

**AGENDA**  
**EAST GOSHEN TOWNSHIP**  
**BOARD OF SUPERVISORS**  
**1580 Paoli Pike, 2<sup>nd</sup> Floor**  
Tuesday, March 7, 2023  
7:00 PM

To Join Zoom Meeting:

**Link:** <https://us02web.zoom.us/j/87111534696>

**Dial In Number:** 1 929 205 6099

**Meeting ID:** 871 1153 4696

**During this *hybrid* BOS meeting, public comment will be handled as follows:**

- The Zoom public is asked to remain muted during the meeting when the Board is talking.
- If you do not wish to be seen on the Board Room TVs or the YouTube Recording, your camera must be turned off via Zoom.
- In-person public participants will be given the ***first*** opportunity to comment and ask questions on each agenda item that requires a Board vote.
- The Zoom public participants will be given the ***second*** opportunity to comment and ask questions on each agenda item that requires a Board vote.
  - Zoom participants wishing to comment must raise their hand icon, state their name, and must speak one at a time.

1. Call to Order (7:00 PM)
2. Pledge of Allegiance
3. Moment of Silence  
Announce that this meeting is being recorded via Zoom. A recording will be uploaded later to the Township's YouTube channel for viewing.
4. Chairman's Report (7:05 PM to 7:10 PM)
  - a. The board met in executive session on March 1<sup>st</sup> and prior to this board meeting prior in order to discuss a legal matters.
5. Public Hearings (7:10 PM to 7:35 PM)
  - a. [Consideration of ordinance 129-A-2023, revising accessory use in a planned golf development district – Applebrook Maintenance Facility area.](#)
6. Emergency Services Reports
  - a. WEGO – None
  - b. Goshen Fire Co – None
  - c. Malvern Fire Co – None
  - d. Good Fellowship – None
  - e. Fire Marshal – None
7. Financial Report – None
8. Approval of Minutes and Treasurer's Report
  - a. Minutes – None
  - b. Treasurer's Report – None
9. Old Business
  - a. [Rendering of Conditional Use \(CU\) decision for 1010 Hershey Mill Road. \(7:35 PM to 8:00 PM\)](#)
  - b. [Continued discussion on Ordinance 129-G-2022 pertaining to noise and nuisance, originally passed on November 15<sup>th</sup>, 2022. \(8:00 PM to 8:25 PM\)](#)

- c. Possible approval of Request for Qualifications (RFQ) for a WEGO Staffing/Policing Model Study. (8:25 PM to 8:35 PM)
- 10. New Business
  - a. Consideration of the Environmental & Sustainability Advisory Committee's (ESAC) request to change the start time of their monthly meetings. (8:35 PM to 8:40 PM)
  - b. Consider escrow release #1 for 706 Hemlock Kill Lane. (8:40 to 8:45)
- 11. Standing Issues/Projects (8:45 PM to 8:50 PM)
  - a. Milltown Dam Project
  - b. Hershey's Mill Estates – Sewer Line Replacement
- 12. Any Other Matter
- 13. Public Comment (8:50 PM to 9:10 PM)
- 14. Liaison Reports
- 15. Correspondence, Reports of Interest.
- 16. Adjournment (9:10 PM)

### Meetings & Dates of Importance

<i>Date</i>	<i>Meeting</i>	<i>Time</i>
March 8	Conservancy Board	7:00pm
March 9	Pipeline Task Force	5:30pm
March 13	Municipal Authority	7:00pm
March 16	Futurist Committee	7:00pm
March 21	Board of Supervisors	7:00pm
March 27	ESAC	7:00pm
April 4	Board of Supervisors	7:00pm
April 5	Planning Commission	7:00pm
April 6	Park & Rec Commission	7:00pm
April 7	Township Office Closed	
April 10	Municipal Authority	7:00pm
April 12	Conservancy Board	7:00pm
April 13	Pipeline Task Force	5:30pm
April 18	Board of Supervisors	7:00pm
April 20	Futurist Committee	7:00pm
April 22	Keep East Goshen Beautiful Day	8:00am
April 24	ESAC	7:00pm
April 25	Planning Commission	7:00pm
May 2	Board of Supervisors	7:00pm
May 4	Park & Rec Commission	7:00pm
May 8	Municipal Authority	7:00pm
May 10	Conservancy Board	7:00pm
May 11	Pipeline Task Force	5:30pm
May 16	Board of Supervisors	7:00pm
May 18	Futurist Committee	7:00pm

The Chairperson, in his or her sole discretion, shall have the authority to rearrange the agenda accommodate the needs of other board members, the public or an applicant.

**Public Comment** – Pursuant to Section 710.1 of the Sunshine Act the Township is required to include an opportunity for public comment which is intended to allow residents and/or taxpayers to comment on matters of concern, official action or deliberation which are or may be before the Board of Supervisors. Matters of concern which merit additional research will be placed on the agenda for the next meeting. The Board of Supervisors will allocate a maximum of 30 minutes for public comment at each meeting.

**Constant Contact** - Want more information about the latest news in the Township and surrounding area? East Goshen Township and Chester County offer two valuable resources to stay informed about important local issues. East Goshen communicates information by email about all Township news through Constant Contact. To sign up, go to [www.eastgoshen.org](http://www.eastgoshen.org), and click the “E-notification & Emergency Alert” button on the left side of the homepage.

**ReadyChesco** - Chester County offers an emergency notification system called ReadyChesco, which notifies residents about public safety emergencies in the area via text, email and cell phone call. Signing up is a great way to keep you and your loved ones safe when disaster strikes. Visit [www.readychesco.org](http://www.readychesco.org) to sign up today!

**Smart 911** – Smart 911 is a new service in Chester County that allows you to create a Safety Profile at [www.smart911.com](http://www.smart911.com) that includes details you want the 9-1-1 center and public safety response teams to know about your household in an emergency. When you dial 9-1-1, from a phone associated with your Safety Profile that information automatically displays to the 9-1-1 call taker allowing them to send responders based on up-to-date location and emergency information. With your Safety Profile, responders can arrive aware of many details they would not otherwise know. Fire crews can arrive knowing exactly how many people live in your home and where the bedrooms are located. EMS personnel can know family members’ allergies or specific medical conditions. And police can access a photo of a missing family member in seconds rather than minutes or hours, helping the search start faster.

### **Westtown East Goshen Regional Police Department**

Do you want to get the latest news about what is happening with the Westtown-East Goshen (WEGO) Police Department? WEGO has an online tool called CRIME WATCH that gives the public direct access to crime and public safety related information happening in our community. Local residents are encouraged to visit the website and connect with the police department social media sites.

To sign up for CRIME WATCH, <https://chester.crimewatchpa.com/wegopd/53548/content/links>.

# MEMO

Date: March 2, 2023  
From: Derek Davis, Township Manager  
To: Board of Supervisors  
Re: Possible Approval of Ordinance 129-A-2023 (Applebrook Maintenance Facility Project)

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Applebrook Golf Club is looking to upgrade their employee and maintenance facility area located just off of Paoli Pike at the intersection of Paoli Pike and Hibberd Lane, near the Chester County Chamber of Business and Industry.

From a land development perspective this is a rather simple project that has been overcomplicated by a tri-party agreement set forth during the creation of the Applebrook Tract between the county, the township, and the golf club. Essentially, the building's footprint is the actual lot lines and, as the board is aware, lot lines and boundaries are an important piece of our Subdivision and Land Development (SALDO) regulations.

Because of this complication, there are a couple of steps that are being proposed to remedy the situation prior to the actual land development process. One, an easement needs to be worked out between East Goshen and the club. Second, an ordinance change regarding footprint lots that are used for maintenance being accessory uses in this zoning district is being proposed to help with the lot line issue.

The ordinance is attached along with the Chester County Planning Commission review letter as well as a memo from our Zoning Officer affirming the East Goshen Planning Commission's support of the change. Our solicitor can explain in further detail the purpose of all these moving parts.

**DRAFT MOTION:** Mr. Chairman, I make a motion we approve ordinance 129-A-2023, to revise accessory uses in a planned golf course development district.



# Memorandum

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**East Goshen Township**  
**1580 Paoli Pike**  
**West Chester, PA 19380**  
Voice: 610-692-7171  
Fax: 610-692-8950  
E-mail: [dbrady@eastgoshen.org](mailto:dbrady@eastgoshen.org)

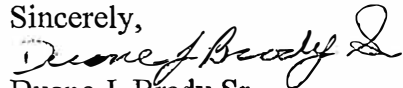
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Date: March 1, 2023  
To: Board of Supervisors  
From: Duane J. Brady Sr., Township Zoning Officer  
Re: Applebrook LD / Turf Maintenance Area

Dear Board of Supervisors,

At their meeting on Tuesday February 28, 2023, the Planning Commission voted 4-0 to recommend that the Board of Supervisors approve the proposed Zoning Ordinance change to section 240-30.1.C (1) of the Code of Ordinance, titled "Planned Golf Course Development".

Sincerely,



Duane J. Brady Sr.  
East Goshen Township  
Zoning Officer



# THE COUNTY OF CHESTER



COMMISSIONERS  
Marian D. Moskowitz  
Josh Maxwell  
Michelle Kichline

Brian N. O'Leary, 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

February 14, 2023

Derek Davis, Manager  
East Goshen Township  
1580 Paoli Pike  
West Chester, PA 19380

Re: Zoning Ordinance Amendment - Accessory Buildings in a Planned Golf Course Development  
# East Goshen Township – ZA-01-23-17533

Dear Mr. Davis:

The Chester County Planning Commission has reviewed the proposed Zoning Ordinance Amendment as submitted pursuant to the provisions of the Pennsylvania Municipalities Planning Code, Section 609(e). The referral for review was received by this office on January 20, 2023. We offer the following comments to assist in your review of the proposed amendment.

**DESCRIPTION:**

1. The Township proposes to amend the standards for accessory buildings in a Planned Golf Course Development set forth in Section 240-30.1.C(1)(g) of the Township Zoning Ordinance.

**COMMENTS:**

2. The proposed ordinance language appears to be appropriate.

**RECOMMENDATION: The County Planning Commission supports the adoption of the proposed zoning ordinance amendment.**

We request an official copy of the decision made by the Township Supervisors, 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,

Paul Farkas  
Senior Review Planner

*(Existing ordinance 240.30.1C(1)(g) - compared with Draft ordinance - Bill Christmas repealed from 1-20 - provisions only.*

(g) Accessory buildings. Maintenance buildings for storage and maintenance of equipment directly related to the golf course use may be located off site on property contiguous to the golf course, provided that there is direct access to and from the accessory buildings to the golf course over a private street or driveway serving the golf course and a subdivision plan of the off-site property is approved by the Board of Supervisors. In such case:

~~{Added 8-7-2001 by Ord. No. 129-D-01}~~

[1] Accessory buildings may be located on a "footprint lot" which, for purposes of this provision, is defined to mean the perimeter of the existing or proposed building coincident with the building's foundation and outer walls, ~~in which case; provided, where a part of an existing building that is located on a footprint lot is proposed to be demolished and reconstructed, in whole or in part, and expanded beyond the boundary of the footprint lot, the area of any such existing building expansion may be located within any contiguous permanent easement area that has been deeded in perpetuity to the owner of the footprint lot and constitutes a permanent part of the golf course maintenance facility. In either case,~~ the provision of Subsection C(1)(g)[2] shall apply.

