lease may be executed in any number of counterparts, each of which, when so executed and delivered, shall be an original; but such counterparts shall together constitute one and the same instrument.

IN WITNESS WHEREOF, the Authority and the Township have caused this Fourth Supplemental Lease to be executed the day and year first above written.

ATTEST:		EAST GOSHEN MUNICIPAL AUTHORITY
	Ву:	
Secretary	Ž	Chairman
ATTEST:		EAST GOSHEN TOWNSHIP
	Ву:	
Secretary	•	Chairman

BOARD OF SUPERVISORS

EAST GOSHEN TOWNSHIP

CHESTER COUNTY 1580 PAOLI PIKE, WEST CHESTER, PA 19380-6199

FIRE MARSHAL'S REPORT ---- JUNE 2009

15 CALLS CONSISTING OF 12 AUTOMATIC ALARMS: 2 FIRES and 1 LIGHTNING STRIKE: PLUS 10 INSPECTIONS: 4 AUTOMOBILE ACCIDENTS: 1 COMPLAINT: 1 FOLLOW-UP and 1 SEMINAR:

6/1/09 AUTOMATIC FIRE ALARM: 1332 Enterprise Drive: Charter Leadership School: working on alarm system.

6/2/09 COMPLAINT: Linda Hicks: cars parked in driveway near dumpster on curve at buildings 600 & 700 at Goshen Professional Building blocking access way for emergency vehicles: suggested the curb be painted yellow in this area.

6/2/09 FOLLOW-UP: automatic fire alarm 6/1/09 at Charter Leadership School: suggested they notify their monitor company when working on the alarm system.

6/3/09 INSPECTION: annual: New Kent Rec. Building.

6/3/09 FIRE: 1415 West Chester Pike, Midas Muffler: burning trash, cardboard and pallets.

6/3/09 AUTOMATIC FIRE ALARM:: 100 Line Road, Applebrook Golf Club: main building: workers soldering pipes.

6/4/09 INSPECTION: annual: 1395 E. Boot Road, Village Square, Rite Aid: 1 exit blocked.

6/5/09 AUTOMATIC FIRE ALARM: 1439 Clover Lane.

6/5/09 AUTOMATIC FIRE ALARM: Bellingham, Brookside Building: (D.D.)

6/9/09 LIGHTNING STRIKE: 613 The Vncroft Drive: damaged the chimney: James Rieben.

6/9/09 AUTOMATIC FIRE ALARM: 596 Franklin Way, Hershey's Mill: drying newspapers in micorwave: Weiss. (D.D.)

6/10/09 INSPECTION: Applebrook Club House maintance building.

6/10/09 INSPECTION: bonfire site at Charter Chase: requested by Tom Anderson, 1283 Waterford Road, for a father/son camp out.

6/11/09 AUTOMOBILE ACCIDENT: Line Road & Forest Lane.

11. CORRESPONDENCE
A.
8 pgs

BOARD OF SUPERVISORS EAST GOSHEN TOWNSHIP

PAGE "2"

- 6/16/09 SEMINAR: Homeland Security Symposium: by The Protection Bureau at Chester County Economic Development Council: Eagleview Corp. Center: Exton, PA.
- 6/17/09 AUTOMOBILE ACCIDENT: Forest Lane & Route 352.
- 6/17/09 INSPECTION: annual: Firestone Complete Auto. Care: fire extinguishers need updated.
- 6/18/09 INSPECTION: installing keys in knox box: 1015 West Chester Pike, Spaz Beverage: requested by West Goshen F.M.
- 6/18/09 AUTOMATIC FIRE ALARM: 113 Applebrook Drive.
- 6/20/09 AUTOMATIC FIRE ALARM: 901 Saddlebrook Drive.
- 6/20/09 AUTOMATIC FIRE ALARM: Waterview Road: Apt. F2.
- 6/23/09 INSPECTION: 1334 West Chester Pike, J & A Gourmet: extinguishers need updated.
- 6/23/09 INSPECTION: !##\$ West Chester Pike, Laundermat.
- 6/24/09 FIRE: !@@! North Chester Road: electrical.(Mark)
- 6/24/09 AUTOMATIC FIRE ALARM: 271 Devon Way, Hershey's Mill: low battery: Sheehan.
- 6/25/09 INSPECTION: follow-up: with Diane: 613 Thorncroft Drive: Mrs. Rieben requested an inspection be made after the clean up from the lightning strike: suggested she install smoke detectors in each bedroom.
- 6/25/09 AUTOMOBILE ACCIDENT: with Mark: 1408 Paoli Pike.
- 6/26/09 AUTOMATIC FIRE ALARM: 1301 Wilson Drive, Mars Electronics.
- 6/28/09 AUTOMOBILE ACCIDENT: Paoli Pike & Boot Road.
- 6/29/09 AUTOMATIC FIRE ALARM: 129 Rossmore Drive: Zook.
- 6/30/09 INSPECTION: met with Patti Page, Property Manager, at Goshen Valley, after residents complained about barbecue grills on the balconys.
- 6/30/09 AUTOMATIC FIRE ALARM: Bellingham, Brookside Building.