~~{2}~~

[2] Footprint lots. When the maintenance building is proposed to be located on a footprint lot, or within any portion of a contiguous permanent easement area deeded in perpetuity to the owner of the footprint lot, the subdivision or land development plan depicting the building or buildings, as reconstructed or expanded, shall demonstrate that there is sufficient area on the parent lot from which the footprint lot is being subdivided, or has previously been subdivided, without violation of any setback encroachments from the boundaries of the parent lot, to contain the required parking, shared access to the footprint lot and permanent easement, stormwater, storm water management, if any, and utilities within a shared easement area of not less than 24,000 square feet per building; ~~within the shared easement area, there shall be designated for the benefit of the maintenance building owner a nonexclusive area not more than 10 feet around the perimeter of the building for building maintenance purposes; the footprint lot the footprint lot and the expanded building~~ shall comply with the front, rear and side yard requirements for the parent lot set forth in § 240-20F(3), except the building(s) shall be limited to one story and shall not exceed 20 feet in height; the owner of the parent lot shall retain the right to use the parent lot for all purposes not inconsistent with the shared easement; ~~and unless already in effect,~~ the subdivision and/or land development application shall be accompanied by a declaration of covenants, easements and restrictions which provides for and defines the shared access, parking and utility usage in common with the owner of the parent lot and the rights and obligations of the parties with respect thereto, in form and content acceptable to the Township Solicitor, which shall be recorded with the approved final land development or subdivision plan.



# THE COUNTY OF CHESTER



COMMISSIONERS  
Marian D. Moskowitz  
Josh Maxwell  
Michelle Kichline

Brian N. O'Leary, 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

February 14, 2023

Derek Davis, Manager  
East Goshen Township  
1580 Paoli Pike  
West Chester, PA 19380

Re: Zoning Ordinance Amendment - Accessory Buildings in a Planned Golf Course Development  
# East Goshen Township – ZA-01-23-17533

Dear Mr. Davis:

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**COMMENTS:**

2. The proposed ordinance language appears to be appropriate.

**RECOMMENDATION:** The County Planning Commission supports the adoption of the proposed zoning ordinance amendment.

We request an official copy of the decision made by the Township Supervisors, 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,

Paul Farkas  
Senior Review Planner

## **PUBLIC NOTICE**

**NOTICE IS GIVEN** that the Board of Supervisors of East Goshen Township will hold a public hearing to consider passage of the following ordinance during its regular meeting on March 7, 2023, at 7:00 p.m. at the Township Municipal Building located at 1580 Paoli Pike, West Chester, PA 19380. Following the public hearing, the Board will consider enactment of the proposed ordinance at its regular meeting of the Board of Supervisors. A full text copy of the ordinance is available for public examination without charge or may be obtained for a charge not greater than the cost thereof at the Municipal Building. For further information, please contact Derek Davis, Township Manager (610-692-7171). The preamble and a brief summary prepared by the solicitor listing the provisions in reasonable detail follows:

**AN ORDINANCE OF THE TOWNSHIP OF EAST  
GOSHEN, CHESTER COUNTY, PENNSYLVANIA,  
AMENDING THE ZONING ORDINANCE, CHAPTER  
240, TO REVISE THE REQUIREMENTS FOR  
ACCESSORY BUILDINGS IN A PLANNED GOLF  
COURSE DEVELOPMENT.**

- Section 1. Amends § 240-30.1.C(1)(g) of the Code of Ordinances of East Goshen Township, titled "Planned Golf Course Development", to amend the regulations regarding accessory golf course buildings on footprint lots.
- Section 2. Contains a severability clause.
- Section 3. Authorizes the codification of this ordinance by General Code.
- Section 4. Contains a repealer clause.
- Section 5. This ordinance shall become effective upon enactment as provided by law.

William R. Christman III, Township Solicitor

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Please publish in the Daily Local News twice on February 17 & February 23, and send proof of publication and statement to Derek Davis, Township Manager, 1580 Paoli Pike, West Chester, PA 19380.

cc: Derek Davis, Township Manager ([ddavis@eastgoshen.org](mailto:ddavis@eastgoshen.org))  
Cara Fitzpatrick, Court Reporter ([cfitzpatrick@chesco.org](mailto:cfitzpatrick@chesco.org))  
Brian Nagle, Esq. ([bnagle@macelree.com](mailto:bnagle@macelree.com))



**EAST GOSHEN TOWNSHIP  
CHESTER COUNTY, PENNSYLVANIA**

**● Ordinance No. — — — —**

**AN ORDINANCE OF THE TOWNSHIP OF EAST  
GOSHEN, CHESTER COUNTY, PENNSYLVANIA,  
AMENDING THE ZONING ORDINANCE, CHAPTER  
240, TO REVISE THE REQUIREMENTS FOR  
ACCESSORY BUILDINGS IN A PLANNED GOLF  
COURSE DEVELOPMENT.**

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

**SECTION 1.** Section 240-30.1.C(1)(g) of the Code of Ordinances, titled "Planned Golf Course Development", is hereby amended to read as follows:

(g) Accessory buildings. Maintenance buildings for storage and maintenance of equipment directly related to the golf course use may be located off site on property contiguous to the golf course, provided that there is direct access to and from the accessory buildings to the golf course over a private street or driveway serving the golf course and a subdivision plan of the off-site property is approved by the Board of Supervisors. In such case:

[1] Accessory buildings may be located on a "footprint lot" which, for purposes of this provision, is defined to mean the perimeter of the existing or proposed building coincident with the building's foundation and outer walls; provided, where a part of an existing building that is located on a footprint lot is proposed to be demolished and reconstructed, in whole or in part, and expanded beyond the boundary of the footprint lot, the area of any such existing building expansion may be located within any contiguous permanent easement area that has been deeded in perpetuity to the owner of the footprint lot and constitutes a permanent part of the golf course maintenance facility. In either case, the provision of Subsection C(1)(g)[2] shall apply.

[2] Footprint lots. When the maintenance building is proposed to be located on a footprint lot, or within any portion of a contiguous permanent easement area deeded in perpetuity to the owner of the footprint lot, the subdivision or land development plan depicting the building or buildings, as reconstructed or expanded, shall demonstrate that there is sufficient area on the parent lot from which the footprint lot is being subdivided, or has previously been subdivided, without violation of any setback encroachments from the boundaries of the parent lot, to contain the required parking, shared access to the footprint lot and permanent easement, storm water management, if any, and utilities within a shared easement area of not less than 24,000 square feet per building; the footprint lot and the expanded building shall comply with the front, rear and side yard requirements for the

parent lot set forth in § 240-20F(3), except the building(s) shall be limited to one story and shall not exceed 20 feet in height; the owner of the parent lot shall retain the right to use the parent lot for all purposes not inconsistent with the shared easement; unless already in effect, the subdivision and/or land development application shall be accompanied by a declaration of covenants, easements and restrictions which provides for and defines the shared access, parking and utility usage in common with the owner of the parent lot and the rights and obligations of the parties with respect thereto, in form and content acceptable to the Township Solicitor, which shall be recorded with the approved final land development or subdivision plan.

**SECTION 2.** 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 therein.

**SECTION 3.** General Code is hereby authorized to make any necessary formatting and numbering changes needed in order for this Ordinance to be made consistent with the formatting and numbering standards applicable to the East Goshen Township Code of Ordinances as published by General Code.

**SECTION 4.** All Ordinances or parts of Ordinances conflicting with any provision of this Ordinance are hereby repealed insofar as the same affects this Ordinance.

**SECTION 5.** This Ordinance shall become effective five days after enactment.

**ENACTED and ORDAINED** this \_\_\_\_ day of \_\_\_\_\_, 2023.

**BOARD OF SUPERVISORS  
EAST GOSHEN TOWNSHIP**

\_\_\_\_\_  
**John Hertzog, Chair**

\_\_\_\_\_  
**Michael Lynch, Vice Chair**

\_\_\_\_\_  
**Cody Bright, Member**

\_\_\_\_\_  
**David E. Shuey, Member**

\_\_\_\_\_  
**Michele Truitt, Member**

**ATTEST:**

\_\_\_\_\_  
**Derek J. Davis, Secretary**

# MEMO

Date: March 2, 2023  
From: Derek Davis, Township Manager  
To: Board of Supervisors  
Re: Rendering of Conditional Use Decision for 1010 Hershey Mill Road

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A hearing for conditional use in order to develop the property at 1010 Hershey Mill Road by Grove Meadow Developers was opened on November 15<sup>th</sup> and immediately continued. The bulk of the hearing was held on January 17<sup>th</sup>. I have re-attached some items from that January meeting. The property lies within the R-2 Zoning District which allows an option for a *Single-family Open Space Development* to be permitted under conditional use. This option is what the applicant is seeking.

A draft decision has been prepared based on the hearing and extensive feedback from the board members. I will reiterate again that this is not land development approval and the developer still needs to go through the full land development process should the conditional use application be approved.

If the approval were to be voted on in the affirmative, a draft motion would be as follows:

**DRAFT MOTION:** Mr. Chairman, I make a motion we grant conditional use to the applicant at 1010 Hershey Mill Road subject to adherence of all stipulations set forth in the draft conditional use decision.



One South Church Street  
Second Floor  
West Chester, PA 19382  
T: 610-429-8907  
F: 610-429-8918

www.pennoni.com

October 27, 2022

EGOST 00134

Duane Brady, Zoning Officer  
East Goshen Township  
1580 Paoli Pike  
West Chester, PA 19380

RE: 1010 Hershey Mill Road  
Conditional Use/Sketch Plan – 2<sup>nd</sup> Submission

Dear Duane:

As requested, we have reviewed the following information, prepared by dH Enterprises, Inc., regarding the referenced submission:

- "Open Space Development Layout Plan" (one sheet) dated August 22, 2022 (no revision date); and
- Conditional Use application and transmittal letter.