Ralph F.Brown

Fire Marshal

Ralph Buson

Goshen Fire Company

2009 EMS Year to Date Statistics

	JAN	FFR	MAR	ΔPR	MAV	JIIN	JHH	ALIG	SED	ОСТ	NOV	DEC	TO
Calls	316	254	242	224	261			100	011	<u> </u>			1519
								<u> </u>	<u> </u>	I			
Career Only Crews (61%)	193	160	148	136	150	141							928
Blended Crews (4%)	20	4	13	4	8	11			······				60
Volunteer Only Crews (35%)	103	90	81	84	103	70							531
Calls To:													
Bellingham	41	35	27	24	34	19							180
Hershey Mill	20	24	26	31	33	25							159
Ice Line	2	4	1	in	2	1							10
Pembrooke	12	7	7	7	6	8							47
QVC - Enterprise Drive	2	3	1	5		1							12
QVC - Wilson Drive	2	2	1	1		2							8
Wellington	34	24	33	12	19	21					*******	i	143
YMCA	6	2	1		5	1					Í		15
Type Calls Assault	4		T		1							T	5
Bites	1												1
Drug Poisoning	2		1	1	<u> </u>						i		4
Fall	43	23	26	24	21	26							163
Lightning						1							1
Machinery Accidents	1					1		i					2
Medical	154	141	125	110	130	98							758
Motor Vehicle Non-traffic Accident	3		2	2								1	7
Motor Vehicle Traffic Accident	9	7	12	6	6	4						i	44
Motorcycle Accident				1									1
Not Known			1					-					1
Other	9	8	9	8	2	7				ı			43
Other Trauma	3					1						<u> </u>	4
Pedestrian Traffic Accident	1		1									i	2
Sports Injury	1		1	1	2								5
Stabbing/Cutting Accidental	1												1
Stabbing/Cutting Assault					1								1
Transport					1								1
Patients Treated	232	179	178	153	164	138		T				F	1044
								L		<u> </u>		L	
Patients 65 and Over	147	113	122	93	116	90							681

Goshen Fire Company

Patients Treated by ALS Units									,
CCH Medic 91	80	73	55	65	61	45			379
Malvern Medic 4	37	26	45	22	33	21			184
Medic 23	1		1						<u>2</u> 1
RMH Medic 104		1							1
Township Statistics	····						 		
East Bradford Township						1			1
East Goshen Township	192	146	147	130	147	124			886
Edgemont Township	3		2			1			6
Newtown Township (Delaware)					2				6 2 1
Philadelphia City		j		1					1
West Chester Borough				1	2				3
West Goshen Township	76	73	59	56	70	66			400
Westtown Township	36	24	26	26	24	19			155
Willistown Township	9	11	8	10	15	11			64
Number of Patients Transported									
Brandywine Hospital	1			1				++	2 14
Bryn Mawr Hospital	4	2	2	2	4				14
Bryn Mawr Rehab Hosp				1			 	+	1
Chester County Hospital	128	113	101	98	98	89			627
Crozer-Chester Medical Ce	8	1	3	5	4	1			22
Hospital of the Univ of P		2						_	2
Lankenau Hospital		1							1
Paoli Memorial Hospital	85	56	66	44	57	47			355
PENNSTAR			2						355 2 1
Phoenixville Hospital	1								1
Riddle Memorial Hospital	5	4	4	2	1	1			17
Calls from 6AM to 5PM - 59.2%	190	150	142	123	153	142			900
•									
Calls from 5PM through 11PM - 25.0%	81	55	63	66	64	50		<u> </u>	379
	·····	- 1	1	1	Т		 		
Calls from 11PM to 6AM (Night Crew) - 15.8%	45	49	37	35	44	30			240