The applicant and equitable owner, Grove Meadow Developers LLC of Berwyn, on behalf of the owners, Mark & Christine Miller of Wayne, request conditional use approval to subdivide and develop UPI 53-1-19 (±16.1 acres) with fifteen (15) single-family residential lots developed under the *Single-Family Open Space Development Option* (§240-36). Two (2) of the lots contain existing buildings and/or historic resources. The parcel is located on the west side of Hershey Mill Road (T-452) approximately 1,950 feet north of its intersection with Greenhill Road, within the R-2 Low Density Residential District and proposed to be required conditional use approval. The development is proposed to be served by public water supply and public sanitary sewer.

***We offer the following comments, based upon the resubmission, discussions at the October Planning Commission meeting, adjacent resident feedback and a site visit (new comments in bold/italics):***

1. It is unclear if area and bulk regulations within the underlying R-2 District not specifically addressed or amended within the *Single-Family Open Space Development Option* are applicable. Further discussions with the Zoning Officer and Township Solicitor may be required.

***Resolved.***

2. Each single-family detached dwelling shall be separated from any other single-family detached dwelling by a minimum of 30 feet. (§240-36.C(1)) There are multiple locations where this requirement is not met.

***Resolved. The proposed homes are separated by at least 30 feet.***

3. There shall be a minimum of three off-street parking spaces for each unit. Each parking space shall be designed so that the motor vehicle may proceed to and from the parking space provided for it without requiring any other vehicle to be moved. (§240-36.C(6))



***Resolved. Additional parking spaces are now indicated.***

4. Rolled curb is required for the proposed cartway width of 18-feet. (240-36.C(4))

***Resolved. Rolled curb is now indicated.***

5. Please note storage sheds are not a permitted accessory use. (§240-36.D(2)(a))

***Resolved. See Note 8.***

6. Regarding open space:

- a. The land development plans shall contain the following statement: "*Open space land may not be separately sold, nor shall such land be further developed or subdivided.*" The subdivision or land development plans shall further designate the use of open space, the type of maintenance to be provided and a planting plan or schedule (§240-36.E).

***Resolved. See Note No 1.***

- b. All required common open spaces shall be protected by a conservation easement. Ownership for the open space area shall be by any of the following procedures: ownership by Township, a nature organization, individuals, or other (§240-36.E(2)). It is anticipated that the Township prefers a HOA manage the open space, but this should be discussed further with the Board and appropriate management plans, agreements and/or easements established.

***Resolved. Open space to be owned by an HOA; see Notes 4 & 5.***

- c. The developer shall provide designated planting and areas suitable for active or passive recreation within open space areas. The use of species of vegetation that are native to the area is encouraged. (§240-36.E(3))

***Resolved. General landscaping locations have been indicated; additional design pending submission of subdivision and land development plans.***

- d. If the Board determines that an area is needed for active recreation, then a suitable area shall be provided. (§240-36.E(5)(b))

***Pending. A central green area is provided and is subject to review by the Planning Commission and Board.***

- e. Open space plans areas shall be designated per §240-36.E(5)(g)) as lawn, natural area, recreation area or planting area.

***Resolved. Duplicate comment with No. 6f, below.***

- f. Common open space areas that are not already wooded and are not approved as lawn, natural areas or recreation areas shall be attractively and extensively landscaped, according to a plan approved by the Board. (§240-36.E(5)(g)) Consideration to buffering adjacent properties should be considered.

***Pending. General landscaping and green areas have been indicated; additional design pending submission of subdivision and land development plans. See additional new comments below.***

- g. The Township Planning Commission, the Conservancy Board, the Park and Recreation Board and the Historical Commission shall be given the opportunity to inspect the property with the applicant and the design team, in order to determine which areas of the property or which views should be preserved. (§240-36.F(2)) We recommend a site visit be offered to these parties and Township staff and Officials prior to preliminary plan submission.

***Resolved. A site visit was scheduled and completed on October 18, 2022.***

- 7. Per discussions with Township Solicitor, it is the Township's opinion that the applicant is proceeding in accordance with §240-36.E(6).

***No action necessary.***

- 8. Regarding flag lots:

- a. Per §240-23.B(2)(b)[2][c], a maximum of one (1) one flag lot may be created from each parent lot that existed as a single and separate lot of record at the time of adoption. Two (2) flag lots are proposed.

***Pending. The applicant has indicated that they will request a condition be applied via the Conditional Use process and in conjunction with the preservation of the existing historic resources to permit the proposed layout; see comment No. 13, below.***

- b. The 'pole' portion of the flag lot shall maintain a minimum lot width of forty (40) feet for its full length. (§240-23.B(2)(b)[2][e]) Thirty (30) feet is proposed.

***Resolved. The flag portions of Lots 14 & 15 have been widened to 40 feet for its entire length.***

- 9. We recommend reviewing the environmental protection requirements of §240-25 and flood prone area regulations of §240-26 prior to preliminary submission.

***No action necessary.***

- 10. Note the process and procedures for conditional use approvals per §240-31.

***No action necessary.***

- 11. A historic resource impact study (HRIS), prepared by a registered architect specializing in historic preservation and adaptive reuse of historic buildings and structures, shall be submitted to the Township as part of the preliminary plan submission per §240-38.10.A(1).

***Pending.***

- 12. Residential conversion of any structure designated as an historic resource into one or more dwelling units is permitted as a conditional use, subject to the requirements of §240-38.5.A(2)(c). (§240-38.5.A(2)) The Township and/or Historic Commission should confirm the extent of existing historic resources on site, notably Lot 14, which appears to propose re-use of an existing barn. Additional conditional use approval for this may be required.

***Pending.***

13. All area and bulk regulations and design standards otherwise applicable in the underlying zoning district shall apply to the use or reuse of an historic resource. However, in order to facilitate the use of the historic resource permitted §240-38.5, the Board of Supervisors, as part of the conditional use approval, may grant modifications to the otherwise applicable area and bulk regulations applicable to the use or adaptive reuse of the historic resource. In no event shall the Board of Supervisors grant modifications to the height requirement and design standards applicable to the historic resource. The applicant should clarify if any modifications are requested.

***Pending.***

14. The applicant should contact Mike Ellis, PE ([mellis@pennonl.com](mailto:mellis@pennonl.com)) and Mark Miller to discuss sanitary sewer requirements; upgrades to the conveyance and/or pump station may be necessary.

***Pending. However, a sanitary sewer easement to Goshen Downs should be considered.***

15. Stormwater conveyance through the site from the adjacent stormwater management basin to the west shall be accommodated, including any necessary stormwater easements.

***Pending. Applicant has acknowledged the off-site stormwater conditions and has indicated it is feasible to incorporate conveyance and possible detention/retention within their site.***

16. It may be appropriate to consider pedestrian connections to the neighborhoods to the west and east such as a trail and/or access easement to the Township owned parcel on Jackson Lane (UPI #53-1M-21) and a pedestrian crossing, per PENNDOT regulations, across Hershey Mill Road to Tanglewood Drive.

***Pending. Based on adjacent resident feedback and discussions with all parties:***

- a. *It may be appropriate to consider an access easement/right-of-way only to the adjacent Township parcel, with no formal/physical trail connection.*
- b. *Any easement/right-of-way should be clearly demarcated via post and rail fencing (or similar) and clearly indicated on the plan.*
- c. *Trail access through the site to a Hershey Mill Road pedestrian crossing should be considered, via an asphalt surface that minimizes conflicts with proposed driveways.*

17. Please contact our office 48-hours in advance of any stormwater management testing.

***Pending.***

18. Please include the Township in any pre-application meetings and/or submissions to the Chester County Conservation District and/or PADEP.

***Pending.***

19. It may be appropriate to remove the existing driveway and stream crossing if Lot 15 will be accessed via the proposed road.

***Pending. Applicant will explore permitting for this removal.***

20. It is unclear why 16- and 20-foot setbacks from the right-of-way are indicated.

***Resolved. These setbacks have been removed.***

21. The following items are required for a sketch plan (§205-27.B):
- a. Graphic scale; ***Resolved***
  - b. Proposed water supply and sewage features; ***Outstanding***
  - c. Soil types; ***Outstanding***

**NEW COMMENTS**

22. ***As part of a conditional use application for any residential development where the tract proposed for the principal use is located within 660 feet of the center line of any hazardous liquid pipeline or natural gas transmission pipeline a pipeline awareness study will be required; please confirm the distance to the Adelphia pipeline to the west. (§205-40.1)***
23. ***A trail/sidewalk easement should be provided along the frontage of Hershey Mill Road for future connections.***
24. ***Site layout and grading should be sensitive of existing fencing, vegetation and hedgerows that provide screening for adjacent properties, and the landscape plan address should address gaps in these areas.***
25. ***The applicant confirmed that the building/impervious areas indicated are intended to be the 'maximum' permitted for each lot, and the stormwater system will be design to accommodate the same.***
26. ***Proposed fencing should consider the context of the area; it may be appropriate to restrict any fencing to post and rail.***
27. ***Submission is subject to Fire Marshall review.***

Should you have any further questions or comments, please contact the undersigned.

Sincerely,

PENNONI



Nathan M. Cline, PE  
Township Engineer

cc (via e-mail): Derek Davis, Township Manager  
Mark Miller, Public Works  
Bill Christman, Township Solicitor  
Michael D. Hartman, PE, dH Enterprises  
Grove Meadow Developers LLC