Fire Police Year-to-Date Statistics

for

2009

Report Created 7/1/2009 16:35

Calls Call						7/1,	/2009 1	6:35						
Hours in Service									AUG	SEP	OCT	NOV	DEC	
Calls 2 Hours or Longer 2	Calls	37	47	61	. 39	62	54							300
NATURE Amb Assist	Hours in Service	81	138	136	157	194	242							948
Amb Assist	Calls 2 Hours or Longer	2	4	3	3	5	8							25
Appliance Malfunction 1	NATURE													
Assist PD Automatic Alarms 2 2 7 2 13 16 42 Brush 2 2 1 1 2 3 1 16 Building 2 1 1 1 1 Building 2 2 1 1 2 3 1 1 CO Detector Activation 1 2 3 3 1 1 1 1 Building 1 3 3 3 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	Amb Assist	3	6	5	3	4								21
Automatic Alarms 2 2 2 7 2 3 13 16 42 Brush 2 2 1 2 3 1 1 1 11 Bullding 2 1 1 1 2 3 3 1 1 1 11 Bullding 2 2 1 1 2 2 3 1 1 1 11 Dwelling 1 3 3 3 1 1 1 1 1 1 1 10 Dwelling 1 3 3 3 3 1 1 1 1 1 1 1 10 Dwelling 1 1 3 3 3 1 1 1 1 1 1 1 1 10 Dwelling 1 1 3 1 2 2 2 1 1 2 1 1 1 1 1 1 10 Brief Fire Type Unknown	Appliance Malfunction	1		1	. 1	1								
Brush 2 2 2 1 1 2 3 1 1 1 1 1 1 1 1 1 1 1 1 1	Assist PD			2		3								
Building 2 1 1 1	Automatic Alarms	2	2	7	2	13	16							
CO Detector Activation 1 2 3 3 4 1 1 1 1 1 10 Dwelling 1 3 3 3 1 1 1 1 1 1 10 Fire CO Detector Activation 1 2 3 3 2 1 1 1 1 1 10 Fire Type Unknown				1	. 2	3	1							
Dwelling	-	2		1	. 1									
Fire 7 9 Unknown		1												
Fire Type Unknown Fire Type Unknown Fire Type Unknown Fire Spill Full Spill F	Dwelling	1	3	3	1	1	1							
Fuel Spill	Fire		3	2	1									
Gas Leak 1 1 5 1 1 1 3 Mutual Aid Id East Whiteland 2 1 3 3 6 Mutual Aid To Malvern 1 2 1 1 3 8 Mutual Aid To West Chester 3 4 2 4 2 15 Mutual Aid to West Whiteland 1 1 1 1 2 15 MVA 16 14 18 17 18 6 89 Odor Investigation 1 2 2 1 4 1 11 11 11 11 11 11 1 </td <td>Fire Type Unknown</td> <td></td>	Fire Type Unknown													
Mutual Aid 1 1 1 3 3 4 4 6 8 9 8 9 8 9 8 9 9 8 9	Fuel Spill		1			2								
Mutual Ald to East Whiteland 2 1 3 6 Mutual Aid To Malvern 1 2 1 1 3 8 Mutual Aid To West Chester 3 4 2 4 2 15 Mutual Aid to West Whiteland 16 14 18 17 18 6 88 Odor Investigation 1 2 2 1 4 1 11 Ped Struck 1 1 1 1 2 2 1 4 1 11 Ped Struck 1 1 1 1 2 2 1 4 1 1 1 3 3 2 2 2 1 1 2 2 2 1 1 1 1 1 1 1 2 2 2 2 2 2 2 3 2 2 2 2 7 2 4 1 9 3 <td< td=""><td>Gas Leak</td><td>1</td><td>1</td><td>5</td><td></td><td>1</td><td>1</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></td<>	Gas Leak	1	1	5		1	1							
Mutual Aid To Malvern 1 2 1 1 3 4 2 4 2 4 2 1 1 1 1 1 1 1 1 2 15 15 15 Mutual Aid To West Chester 3 4 2 4 2 4 2 15 15 15 15 15 15 15 15 15 15 15 15 15 15 15 15 15 14 12 2 2 14 1 1 2 2 2 1 1 1 2 <t< td=""><td>Mutual Aid</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></t<>	Mutual Aid													
Mutual Aid To West Chester 3 4 2 4 2 1 1 2 2 1 4 2 1 4 2 2 4 2 2 4 1 2 2 2 4 1 1 1 2 2 4 1 2 2 2 1 </td <td></td>														
Mutual Aid to West Whiteland 1 1 1 1 2 MVA 16 14 18 17 18 6 89 Odor Investigation 1 2 2 1 4 1 11 Ped Struck 1 1 1 1 1 3 Rescue 2 1 1 1 1 2 Search 1 1 1 1 1 1 Smoke in Building 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 2 1 <		1												
MVA 16 14 18 17 18 6 89 Odor Investigation 1 2 2 1 4 1 11 Ped Struck 1 1 2 1 4 1 11 Rescue 2 2 1 1 2 2 2 Search 3 2 1 1 1 2 2 Smoke in Building 1 3 4 1 9 9 8 5 7 7 Vehicle Fire 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1			3	4	2	4	2							
Odor Investigation 1 2 2 1 4 1 1 1 1 1 1 1 3 Rescue 2 2 1 1 1 2 3 1 2 1 1 1 1 1 1 1 1 3 1 2 2 7 2 2 7 2 2 3 2 2 2 2 3 2	Mutual Aid to West Whiteland													
Ped Struck 1 1 1 1 2 3 Rescue 1 1 1 2 2 2 2 2 2 2 2 2 2 2 2 3 2 2 2 7 7 3 3 2 2 2 2 7 8 8 8 1 4 1	MVA	16	14	18	17	18	6							
Rescue 1 1 1 2 Search 1 1 1 1 Smoke in Building 1 1 1 1 1 Special Duty 4 4 4 4 4 Transformer 1 1 1 1 1 2 2 2 7 7 7 7 7 7 7 7 7 7 7 7 7 9 8 8 14 1 1 8 8 8 8 9 8 <td>=</td> <td>1</td> <td>2</td> <td>2</td> <td>1</td> <td>4</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td>	=	1	2	2	1	4								
Search 1 1 Smoke in Building 1 1 Special Duty 4 4 Transformer 1 1 1 1 2 Trash 1 1 1 1 3 3 2 2 7 7 Vehicle Fire 1 2 1 4 1 9 9 9 8 8 14 1 1 1 1 1 1 1 1 1 1 1 2 1 4 1 9 9 8 8 1 4 1 9 9 8 8 8 1 4 1	Ped Struck	1		1			1							
Smoke in Building 1 1 Special Duty 4 4 Transformer 1 1 1 Trash 1 1 1 1 Trees & Wires 3 2 2 2 Vehicle Fire 1 2 1 4 1 9 TASKS A - Closed Road A - Closed Road B - Ran with Single Lane 8 8 14 7 11 8 C - Used Cones 14 18 20 14 21 8 C - Used Cones 14 18 20 14 20 24 D - Needed Crowd Control 3 4 4 4 7 11 8 G - Recall B - Recall B 6 8 7 13 2 G - Recall B 6 8 7 13 2 44 H - Closed Flares B 2 8 2 8 2 6 7 33 G - Recall B 6 8 7 13 2 44 H - Closed Turn Lane 5 5 10 9 8 5 42 I - Blocked Access 20 25 26 20 31 31 J - Be Prepared to Stop Sign K - Used Strobes 1 1 4 K - Used Strobes 1 1 53 T - Recall 4 4 T - Recall 5 5 5 10 T - Recall 5 5 5 10 T - Recall 6 7 T - Recall 7 7 T - Recall	Rescue				1	1								
Special Duty 4 4 Transformer 1 1 1 2 Trash 1 1 1 3 Trees & Wires 3 2 2 2 Vehicle Fire 1 2 1 4 1 9 TASKS A - Closed Road 11 11 18 13 14 21 88 B - Ran with Single Lane 8 8 14 7 11 8 56 C - Used Cones 14 18 20 14 20 24 110 D - Needed Crowd Control 3 4 4 4 7 4 26 F - Used Flares 8 2 8 2 6 7 33 G - Recall 8 6 8 7 13 2 44 H - Closed Turn Lane 5 5 10 9 8 5 42 I - Blocked Acc						1								
Transformer 1 1 1 1 3 Trees & Wires 3 2 2 2 7 Vehicle Fire 1 2 1 4 1 9 TASKS A - Closed Road 11 11 18 13 14 21 88 B - Ran with Single Lane 8 8 14 7 11 8 56 C - Used Cones 14 18 20 14 20 24 110 D - Needed Crowd Control 3 4 4 4 7 4 26 F - Used Flares 8 2 8 2 6 7 33 G - Recall 8 6 8 7 13 2 44 H - Closed Turn Lane 5 5 10 9 8 5 42 I - Blocked Access 20 25 26 20 31 31 153 J - Be Prepared to Stop Sign 3 1 4 4 K - Used Strobe		1												
Trash 1 1 1 1 1 3 7 7 7 7 7 7 7 7 7 7 7 7 9 8 8 9 8 8 8 9 8 8 8 8 9 8 8 8 9 8 8 9 8 9 8 9 8 9 8 9 8 9 9 8 9 9 8 9 9 8 9 9 8 9 9 8 9 9 8 9 9 8 9 9 9 8 9 9 9 8 9 9 9 8 9 <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>4</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td>							4							
Trees & Wires 3 2 2 2 7 Vehicle Fire 1 2 1 4 1 9 TASKS A - Closed Road A - Closed Road A - Closed Road B - Ran with Single Lane B - Ran w			1				1							
Vehicle Fire 1 2 1 4 1 9 TASKS A - Closed Road 11 11 18 13 14 21 88 B - Ran with Single Lane 8 8 14 7 11 8 56 C - Used Cones 14 18 20 14 20 24 110 D - Needed Crowd Control 3 4 4 4 7 4 26 F - Used Flares 8 2 8 2 6 7 33 G - Recall 8 6 8 7 13 2 44 H - Closed Turn Lane 5 5 10 9 8 5 42 I - Blocked Access 20 25 26 20 31 31 153 J - Be Prepared to Stop Sign 3 1 4 4 4 4 4 4 4 4 4 4														
TASKS A - Closed Road 11 11 18 13 14 21 88 B - Ran with Single Lane 8 8 14 7 11 8 56 C - Used Cones 14 18 20 14 20 24 110 D - Needed Crowd Control 3 4 4 4 7 4 26 F - Used Flares 8 2 8 2 6 7 33 G - Recall 8 6 8 7 13 2 44 H - Closed Turn Lane 5 5 10 9 8 5 42 I - Blocked Access 20 25 26 20 31 31 153 J - Be Prepared to Stop Sign 3 1 1 4 K - Used Strobes 1 1 1 1			3											
A - Closed Road 11 11 18 13 14 21 88 B - Ran with Single Lane 8 8 14 7 11 8 56 C - Used Cones 14 18 20 14 20 24 110 D - Needed Crowd Control 3 4 4 4 7 4 26 F - Used Flares 8 2 8 2 6 7 33 G - Recall 8 6 8 7 13 2 44 H - Closed Turn Lane 5 5 10 9 8 5 42 I - Blocked Access 20 25 26 20 31 31 153 J - Be Prepared to Stop Sign 3 1 4	Vehicle Fire	1		2	1	4	1							9
B - Ran with Single Lane 8 8 14 7 11 8 56 C - Used Cones 14 18 20 14 20 24 110 D - Needed Crowd Control 3 4 4 4 7 4 26 F - Used Flares 8 2 8 2 6 7 33 G - Recall 8 6 8 7 13 2 44 H - Closed Turn Lane 5 5 10 9 8 5 42 I - Blocked Access 20 25 26 20 31 31 153 J - Be Prepared to Stop Sign 3 1 1 4 K - Used Strobes 1 1 1	TASKS													
C - Used Cones 14 18 20 14 20 24 110 D - Needed Crowd Control 3 4 4 4 7 4 26 F - Used Flares 8 2 8 2 6 7 33 G - Recall 8 6 8 7 13 2 44 H - Closed Turn Lane 5 5 10 9 8 5 42 I - Blocked Access 20 25 26 20 31 31 153 J - Be Prepared to Stop Sign 3 1 1 4 K - Used Strobes 1 1 1	A - Closed Road	11					21							
D - Needed Crowd Control 3 4 4 4 7 4 26 F - Used Flares 8 2 8 2 6 7 33 G - Recall 8 6 8 7 13 2 44 H - Closed Turn Lane 5 5 10 9 8 5 42 I - Blocked Access 20 25 26 20 31 31 153 J - Be Prepared to Stop Sign 3 1 1 4 K - Used Strobes 1 1 1	B - Ran with Single Lane	8	8	14	7									
F - Used Flares 8 2 8 2 6 7 33 G - Recall 8 6 8 7 13 2 44 H - Closed Turn Lane 5 5 10 9 8 5 42 I - Blocked Access 20 25 26 20 31 31 153 J - Be Prepared to Stop Sign 3 1 1 4 K - Used Strobes 1 1 1		14	18	20	14	20	24							110
G - Recall 8 6 8 7 13 2 44 H - Closed Turn Lane 5 5 10 9 8 5 42 I - Blocked Access 20 25 26 20 31 31 153 J - Be Prepared to Stop Sign 3 1 1 4 K - Used Strobes 1 1 1	D - Needed Crowd Control	3	4	4	4	7	4							
H - Closed Turn Lane 5 5 10 9 8 5 42 I - Blocked Access 20 25 26 20 31 31 153 J - Be Prepared to Stop Sign 3 1 1 4 K - Used Strobes 1 1 1	F - Used Flares	8	2	8	2	6	7							33
I - Blocked Access 20 25 26 20 31 31 153 J - Be Prepared to Stop Sign 3 1 4 K - Used Strobes 1 1 1	G - Recall	8			7	13	2							44
J - Be Prepared to Stop Sign 3 1 4 K - Used Strobes 1 1					9									
K - Used Strobes 1 1	I - Blocked Access	20	25	26	20	31	31							153
				3			1							4
L. Emerg Scope Ahead Sign 2 1						1								
	L - Emerg. Scene Ahead Sign			2			1							3
M - Cone Signs 2 1 3 3 1 5 15	M - Cone Signs	2	1	3	3	1	5							15