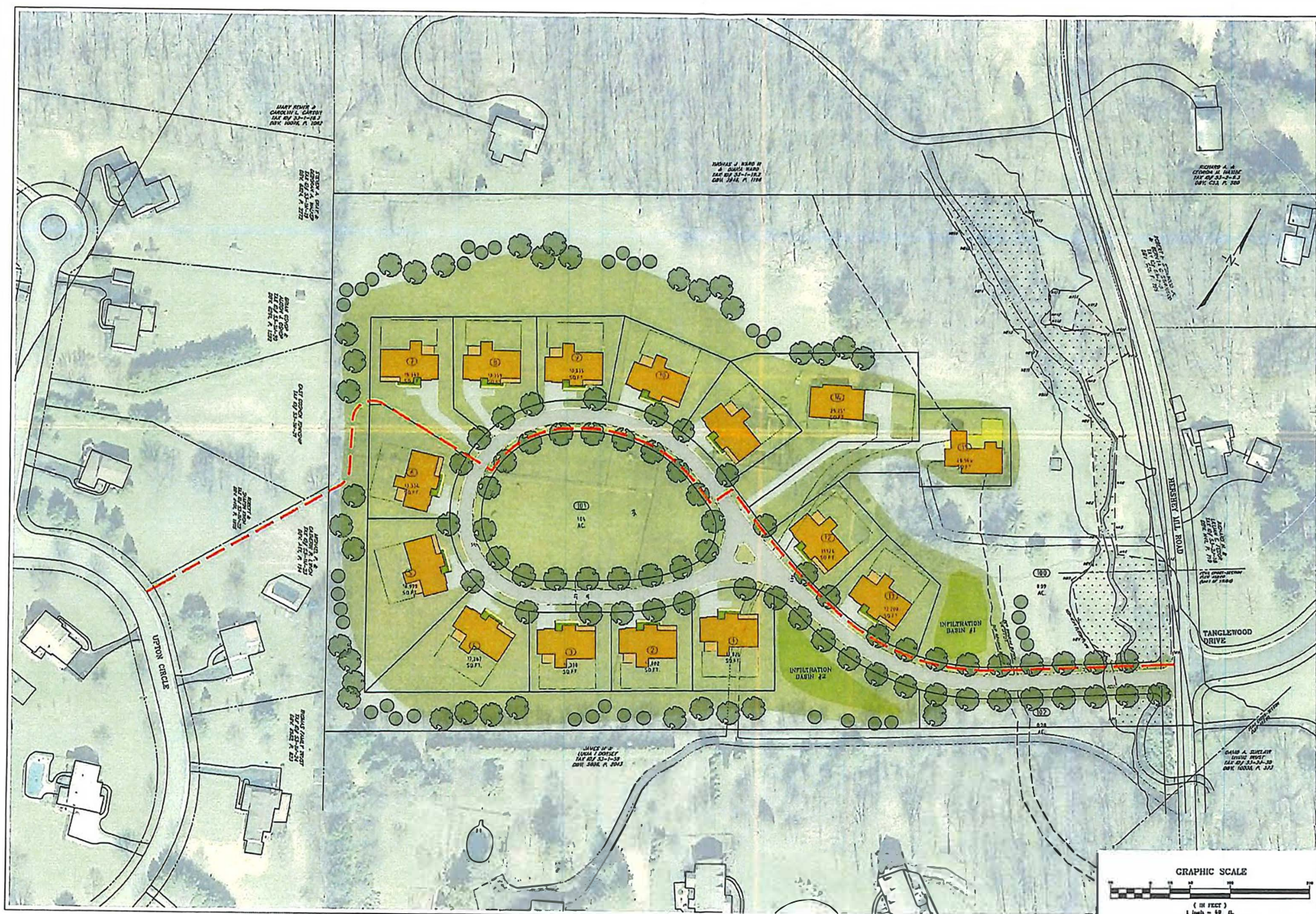






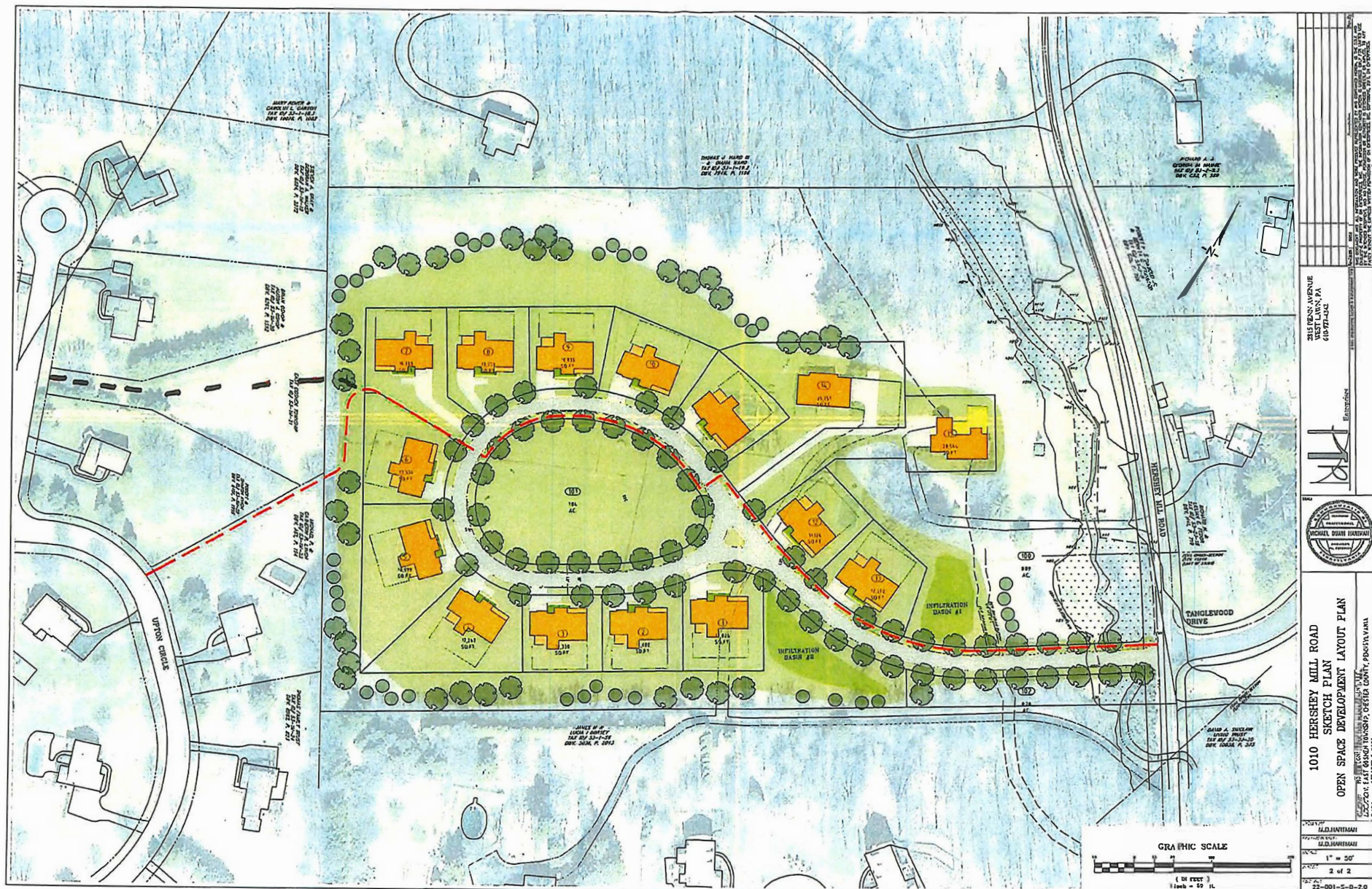






1010 HERSHEY MILL ROAD SKETCH PLAN OPEN SPACE DEVELOPMENT LAYOUT PLAN		210 PENN AVENUE SUITE 200 HARRISBURG, PA 17101-4422
MICHAEL, DORR & HARTMAN ENGINEERS		210 PENN AVENUE SUITE 200 HARRISBURG, PA 17101-4422
22-001-S-P-2.0		22-001-S-P-2.0





2315 PENN. AVENUE  
WEST LARK, PA  
610-777-1342

Price



1010 HERSHEY MILL ROAD  
SKETCH PLAN

SKETCH PLAN  
OPEN SPACE DEVELOPMENT LAYOUT PLAN

NO. 1001, EAST GARDEN TOWNSHIP, DEER COUNTY, PENNSYLVANIA

M.D. INTIMARI

M.D. HARTMAN

1" = 30'

2 of 2

22-001-S-D-





a civil engineering design & management firm

January 10, 2023

*PIPELINE AWARENESS STUDY*

**1010 Hershey Mills Subdivision  
East Goshen Township, Chester County**

As required by East Goshen Subdivision and Land Development Ordinance, Section 205-40.1 (Pipeline Awareness Study), this narrative is being provided since the development is located within 660 feet of an existing natural gas transmission pipeline.

Project Description

The applicant, Grove Meadow Developers, LLC., is proposing to subdivide and develop an existing tract of land. The tract of land is located at 1010 Hershey Mills Road. While the development is located within the R-2 (Low Density Residential) Zoning District, the property is proposed to be developed under the Single-Family Open Space Development Option Section 240-36 of the East Goshen Township Zoning Ordinance. It is intended that the property shall be developed with 15 single-family residential lots and two open space parcels. Access to the development shall be provided via Hershey Mills Road with the connection of the proposed road located at the existing intersection of Tanglewood Drive. All necessary utilities for the development, such as sanitary sewer, domestic water, and electric shall be provided via tie-ins to the existing utilities along the eastern side of the property.

Project Impact on the existing Gas Pipeline

To the west of the project area, there are three existing natural gas pipelines. Two of the pipelines are 20" in diameter and owned by Texas Eastern, with the third, 16" diameter, owned by Adelphia Gateway. The pipelines are located within a combined 100' wide right-of-way that passes through the Goshen Downs Residential Development.

The pipelines are located approximately 450' of the boundary of the project tract. Additionally, a minimum 50' buffer has been proposed to be provided around the perimeter of the tract, thus the closest the proposed development will be to the pipeline would be 500'. As noted above, access to the development for vehicles and utilities shall be provided along the eastern boundary of the tract. Therefore, there shall be no impact on the existing pipelines because of the installation of the proposed improvements for the development. As required by PA Act 287, a Pennsylvania One Call has been completed. A "No Conflict" response has been received by Enbridge. A copy of their response has been included with this narrative.



### Emergency Response Steps

While there is no anticipated impact to the pipelines as part of this development, in the event of an incident involving the pipelines, the following steps should be taken:

- Locate the nearby pipeline marker sign and call the emergency phone number listed on the marker sign
- Stay clear of vapors, fumes, smoke and spills
- Do not walk or drive into a vapor cloud or puddle of liquid.
- Do not park over manholes or storm drains.
- Do not approach the scene with vehicles or mechanized equipment until the isolation zones have been established. Vehicle engines are a potential ignition source.
- Use appropriate air-monitoring equipment to establish the extent of vapor travel.