608

							10
N - NightScan on Traf54	4	_	2		4	_	10
O - No Services Required	5	8	5	11	10	6	45
P - LED Arrow Sign	5	3	3	6	4	2	23
MUNICIPALITIES							
East Goshen	12	22	20	13	24	17	108
East Whiteland	2			1		7	10
Edgemont	1						1
Malvern		1					1
Other						1	1
Thornbury (Chesco)				1			1
West Chester		3	2	1	4	2	12
West Goshen	14	14	20	13	20	14	95
West Whiteland		1	2		1		4
Westtown	6	2	12	3	11	6	40
Willistown	2	4	5	7	2	7	27
A							
Crew Abel, Bill	7	11	10	2	5	6	41
DeBello, Tony	·	4		_	4	1	9
Grothmann, Jason	9	1	17	4	5	1	37
Guarino, Rich	4	_	3	1	_	3	11
Harlan, Bruce	1	2	4	6	2	2	17
Heist, Stan	1	_	7	12	18	15	53
Herman, Ralph	11	22	28	19	14	12	106
Herr, Vickie	2	9	14	10	2	2	39
Jackson, Greg	9	11	14	9	19	14	76
Jorgensen, Robert	3		,	3	14	6	23
Keslick, Bill		5	3	7	7	8	30
Keslick, Nancy		1	J	•	2	1	4
Manley, John	16	15	21	11	24	17	104
Molnar, David	18	27	38	26	41	20	170
Myers, Charlie	23	22	24	24	31	18	142
Pentek, Alex	1			1	2	2	6
Rennard, Steve	-	1	1	-	_	1	3
Salas, Phil	7	7	3	3	7	4	31
Sherbourne, Scott	3	2	2	3	6	1	17
Smith, Jack	28	37	35	25	39	40	204
Smith, Sue	20	1	00		1		2
Verno, Ralph	14	23	22	17	25	15	116
Wentzel, Jill	2	5	1	1	5	3	17
Crew Totals	156	206	247	184	273	192	1258
Crew Totals	130	200	247	104	2/3	132	
Day Calls	27	33	43	30	42	41	216
Night Calls	10	14	18	9	20	13	84
Traffic 54							
Responses	7	5	19	6	11	8	56
54 Mileage	54	22	88	39	73	55	331
Traffic 56							
Responses	2		4		2	1	9
56 Mileage	22		13		16	7	58
-							

Fire Police Statistics for Jun, 2009

Report Created 7/1/2009 16:35

Calis	54	Crew	
		Abel, Bill	6
Hours in Service	242	DeBello, Tony	1
		Grothmann, Jason	1
Calls 2 Hours Or Longer	8	Guarino, Rich	3
		Harlan, Bruce	2
NATURE		Heist, Stan	15
Appliance Malfunction	1	Herman, Ralph	12
Assist PD	2	Herr, Vickie	2
Automatic Alarms	16	Jackson, Greg	14
Brush	1	Jorgensen, Robert	6
CO Detector Activation	4	Keslick, Bill	8
Dwelling	1	Keslick, Nancy	1
Fire Type Unknown	1	Manley, John	17
Fuel Spill	1	Molnar, David	20
Gas Leak	1	Myers, Charlie	18
Mutual Aid	1	Pentek, Alex	2
Mutual Aid to East Whiteland	3	Rennard, Steve	1
Mutual Aid To Malvern	3	Salas, Phil	4
Mutual Aid To West Chester	2	Sherbourne, Scott	1
MVA	6	Smith, Jack	40
Odor Investigation	1	Verno, Ralph	15
Ped Struck	1	Wentzel, Jill	3
Special Duty	4		
Transformer	1	Total Crew Responding	192
Trash	1		
Trees & Wires	2	Traffic 54	
Vehicle Fire	1	Responded	8
		Miles Traveled	55
TASKS			
A - Closed Road	21	Traffic 56	
B - Ran with Single Lane	8	Responded	1
C - Used Cones	24	Miles Traveled	7
D - Needed Crowd Control	4		
F - Used Flares	7		
G ~ Recall	2		
H - Closed Turn Lane	5		
I - Blocked Access	31		
J - Be Prepared to Stop Sign	1		
L - Emerg. Scene Ahead Sign	1		
M - Cone Signs	5		
O - No Services Required	6		
P - LED Arrow Sign	2		
MUNICIPALITIES			
East Goshen	17		
East Whiteland	7		
Other	1		
West Chester	2		
West Goshen	14		
Westtown	6		
Willistown	7		
***************************************	•		
Day Calls	41		
,	- <u>-</u>		
Night Calls	13		
<u> </u>			

Fire Police Statistics for Jun, 2009

Report Created 7/1/2009 16:35

Calls	54	Crew	
		Abel, Bill	6
Hours in Service	242	DeBello, Tony	1
		Grothmann, Jason	1
Calls 2 Hours Or Longer	8	Guarino, Rich	3
-		Harlan, Bruce	2
NATURE		Heist, Stan	15
Appliance Malfunction	1	Herman, Ralph	12
Assist PD	2	Herr, Vickie	2
Automatic Alarms	16	Jackson, Greg	14
Brush	1	Jorgensen, Robert	6
CO Detector Activation	4	Keslick, Bill	8
Dwelling	1	Keslick, Nancy	1
Fire Type Unknown	1	Manley, John	17
Fuel Spill	1	Molnar, David	20
Gas Leak	1	Myers, Charlie	18
Mutual Aid	1	Pentek, Alex	2
Mutual Aid to East Whiteland	3	Rennard, Steve	1
Mutual Aid To Malvern	3	Salas, Phil	4
Mutual Aid To West Chester	2	Sherbourne, Scott	1
MVA	6	Smith, Jack	40
Odor Investigation	1	Verno, Ralph	15
Ped Struck	1	Wentzel, Jill	3
Special Duty	4		
Transformer	1	Total Crew Responding	192
Trash	1		
Trees & Wires	2	Traffic 54	
Vehicle Fire	1	Responded	8
		Miles Traveled	55
TASKS			
A - Closed Road	21	Traffic 56	
B - Ran with Single Lane	8	Responded	1
C - Used Cones	24	Miles Traveled	7
D - Needed Crowd Control	4		
F - Used Flares	7		
G - Recall	2		
H - Closed Turn Lane	5		
I - Blocked Access	31		
J - Be Prepared to Stop Sign	1		
L - Emerg. Scene Ahead Sign	1		
M - Cone Signs	5		
O - No Services Required	6		
P - LED Arrow Sign	2		
MUNICIPALITIES			
East Goshen	17		
East Whiteland	7		
Other	1		
West Chester	2		
West Goshen	14		
Westtown	6		
Willistown	7		
Day Calls	41		
•			
Night Calls	13		

B Apop



July 8, 2009

Mr. Louis Smith, Jr., Manager East Goshen Township 1580 Paoli Pike West Chester, PA 19380

REFERENCE:

Chester County Bridges

Blanket Maintenance Permit

SUBJECT:

GP-11 Notification

Dear Mr. Smith:

On behalf of Chester County, McCormick Taylor, Inc. is preparing an application for a Pennsylvania Department of Environmental Protection (DEP) Water Obstruction and Encroachment Permit. The permit will serve as a blanket maintenance permit for all bridges owned and maintained by Chester County. Please see the attached chart showing which bridges fall within your municipality.

PA Acts 67, 68, and 127 require state agencies to consider local land use ordinances and comprehensive plans in making certain permit and funding decisions. The DEP has now revised its requirements regarding land use considerations for permitting. As part of these changes, new notifications are necessary.

In compliance with Pennsylvania Act 14, P.L. 834, enacted February 17, 1984, Act 14 requires that an applicant for a permit under the Dam Safety and Encroachment Act provide written notice of application to the county and municipality in which the proposed activity is to occur. This letter serves as written notice that Chester County will, in the near future, be applying for a General Permit Registration Package (GP-11) for a blanket maintenance permit for all bridges owned and maintained by Chester County.

You are invited to review the enclosed General Permit Registration Form for any potential conflicts with local land use plans and ordinances. You are also encouraged to provide copies of relevant portions of these plans and ordinances as well as documentation of efforts to preserve farmland and open space, any locally designated growth areas of Keystone Opportunity Zones, and similar information as part of any comments you may provide to the DEP.

Comments should be directed to the Southeastern Regional Office, 2 East Main Street, Norristown, PA 19401. If the DEP does not receive any notification of problems relating to land use, the department will assume there are none.

$\underset{\text{Engineers \& Planners}}{McCormick}$

July 8, 2009 Page #2

Please accept this letter as written notification that Chester County will be submitting a General Permit Registration Package. The certified mail receipt will be used as evidence of your receipt of this notification.

Sincerely,

Joe Romano, IV

Civil/Highway Designer

pc:

The County of Chester

Stephen M. Fromnick, Director, Department of Facilities Management

McCormick Taylor

Susan Guisinger-Colón, P.E.