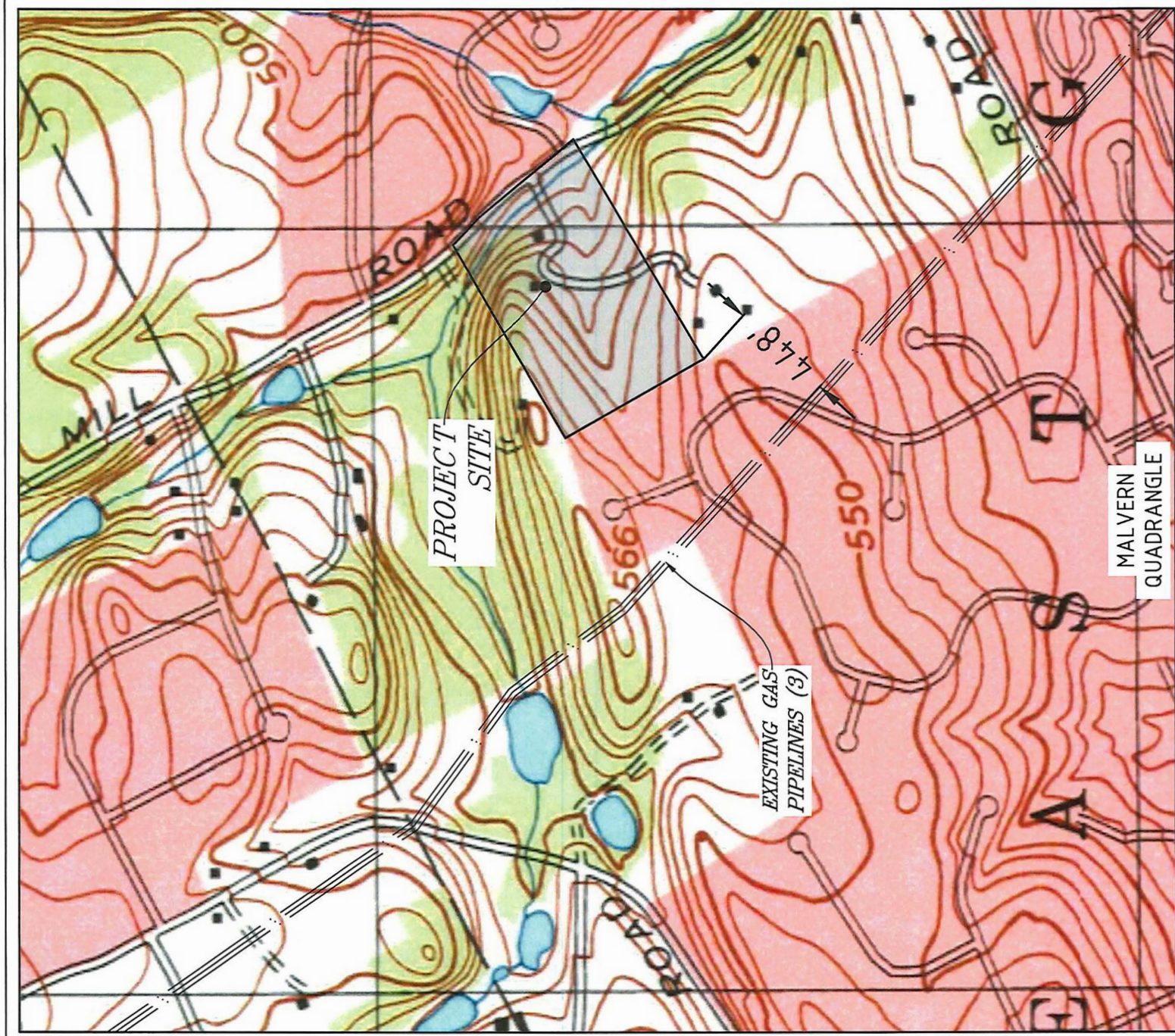


Adelphia Gateway – 1-800-747-3375

Texas Eastern – 1-800-231-7794

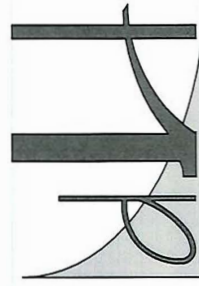






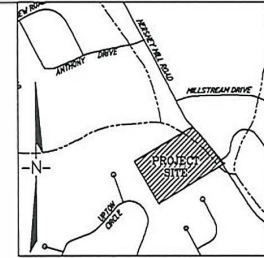
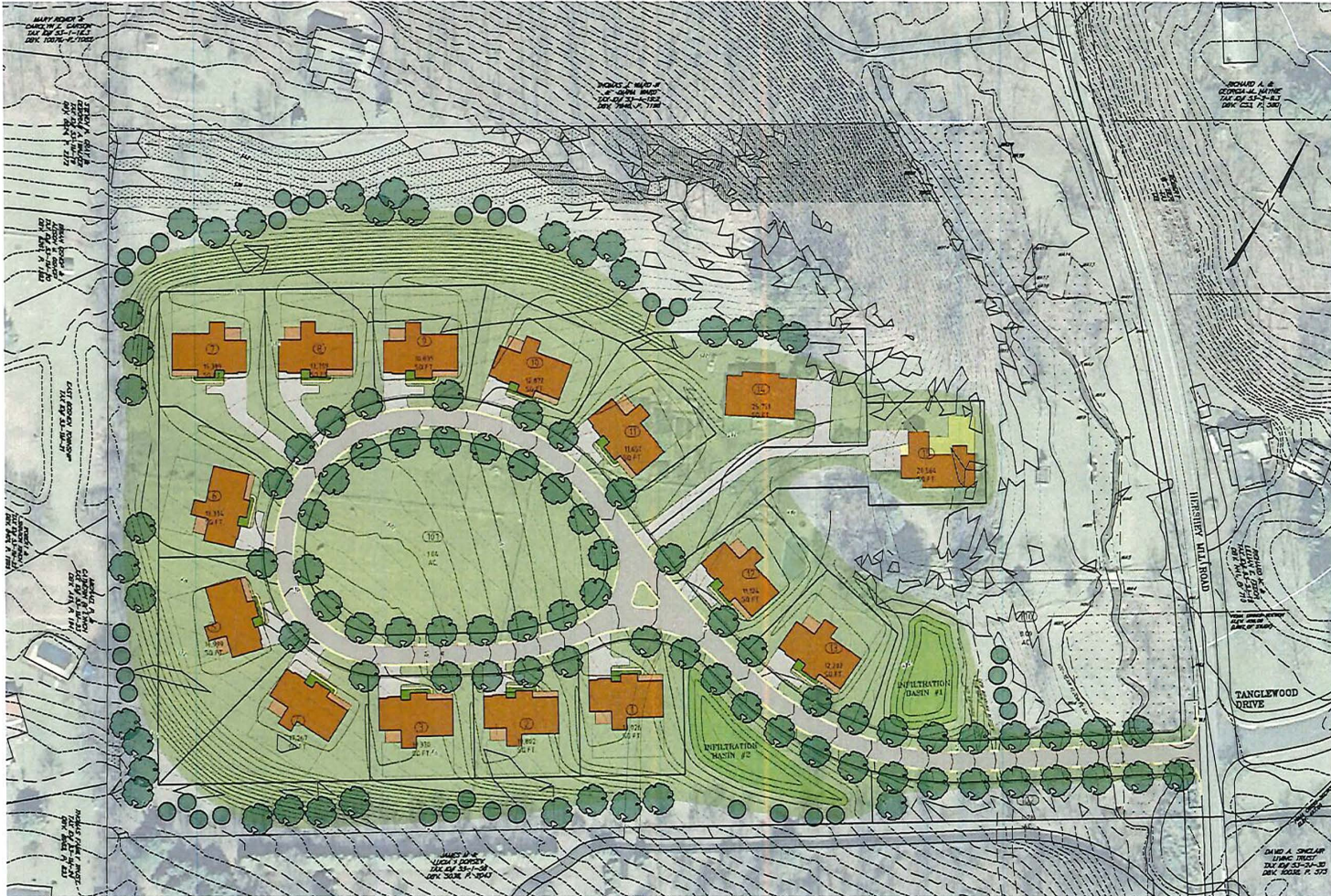
## GAS LINE PROXIMITY MAP

2815 PENN AVENUE  
WEST LAWN, PA  
610-927-4242



PROJECT: 1010 HERSHEY MILL SUBDIVISION  
LOCATION: EAST GOSHEN TOWNSHIP,  
CHESTER COUNTY  
SCALE: 1" = 600'





VICINITY MAP  
SCALE: 1"=800'

APPLICANT: A. B. C. DEVELOPMENT, INC.  
PROJECT: HERSHEY ROAD, PA 17033

OWNER: A. B. C. DEVELOPMENT, INC.  
DATE: 10/10/2010

DESIGNER: A. B. C. DEVELOPMENT, INC.  
DATE: 10/10/2010

REVIEWER: A. B. C. DEVELOPMENT, INC.  
DATE: 10/10/2010

APPROVED: A. B. C. DEVELOPMENT, INC.  
DATE: 10/10/2010

DATE: 10/10/2010

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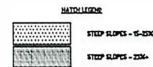
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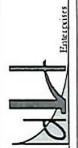


1010 HERSHEY MILL ROAD  
SKETCH PLAN  
OPEN SPACE DEVELOPMENT LAYOUT PLAN

M.D. HARTMAN  
M.D. HARTMAN

1" = 50'  
1 of 2

22-001-S-0-1.0



1010 HERSHEY MILL ROAD  
WEST LANSING, PA  
610/227-4242

NO.	REVISION	DATE
1	ISSUED FOR PERMIT	10/10/2010



## Ticket 20223113472 - Response to your One Call locate request

cl\_irth\_comm@irth.com <cl\_irth\_comm@irth.com>

Mon 11/7/2022 4:18 PM

To: Joyce Heisler <Jheisler@navenewell.net>

**To:** NAVE NEWELL INC

**Attn:** JOYCE HEISLER

**Voice:** 6102658323


**Fax:**

**Re:** Response to your One Call locate request

Notification from Texas Eastern Transmission Pipeline

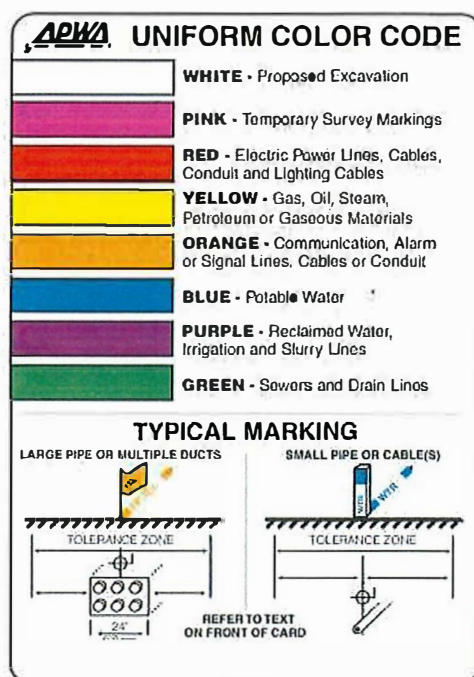
**Ticket:** 20223113472  
**County:** CHESTER  
**Place:** EAST GOSHEN  
**Address:** 1010 HERSHEY MILL RD

TX:

<div><b>ENBRIDGE</b><sup>®</sup></div> <div>Texas Eastern Transmission LP</div>		<div>NO CONFLICT</div>	
ONE CALL REQUEST TICKET #		TICKET BEING DONE FOR	
20223113472		NAVE NEWELL INC.	
TYPE OF WORK		TICKET TYPE	
BOUNDARY SURVEY FOR POTENTIAL DEVELOPMENT		Design	
LOCATOR		LOCATOR EMAIL	
Amanda Axelson		Amanda.Axelson@enbridge.com	
SITE / TICKET INFORMATION		EXCAVATOR INFORMATION	
Address: 1010 HERSHEY MILL RD Place: EAST GOSHEN State: PA  Cross Street: Near Street: GREENHILL RD  Ticket Creation: 11/07/2022 04:12:32 PM Ticket Due Time: 11/22/2022 11:59:59 PM Work Start Time: 11/22/2022 12:00:00 AM		Contact: JOYCE HEISLER Company: NAVE NEWELL INC Email: JHEISLER@NAVENEWELL.NET Phone: 6102658323	
		ALTERNATIVE EXCAVATOR CONTACT	
		Alternate Contact: JOYCE HEISLER Alternate Contact Phone: 6102658323	
LOCATOR RESPONSE			
Should you feel that a Enbridge pipeline or any			

other company assets will in fact be affected by your excavation or if the location provided to the One-Call agency changes or you now believe the description to be inaccurate, please contact [GTMDamagePrevention@enbridge.com](mailto:GTMDamagePrevention@enbridge.com)

**\*NOTE: This response is for Enbridge Gas Transmission only. This is NOT for Enbridge Liquid Pipelines. Ensure you have received Positive Response from BOTH Enbridge entities before proceeding where applicable.**



Should you feel that a Spectra Energy pipeline or any other company assets will in fact be affected by your excavation or if the location provided to the one-call agency changes or you now believe the description to be inaccurate, please contact Spectra Energy Transmission at [GTMDamagePrevention@enbridge.com](mailto:GTMDamagePrevention@enbridge.com)

This message was generated by an automated system. Please do not reply to this email.

**CAUTION External Email:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. MONEY TRANSFERS REQUIRE VERBAL CONFIRMATION.

# MEMO

Date: March 1, 2023  
From: Derek Davis, Township Manager  
To: Board of Supervisors  
Re: Revisiting the Noise Ordinance (129-G-2022)

---

In November 2022, the board passed 129-G-2022, which tweaked the existing noise and nuisance ordinance in East Goshen. Among the changes were:

- A limit on the ability to request noise waivers to four (4) per year
- Making sure noise waivers are requested at less fourteen (14) days prior to the event
- Adding “toxic chemicals” as a nuisance/health hazard
- Tweaking times of day for certain noise-related activity in residential neighborhoods as well as a change to the decibel levels.

On the night of the hearing on November 15<sup>th</sup>, there were some residents that spoke about the proposed ordinance. Among the issues were the fact that 4 noise waivers per year is still too many and that raising certain decibel levels was unnecessary. The board passed the ordinance but promised to revisit the issues in the New Year to see if there is any appetite for further change.

I have attached the minutes for everyone’s reference. The November 15<sup>th</sup> meeting can also be viewed on our YouTube Channel. Since that night, I have gotten some individual feedback from board members. There has been some preliminary interest from certain board members to change back the decibel limits to what the numbers were prior to November 15th in section 156-3(A) which would move each category down by 5 decibels. But that interest has not been expressed by all board members.

I have also attached the ordinance that was passed. In practical terms, we have not had any noise ordinance issues brought before us since this passed in November so I have no updates for the board with regard to this ordinance change affecting any enforcement or implementation of noise and nuisance issues within East Goshen.

There is no motion as of yet but this is an open discussion for the board.

**EAST GOSHEN TOWNSHIP  
BOARD OF SUPERVISORS MEETING  
1580 PAOLI PIKE  
TUESDAY, NOVEMBER 15, 2022  
FINAL MINUTES**

**Present:** Chairman Michele Truitt; Vice Chairman John Hertzog; Members: Mike Lynch, Cody Bright; Township Manager Derek Davis; Finance Director Dave Ware; Senior Staff Accountant Chris Boylan; Director of Code Enforcement/Zoning Officer Duane Brady; Attorney Bill Christman, Lamb McErlane; WEGO Chief Brenda Bernot; Goshen Fire Executive Director Grant Everhart; Erich Meyer (Conservancy); Court Reporter Cara Fitzpatrick.

**Absent:** David Shuey

**Call to Order & Pledge of Allegiance:**

Michele Truitt called the meeting to order at 7:00 p.m. and led the Pledge of Allegiance.

John requested a moment of silence for first responders and for our veterans.

Michele stated this hybrid meeting is being recorded via Zoom and will be available on the Township website.

**Chairman's Report:**

Michele announced:

- The Board met in executive session prior to tonight's meeting to discuss legal matters.
- The Municipal Authority, Pipeline Task Force, Conservancy Board, and Futurist Committee are all looking for new members. Please reach out to Township Manager Derek Davis directly if interested or fill out the "ABC Volunteer" form on our website located on the "Forms & Applications" page.

**Emergency Services Reports:**

Chief Brenda Bernot presented WEGO October 2022 activities in East Goshen Township. WEGO participated in One Warm Coat drive, which ends in a few days. They are also participating in Blue Beards for Charity and Toys for Tots.

John asked if there have been any incidents in East Goshen Township Park. Chief responded. Mike commented on a West Whiteland police investigating theft of packages near Greenhill Rd.

Grant Everhart presented Goshen Fire October 2022 activities. October was Fire Prevention Month and they held an Open House, they will have a breakfast on 10/27.

Mike asked about the automatic alarms report and if the ordinance is enforced with fines for specific locations with multiple occurrences. Derek responded.

**Public Hearings:**

**Consider Conditional Use application for 1010 Hershey Mill Road (Miller property).**

Attorney Bill Christman opened the hearing and explained the application. He stated the applicant is requesting a continuance to January 17, 2023 at 7PM. The applicant's attorney was



present and confirmed the continuance. This is the only official legal notice the public will receive. Derek added that he will post on social media.

Attorney Christman closed the hearing and will reconvene in January.

**Consider updates to the Noise and Nuisance Ordinance.**

Attorney Bill Christman conducted the hearing and explained the procedures. Court reporter was present to transcribe hearing. Attorney Christman presented all exhibits. John added that the genesis of this ordinance was the pipeline.

Mike clarified with Attorney Christman that the removal of this regulation from the Zoning Ordinance simplifies amending ordinance in the future. Attorney Christman further explained why this will be a stand-alone ordinance. Cody asked if allowable times were reflected. Derek and Attorney Christman elaborated.

Mr. Bill Geyer, 1560 Tanglewood, read a prepared statement. Ms. Margie Geyer, 1560 Tanglewood, made additional comments regarding waivers and would like more specific details be recorded in the ordinance.

Michele has concerns about Category J regarding not restricting decibel level. Attorney Christman responded that, in the waiver section, the Township can implement conditions when the permit is issued.

John commented that if people are concerned about noise level they can call the police. Attorney Christman confirmed and stated this ordinance allows for police to take enforcement action.

Frank Morgan, 1704 Clock Tower, would like to exempt private backup generators. Mike and Derek responded this is exempt. Attorney Christman confirmed.

Ed Coyle, 1410 Cooper, echoes Mr. Geyer's suggestion to limit waivers to two.

Ken Flanagan, 602 Marydell, feels overall this ordinance is an improvement however he would like the Board to reject the ordinance for what is not included. Mr. Flanagan feels this ordinance fails to prohibit noise and feels it raises the acceptable noise level. He stated the public notice will come after the permit is issued. Michele disputed this comment because the Township must give 14 days' notice to surrounding residents. Attorney Christman clarified the ordinance requires a 14 application to the Township and the Township is required to send notices as soon as practical. Derek stated there is no minimum requirement. Mr. Flanagan commented once a waiver is issued, there is no upper limit of noise and feels this is a safety issue. He would like an upper limit documented and consider the health and safety of neighbors.

Cody asked Derek how many applicants request a waiver annually. Derek responded 2-3, with a total number of waivers per year at less than 10.

Jim Barger, 1202 Joshua, asked for the specific definition of an applicant. Attorney Christman responded that the Township would interpret an applicant as a property owner. Derek concurred.

Mr. Barger feels this document is not clear and leaves a lot of room for interpretation. Attorney Christman responded.

John explained if this stays within the Zoning Ordinance, it is difficult to change. If it is taken out as a stand-alone ordinance, the Board has the ability to make changes with 7 days' notice and public comment.

Jeff Petrick, 628 Thorncroft, questioned the County's recommendation to apply the lower decibel level to weekends and holidays and surrounding townships have this in their ordinances, he asked why it wasn't in this ordinance. Attorney Christman responded. Michele commented this is something for the Board to consider in the future. Mr. Petrick feels if the decibel levels are lowered, there should not be a need for a waiver unless it's a real exception. He also feels a lower number of waivers should be considered.

Kathleen Sullivan, 54 Ashton, asked if this noise ordinance includes motorcycles. Christman confirmed.

William Egan, 1422 Mill Creek, noted there are no Board meeting minutes posted on the website from May to August. John stated the YouTube meetings are available. Derek responded. Mr. Egan pointed out that a Chester County Planning Commission document is not provided regarding this hearing. Christman responded. Mr. Egan asked if residents made it clear to the Board that they are in favor of the 'tweaking' of the 'times of day for certain noise related activities in residential neighborhoods'. He further elaborated his position. Mr. Egan requested the times and sound level limits to those in Chapter 156 Noise Ordinance. John responded all Board of Supervisors meetings are public and the public is welcome to attend. Attorney Christman stated the only difference between a Public Hearing and the Board of Supervisors adopting a regular ordinance is the appearance of a court reporter.

Robert Plummer, 1339 Park, asked about Amazon delivering packages in the middle of the night. Christman responded we cannot limit Amazon deliveries but there are standards included for vehicles and animals. Michele added that, regarding Amazon, we don't know if residents are waiting for medication delivery.

Mike commented that a noise and nuisance ordinance is very difficult to administer via enforcement for short-lived events. Attorney Christman commented that a noise ordinance is so difficult to enforce. He further explained the enforcement procedure. This ordinance does include a catch-all provision to capture additional definition of nuisance. Mike noted specific comments from the Chester County Planning Commission document. Attorney Christman stated that it is up to a Judge to determine what is reasonable.

John stated that residents can call the police anytime and they will address.

Katharine Buonanno, 1606 Herron, understands about separating noise and zoning ordinance. Asked what next steps would be since residents voiced desired changes. Attorney Christman suggested to Board to come up with proposed changes and provide to Attorney so he can

evaluate. Attorney Christman invited the public to come to any Board meeting to express any concerns.

Mike proposed a timeline; adopt this tonight to get it out of the Zoning Ordinance, have staff review the transcript of comments, attorney review a summary of comments, keep on agenda for ongoing discussion, and develop possible amendments to this new ordinance based on that input. If this is adopted tonight, there is a 30 day period that this ordinance can be appealed. Michele stated perhaps the Board could set this as a February agenda item.