7/13/09

THE BRIDGE ON DUTTOM MILL ROAD

IS OWNED BY THE COUNTY

175

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RECEIVED BY:

JUL 7 2009

July 2, 2009

Louis F, Smith Township Manager East Goshen Township 1580 Paoli Pike West Chester, PA 19380

Re: Walking Path at Applebrook Carriage Homes Community

Dear Mr. Smith:

I am writing on behalf of the Applebrook Carriage Homes Community Association regarding the walking path on Line Road.

The Board would like to inform you it is in support of the plan to extend the walking path on Line Road with the understanding that its termination point will be the at the utility boxes located on the west end of the Applebrook garages.

In order to provide Applebrook residents easy access to the path the Homeowners Association will install a stairway on the hillside down to the side wall of the utility box housing. We also are planning on installing a swing gate with a sign indicating that Applebrook is a Private Community and access to the stairs is restricted to residents of Applebrook only.

The Board of Directors of Applebrook Carriage Homes, as well as the homeowners of the Association, look forward to working with the Township on this initiative and appreciate the concern shown for our privacy and safety in this matter. If you have any questions, please let me know.

With Regards,

John Schofield President Applebrook Carriage Homes Community Association

cc. Tony Nichols, Hank Belber, Skip Carroll, Tim Barnard, Esq., Marty Shane, Tim O'Reilly, Esq., Jared Viarengo,

BOARD OF SUPERVISORS MEETING

WORKSHOP

Tuesday July 21, 2009 7:00 PM

- 1. Review meeting agenda
- 2. Review invoices
- 3. Consider traffic engineer recommendation regarding parking of commercial vehicles (report forthcoming)
- 4. Any Other Matter
- 5. Liaison Reports
- 6. Subdivisions/Land Developments/ZHB Applications
- 7. Public Comment
- 8. FYI

Reminder -

NEWSLETTER ARTICLE SUBMISSION DUE DATES:

August 12, 2009 November 10, 2009 **DELIVERY DATE**:

October 1, 2009 January 1, 2010 AREA CODE 610 692-7171 www.eastgoshen.org

BOARD OF SUPERVISORS EAST GOSHEN TOWNSHIP

CHESTER COUNTY 1580 PAOLI PIKE, WEST CHESTER, PA 19380-6199

June 3, 2009

Mr. Robert Burke, President Bow Tree Civic Association P.O. Box 1453 West Chester, PA 19380

Dear Mr. Burke:

At their regularly scheduled, formal meeting on June 2, 2009, the Board of Supervisors approved a motion to recommend the Township's traffic engineer conduct a study to determine if trucks and large commercial vehicles should be restricted from parking overnight in the Bow Tree development.

Please give me a call at 610-692-7171 or email me at <u>rsmith@eastgoshen.org</u> if you have any questions or need additional information.

Sincerely,

Rich Smith In

Township Manager

F:\Data\Shared Data\Admin Dept\townshipcode\Parking 2009\Letter to BowTree 060309.doc

U.S. MUNICIPAL SUPPLY, INC. P.O. Box 574 • Huntingdon, PA 16652 1-800-222-1980 1-814-627-3381 Fax

THIS IS A QUOTE FOR A MORE PREMANENT SIGN FOR THE DU PROGRAM ARGAS.

-MARK



PROPOSAL

NO. 38491

DATE: 07/14/09

PAGE: 1

To: 305 DM 121CK

SOLD TO: Mark Miller

EAST GOSHEN TOWNSHIP

1580 PAOLI PIKE

WEST CHESTER, PA 19380

SHIP TO: Mark Miller

EAST GOSHEN TOWNSHIP

1580 PAOLT PIKE

WEST CHESTER, PA 19380

PHONE: (610)692-7171 OFFICE

FAX# : (610)692-8950 FAX

PHONE: (610)692-7171 OFFICE

BALANCE DUE \$

512.00

JOB # LMM SHIP VIA: .UPS CLIENT # F193802954 PO # | UNIT PRICE | EXTENSION QUANTITY | U/M | STOCK # DESCRIPTION 512.00 T 40.00 EA CUSTOM18X126+ "Township Property 12.800| NO HUNTING...." 18X12X.080 BLACK TEXT AND BORDER ON ORANGE ENG/GRADE *This is a standard alum blank with radius corners and center punched holes. Mark, Thank you for the opportunity to quote this. A UPS charge will apply. If you need to place this order please sign this quote and fax to: 814-627-9373. Thanks, Lisa 512.00 PAYMENT TERMS: DISCOUNT: 0.00% 0 NET: 30 SUBTOTAL \$ FREIGHT \$ 0.00 SALES TAX \$ 0.00 DATE: TOTAL | \$ 512.00 FOR EAST GOSHEN TOWNSHIP: DEPOS REQD |\$ PROPOSAL VALID FOR 30 DAYS 0.00

WESTTOWN TOWNSHIP PLANNING COMMISSION MEETINGRY Stokes Assembly Hall

1039 Wilmington Pike, Westtown Township May 20, 2009 - 7:30PM

UUN 22 2009

Call to Order

Chairman Purcell led those present in the Pledge of Allegiance to the Flag and called the meeting to order.

Present

Commissioners - Whitig, Walter, Adler, Purcell, Lees, Pomerantz, and Rohrbach. Also present were Township Manager Robert Layman, Township Engineer Rob Pingar, one guest and those mentioned below.

Adoption of Agenda

The Agenda was adopted as submitted (MP/JL).

Approval of Minutes

The minutes of the Planning Commission meeting of April 8, 2009 were approved as submitted. (MP/JL) Approved - Whitig, Walter, Adler, Purcell, Lees. Abstain - Pomerantz, Rohrbach.

Reports.

Brent Whitig reported on the Board of Supervisors meeting of May 18th. He reported to the Board that the Commission recommended accepting the architectural changes. The Board agreed, however, there was some discussion of the exact terms of the fee in lieu of landscaping. The Lighting Amendment is scheduled for a hearing at the June 15th Board Meeting following review by Chester County Planning Commission.

Announcements

Chester County Planning Commission will hold a Landscape 2 update meeting on June 10th, 7:30pm, at the Government Services Building.

Dick Pomerantz asked about the Township/s regulations relating to door to door solicitors. Non-profits are not required to get a permit, but the Township does get the names and advise the Police Department. Those persons actually selling services or products are required to get a permit.

Non-agenda Public Comment. None at this time.

Tract 2008-10, J & A Construction, 1015 Shiloh Road.

Present were developer Fred Tordone and Engineer Steve Sauselein of E. B. Walsh Associates. PC received revised plan dated April 30, 2009, McCormick Taylor letter dated May 20, 2009, and Chester County Conservation District (CCCD) letter dated May 18, 2009.

Mr. Sauselein said that the PaDEP has approved exemption from Planning Modules. He further stated that the applicant has complied with URS comments. Referring to the McCormick Taylor letter, he argued that there is nothing further to be done relating to approval of septic systems at this point as DEP has granted the planning module exception. Septic permit applications will be submitted to Chester County Health Department for review and approval at the proper time. Mr. Pingar indicated that other than the sewer/septic issues, all other comments in the May 20th letter were technicalities. URS has not yet confirmed that all requested revisions in the March 3rd letter have been made. PC will make confirmation of this a condition of approval. The PC suggested designating a backup area for replacement of a septic system on the plan although this not currently required by Chester County Health Department or by

Township Ordinance for lots of the size proposed by this subdivision. Mr. Tordone indicated areas on the lots where perc tests had been performed and where replacement septic systems could be located. Mr. Sauselein confirmed that there were areas available. The Commission will make URS confirmation of the engineer's testimony a condition of approval.

The plan shows a proposed public sewer connection for Lot 1 since there is a sewer main (non-functional) in Shiloh Road in front of this lot. The sewer main does not extend to Lot 2. PC suggests that a plan note be added stating that the Board of Supervisors may require Lot 2 to be connected at such time as connection is possible.

Motion, (MPJL)) the Planning Commission recommends that the Board approve the Preliminary/Final Plan for Tract 2008-10 with the following conditions:

- 1. All items in the McComick Taylor letter of 5/20/2009 are addressed.
- 2. URS confirms that the items in their letter of 3/3/2009 have been addressed and that URS confirms the testimony of the applicant's engineer that there is suitable area available for replacement septic systems if required.
- 3. A note is added stating that the Board of Supervisors may require that Lot 2 be connected to the public sewer when available.

Unanimously approved.

Zoning Hearing Board - Variance Application, 67-3-147, 1638 East Street Road

The Township has received an application for a Building Permit for a new house on this property. Present were Steve Lady, property owner, and his Engineer Rob Lambert. During review of the application for the required Storm Water Management permit, the Township Engineer observed that the house did not have the proper setback from the Ultimate Right-of-way of East Street Road (Route 926). A new plan, with the proper setback, was submitted, however, this shows the building footprint intruding into the 75 foot stream buffer.

Engineer Rob Lambert stated that, while the applicant does not necessarily agree that the setback should be measured from the ultimate right-of-way as Route 926 is a state highway and the ultimate right-of-way is not required by PennDOT, they have agreed to move the building envelope. There is a problem because the 75 foot riparian buffer required for a perennial stream covers approximately 60 percent of the property. The new building footprint intrudes slightly into this area. Mr. Lambert explained that it is not possible to locate the desired house on the property and comply with both the ultimate right-of-way and the riparian buffer requirements. Steve Love, property owner, states that this is not a perennial stream as there is no water flowing during dry periods. Mr. Lambert notes that the intrusion is minor and the contours are such that the actual runoff flows further than 75 feet before reaching the stream bed.

As this property is located in an area where right-of-way on this property would be necessary to realign Route 926 to mitigate a bad curve, the Township Staff and Engineer suggest it would be preferable to have the setback measured from the ultimate right-of-way.

Motion (MP/RP), As the applicant has maintained the setback from the ultimate right-of-way which the Planning Commission considers the preferable arrangement for safety reason, the Commission suggests that the Zoning Hearing Board grant the requested variance to permit the encroachment into the riparian as shown on the applicant's plan. The Commission also recommends that the applicant not be permitted to remove any viable landscaping features existing within the riparian buffer in order to mitigate the impact of this intrusion.

Public Comment.

Walter Pavelchek, South New Street, commented that the 75 buffer was incorporated as a result of Chester County Landscapes. He also noted that in most cases the riparian buffer consists of lawn which does not function to preserve the stream as intended.

Unanimously approved.

Public Comment None at this time.

Adjournment. - (MP/JL) 8:19PM

Elaine L. Adler Planning Commission Secretary