Susan Hudson, 1631 Bow Tree, is concerned that, if this is approved tonight, all the public comments may not be incorporated.

Terri Relick, 12 Treemont, has had issues with noise with a neighboring business for years and wonders if there is something in this noise ordinance that can help. This is drug and rehab center where the residents scream and yell. Ms. Relick has called the police and the police say there is nothing they can do. Michele replied that the Board would need to speak to solicitor. Ms. Relick pointed out that one of the exceptions is the unamplified human voice and she feels this should not be an exception. Michele asked Ms. Relick to email this concern to the Board.

Attorney Christman closed hearing.

Mike appreciates all the insightful comments made tonight.

Mike made a motion to adopt 129G-2022, an ordinance of the Township of East Goshen, Chester County, PA, repealing Chapter 156 East Goshen Township Code of Ordinances titled "Noise" and replacing it with a new Chapter 156 titled "Noise and Nuisances" in order to effectively regulate noise and nuisance disturbances in the Township, to remove noise regulations from the East Goshen Township Zoning Ordinance, and to clarify noise and nuisance standards for specific principle uses, effective five days from enactment.

John seconded.

Motion carried 3-1, Michele opposed.

John appreciates the turnout tonight and will have this noise ordinance reviewed in February or earlier.

**Emergency Services Reports:**

Derek presented Malvern and Good Fellowship October 2022 reports.

**Financial Report:**

Dave Ware presented the October 2022 financial report.

John asked about 2022 projection vs. budget and Dave responded it is due to timing. Michele asked if Dave received the latest WEGO projection. Dave responded.

**Approval of Minutes:** None

**Treasurer's Report:**

Dave Ware presented the November 10, 2022 Treasurer's Report.

Cody made a motion to accept the receipts and approve the expenditures as presented in the Expenditure Register and as summarized in the November 10, 2022 Treasurer's Report.

John seconded.

Motion carried 4-0.

**New Business:**

**Consideration of Christmas tree sales at 1301 West Chester Pike.**

Derek stated that Mr. Robert Wiggins submitted a request to sell Christmas trees at this location.

Mike made a motion to approve the request of Mr. Robert Wiggins to sell Christmas trees at 1301 West Chester Pike starting approximately 11/24/22 and ending 12/24/2022.

Cody seconded.

Motion carried 4-0.

**Old Business:**

**Consider authorizing advertisement of the 2023 Preliminary Budget.**

Michele stated this consideration means the Board approving advertising the Budget which is passed to the public for inspection. Michele explained the potential .5 mil increase is on the 1.25 mil currently in place. This would equate to a much lower amount than what many people are fearful of. Michele reiterated this has nothing to do with School taxes. Michele stated there is a path to a projected shortfall of less than \$300K, based on past performances versus projections, it is likely to be even lower than that. Michele feels we have enough in reserves without affecting our AAA Bond rating and doesn't believe 2023 is the year to raise taxes.

Dave explained the difference between County, School and Township taxes. Dave presented the proposed increased tax amount for various neighborhoods.

Cody made the following statement:

- Local government is not a smaller-scale version of Washington or Harrisburg. The responsibility I share with my fellow supervisors is a serious one. We must govern. Decisions we make affect the daily lives of not only our neighbors, but ourselves.
- East Goshen has always been the definition of "fiscal responsibility". Not only is our triple-AAA bond rating the golden standard (which saves us thousands of dollars every year), so are the services we provide our residents.
- As you all know, we are currently facing a \$740,000 + budget deficit for the 2023 budget. Dave and his team have done an excellent job putting together where we can decrease expenses. As Supervisors, we have discussed this budget in a public setting numerous times. Every township expense is transparent and can be found online.

- A no vote to this budget would mean:
  - Reducing snow materials and resources.
    - If it snows, our residents deserve to have their roads plowed.
  - Reducing storm water materials.
    - If it rains, we must be able to handle flooding.
  - Reducing the traffic signals repair budget.
    - If a traffic signal fails, it's our obligation to fix it.
  - Reducing the proposed Malvern Library budget.
  - Neglecting our obligation to fully fund our Capital Reserve Fund.
    - Due to inflation, we expect the Milltown Dam to cost more than what was projected over five years ago. Projections have increased over 72% or more than \$2M since the original proposal. The residents in that part of the township have waited too long and deserve what they were promised.
- Most importantly, a no vote would mean that we are not fully funding and supporting Public Safety. Public Safety makes up over 40% of our budget and equates to over 50% of the expense increase in the 2023 budget.
  - This budget:
    - Increases funding for our WEGO police department: including an extra patrol officer and a school resource officer.
    - Increases funding for Goshen Fire Company, which will allow them to get back on track for their much needed capital improvement plan.
    - Increases funding for Malvern Fire Company.
    - Doubles funding for Good Fellowship Company.
- The proposed cuts to the township budget would be an abandonment of our obligation to responsibly manage the township for the benefit of our residents.
- We haven't had a property millage increase in twenty years. During that time, inflation has increased over 45%, but the services we provide residents have remained excellent.
- This millage increase will cost the average East Goshen household \$125 a year, \$2.40 per week.
- No elected official ever wants to increase taxes, but government has no more serious obligation than to protect its citizens, their families, and homes. At the end of the day, it is their fundamental responsibility.
- Some have warned me of the future possible political implications of my YES vote. My YES vote is to ensure East Goshen residents are safe and we continue to be a premier community in which to live, work, and raise a family. Thank you.

John commented that he doesn't totally disagree with Cody, however in a year when inflation is off the charts, when we are looking at a potential recession in the next quarter, John doesn't see any reason to raise taxes at this time. It might need to happen next year, but right now John feels there are people in the Township who will be pinched if taxes are increased. It irritates John that we identified at least \$300K worth of cuts that could be made without cutting services. As usual, John feels the revenue projections are very conservative, which John stated is a good accounting practice but not usually accurate. John stated we have between \$13-15M in reserves and those are sequestered to certain functions. John is opposed to a tax increase at this time.

Mike reiterated his comments that are on the 10/18 Board of Supervisors minutes.

Michele commented that we never discussed touching the Capital Reserve Fund contribution, so that contribution would remain untouched so the replacement values would be funded, never talked about getting rid of snow plowing or not doing snow plowing, we never discussed going to State Police, in fact we added a police officer and a school resource officer. We did discuss not giving the Malvern Library an additional \$5K that they didn't ask for, we discussed spending less than \$15K for the volunteer luncheon. Michele is grateful for all the township volunteers and feels spending \$15K on any luncheon is unreasonable. Michele feels we should not be spending \$9K on printed newsletters.

Mike clarified that these are essential services that we are providing and he feels there is not much we can adjust.

Michele added that we didn't have to cut services and she looked at all the areas that could be trimmed. It's not ideal but we did the best we could and we came within \$300K. We have the reserves and it's important to remember that if we raise the tax, it will be easy to raise expenses to meet the revenue. Michele wants the Board to be more frugal in this particular environment. This is not sustainable or something we could potentially do again next year. Michele doesn't want to say we need a tax increase next year but unfortunately, it's looking like we are going in that direction. These are things beyond our control; expenses, services, supply chain issues. This is a great community and Michele feels the Board needs to do the work and trim this year, meet the rest with reserves if we need to, and look at all of the options on the table.

Cody stated that projected 2022 EIT has been the highest EIT annual revenue. Dave confirmed and added that 2023 budget is flat with 2022 projection. Cody also commented that permit revenues were at a record high. Dave confirmed. Cody added that on October 18<sup>th</sup>, there were multiple options discussed to consider cutting in 2023 budget, "but to say we did not discuss those is not true".

Derek commented that this budget is up for preliminary passage and if we are going to have a motion on the table, it would be prudent for Dave to review the broad revenue and expense figures.

John requested clarification on percentages shown on the budget spreadsheets. Dave explained and stated that this is the most aggressive revenue budget in the last 10 years. Dave added that revised expenses include Public Services, the WEGO budget, and insurance increases. Cody would like to eliminate the budget for the Milltown Pocket Park until the Milltown Dam is completed. John elaborated on the Milltown area in reference to the park.

Dave explained that he looks back at expenses for three years, by line item, and evaluates everything to develop a realistic budget. He also gets input from Department Heads. Dave feels if we are not cutting services, he can reduce projection figures, but without stopping a service, when expenses are incurred, they must be paid. He feels this is a much more accurate budget.

Michele commented this is one of the most transparent Township. The Board has been discussing this since September.

Cody made a motion to authorize advertisement of the Township's 2023 Budget in the Daily Local News.

Mike seconded.

Michele stated, to be clear, this is a motion allowing the Board to turn the budget over to the public for review and comment for at least 20 days.

Derek received a request from the Zoom room to show the tax increase amount being proposed for each neighborhood.

Jim Douglas, 1405 Grand Oak, feels this is not the time to increase taxes.

Rob Gionfriddo, 1546 King George, feels the new houses built in the last 10 years generates free money for the township. Mr. Gionfriddo questioned why spend money that is not a necessity. He feels the Board needs to cut the fat, stop spending, and work within the budget.

Keith Toland, 1711 Hibberd, requested clarification on the proposed budget 7.9% increase trying to understand the delta between the millage rate increase and the 7.9%. Dave responded. Mr. Toland commented that he hasn't heard positions within the Township being evaluated. Mike responded that, from his perspective, staffing has been reviewed. Mr. Toland asked what about the 5-10 year projection. Cody referred Mr. Toland to the 10/18 agenda for information that Dave provided. Dave and John added this projection is available.

Frank Morgan, 1704 Clock Tower, reminded the Board that residents already absorbed the increased sewer/refuse rates. This tax was passed in 2004 and was intended for specific purpose and now it is being used for other things. Mr. Morgan feels there should be no tax increase. Mike read the November 2003 letter from the Board of Supervisors to residents regarding the tax implementation.

Dave added that the refuse rate increase was due to the 5-year hauler contract increasing 32.5%. Also in 2017 the Township took out \$8M+ Bond money to fund large projects and no tax increase was instituted to cover that.

Alfred Pioggia, 1636 Yardley, this Board is qualified and will listen. Mr. Pioggia looked at the fund balances, he feels the reserves are good, and does not know why we are talking about a tax increase. He asked about the Parks category increase. Dave responded.

Kevin Perrot, 1416 Grand Oak, asked when the initial Township tax was implemented. Michele responded 2003, to be enacted in 2004.

James Faunce, 1544 King George, commented on Parks line item seems like a good place to cut. He questioned the 20% increase in wages. Dave responded this includes an additional person that was not included in last year's budget. Mr. Faunce feels the total assessed values had to grow over the last 20 years. He added that our community has a reasonable amount of residents on



fixed incomes. Wellington and Bellingham are the largest taxpayers and they pass that along to the residents living there.

Susan Leander, 1539 Sleepy Hollow, asked if it is necessary for the Milltown Dam Park Capital Improvements Budget for 2023 & 2024 and the trail expense relative to the upcoming development of the Miller property. John responded the Dam needs to be addressed by mandate from DEP and Army Corp of Engineers. Mike added that there was a Milltown Dam committee of residents. Ms. Leander asked if this can be paired down. Michele stated a plan was submitted in 2020 and needs to be followed through on. This is required by the Army Corp of Engineers. Mike elaborated on the Miller property development and proposal for obtaining easements for future trails.

Tacuma Bathes, Cider Knoll, requested the proposed tax increase be displayed so he could compare it to the cost of gas. He feels this Township is fiscally managed and the response time for EMS is good, so he agrees to pay a tax increase based on what he has seen.

Jane Joyce, 704 Red Maple, when she moved here 28 years ago, there was no tax, now we have tax. Everyone has to live within their budget, this is not time for tax increase.

Susan Hudson, 1631 Bow Tree, feels there are ways to reduce the budget and Board needs to be fiscally responsible and cut costs. Derek responded that the actual budget will be advertised and available at the Township and on the website for review. We are legally obligated to advertise for 20 days and pass a budget by year end.

Edward Solarz, 920 Dolphin, asked if all projects in 2023 need to be done or can they be deferred. Mr. Solarz would like a department by department reduction to budget from 2022 to 2023. Michele commented this information is online. Mike added the 2023-2027 capital improvement program funding source is from the capital reserve fund, 2017 bonds, sewer capital reserve, grants and the infrastructure sustainability fund, not from the General Fund which is the subject tonight. Mr. Solarz questioned where the fat is in the budget that can be cut. Dave and Michele stated this detail is posted online.

Wendy Lee Wall, 443 Eaton, commented the Hershey Mills HOA takes care of their trash/recycling, stormwater, snow removal, and sewer and other residents should be appreciative of Hershey Mills residents who don't benefit from these Township services, but they pay Township taxes. Ms. Wall doesn't feel Hershey's Mill residents should have to pay the tax increase. Cody commented that Hershey Mills receives all of the Public Services. Ms. Wall also stated they pay a \$50 per year for fire and EMS services.

Tacuma Bathes, Cider Knoll, asked if the Township considered an alternate plan should the rail unions go on strike. Supply chain issues and pricing will be effected. Dave responded this is very hard to predict and a fair point. Derek added any time capital projects get delayed, there are added costs. Dave explained we put contingencies in place for anticipated cost increases.

Rob Gionfriddo, 1546 King George, commented that many township employees are volunteer firefighters and he would like to know if they clock out when they respond to an emergency.

Dave responded they are getting paid. Mr. Gionfriddo stated this is contributing to Fire Companies and EMS by donating time in addition to the donations paid from the Township. Dave responded that the fire truck is parked here. Derek stated it's a creative way to cover emergencies. Mike added the Township pays a \$100 monthly stipend to volunteer firefighter employees. Dave added this is a good point, plus we pass fire alarm fees to Goshen Fire Co.

Enrico Mazza, 1612 Herron, commented that he doesn't understand the hesitancy of using reserves and asked when would be a good time to use it. Michele stated she feels that we shouldn't hesitate, in certain situations, to use the reserve. Dave stated most reserves were established about 10 years ago. Dave elaborated. Mr. Mazza stated there was comparison to neighboring towns, but feels when a comparison is done it should include presenting neighboring towns' reserves, expenses, revenues and their projected deficit for a better picture.

Motion carried 3-1, John opposed

Derek stated the December 20<sup>th</sup> meeting will be for budget passage. A draft tax resolution will be presented for Board review on Dec. 6.

**Standing Issues/Projects:**

Hershey's Mill Dam Project – Michele- no report

Milltown Dam Project – Derek stated we are waiting on DCNR for bid documents.

Hershey's Mill Estates sewer update to be added as a standing issue. Derek gave an update that bids are advertised.

**Any Other Matter:** None

**Public Comment:** None

**Liaison Reports:** None

**Correspondence, Reports of Interest:** None

**Adjournment:**

There being no further business, Cody made a motion to adjourn at 10:25PM.

John seconded.

Motion carried 4-0.

Respectfully submitted,

*Chris Boylan*

*Recording Secretary*

Attached: November 10, 2022 Treasurer's Report

**TREASURER'S REPORT**  
**RECEIPTS AND BILLS**

October 27 2022 - November 10, 2022

**GENERAL FUND**

Real Estate Tax	\$3,332.56
Earned Income Tax	\$646,300.00
Local Service Tax	\$2,700.00
EIT/LST Interest Earned	\$11,721.76
Transfer Tax	\$112,969.84
General Fund Interest Earned	\$14,800.96
Total Other Revenue	\$76,017.77
<b>Total General Fund Receipts:</b>	<b>\$867,842.89</b>

Accounts Payable	\$328,601.43
<u>Electronic Pmts:</u>	
Debt Service	\$0.00
Payroll	\$84,940.68

**Total Expenditures:** **\$413,542.11**

**STATE LIQUID FUELS FUND**

Receipts	\$0.00
Interest Earned	\$854.90
<b>Total State Liquid Fuels Receipts:</b>	<b>\$854.90</b>

Accounts Payable	\$0.00
<b>Total Expenditures:</b>	<b>\$0.00</b>

**CAPITAL RESERVE FUND**

Receipts	\$0.00
Interest Earned	\$7,273.58
<b>Total Capital Reserve Fund Receipts:</b>	<b>\$7,273.58</b>

Accounts Payable	\$0.00
<b>Total Expenditures:</b>	<b>\$0.00</b>

**TRANSPORTATION FUND**

Receipts	\$0.00
Interest Earned	\$765.85
<b>Total Transportation Fund Receipts:</b>	<b>\$765.85</b>

Accounts Payable	\$0.00
<b>Total Expenditures:</b>	<b>\$0.00</b>

**SEWER OPERATING FUND**

Receipts	\$339,718.19
Interest Earned	\$1,140.55
<b>Total Sewer Operating Fund Receipts:</b>	<b>\$340,858.74</b>

Accounts Payable	\$16,499.64
<u>Electronic Pmts:</u>	
Debt Service	\$0.00
<b>Total Expenditures:</b>	<b>\$16,499.64</b>

**REFUSE FUND**

Receipts	\$83,067.32
Interest Earned	\$649.72
<b>Total Refuse Fund Receipts:</b>	<b>\$83,717.04</b>

Accounts Payable	\$0.00
<b>Total Expenditures:</b>	<b>\$0.00</b>

**BOND FUND**

Receipts	\$0.00
Interest Earned	\$4,569.80
<b>Total Bond Fund Receipts:</b>	<b>\$4,569.80</b>

Accounts Payable	\$0.00
<b>Total Expenditures:</b>	<b>\$0.00</b>

**SEWER CAPITAL RESERVE FUND**

Receipts	\$0.00
Interest Earned	\$3,150.14
<b>Total Sewer Capital Reserve Fund Receipts:</b>	<b>\$3,150.14</b>

Accounts Payable	\$0.00
<b>Total Expenditures:</b>	<b>\$0.00</b>

**OPERATING RESERVE FUND**

Receipts	\$0.00
Interest Earned	\$2,544.71
<b>Total Operating Reserve Fund Receipts:</b>	<b>\$2,544.71</b>

Accounts Payable	\$0.00
<b>Total Expenditures:</b>	<b>\$0.00</b>

**INFRASTRUCTURE SUSTAINABILITY FUND**

Receipts	\$0.00
Interest Earned	\$2,618.98
<b>Total Infrastructure Sustainability Fund Receipts:</b>	<b>\$2,618.98</b>

Accounts Payable	\$0.00
<b>Total Expenditures:</b>	<b>\$0.00</b>

**ARPA - COVID RELIEF FUND**

Receipts	\$0.00
Interest Earned	\$1,753.47
<b>Total ARPA - COVID Relief Fund Receipts:</b>	<b>\$1,753.47</b>

Accounts Payable	\$0.00
<b>Total Expenditures:</b>	<b>\$0.00</b>

**EAST GOSHEN TOWNSHIP  
CHESTER COUNTY, PENNSYLVANIA**

**Ordinance No. 129-G-2022**

**AN ORDINANCE OF THE TOWNSHIP OF EAST GOSHEN, CHESTER COUNTY, PENNSYLVANIA, REPEALING CHAPTER 156 OF THE EAST GOSHEN TOWNSHIP CODE OF ORDINANCES, TITLED "NOISE", AND REPLACING IT WITH A NEW CHAPTER 156, TITLED "NOISE AND NUISANCES", IN ORDER TO EFFECTIVELY REGULATE NOISE AND NUISANCE DISTURBANCES IN THE TOWNSHIP; TO REMOVE NOISE REGULATIONS FROM THE EAST GOSHEN TOWNSHIP ZONING ORDINANCE; AND TO CLARIFY NOISE AND NUISANCE STANDARDS FOR SPECIFIC PRINCIPAL USES. EFFECTIVE FIVE DAYS FROM ENACTMENT.**

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

**SECTION 1.** Chapter 156 of the Code of Ordinances, titled "Noise", is hereby repealed and replace with the following:

**Chapter 156 Noise and Nuisances**

**Article I – Noise**

**§ 156-1 Title.**

This chapter shall be known and may be cited as the "East Goshen Township Noise Ordinance."

**§ 156-2 Purpose; intent; authority.**

- A. Excessive sound is a hazard to the public health, safety, and welfare and to the quality of life of the residents of East Goshen Township, interfering with the quiet enjoyment of residential and public property and the operation of businesses.
- B. It is the policy of the Board of Supervisors to prevent, to control, or to mitigate environmental factors including noise pollution that may jeopardize the health, safety, or welfare of Township residents and businesses.
- C. The Township is empowered to define conduct that constitutes disturbing the peace by § 1527 of the Second Class Township Code, 53 P.S. § 66527, to abate and to prohibit

nuisances on private and public property pursuant to § 1529 of the Second Class Township Code, 53 P.S. § 66529, and to provide for enforcement of noise pollution ordinances by summary offense by § 1601(c.1)(2) of the Second Class Township Code, 53 P.S. § 66601(c.1)(2).

**§ 156-3 Establishing limits on noise.**

All sound exceeding the limits established hereinbelow are hereby declared to be a public nuisance, and may be abated by administrative or judicial proceedings, fines, and penalties herein provided.

**A. Limits established.**

- (1) No person shall operate or cause to be operated on private or public property any source of continuous sound (that is, any sound which is static, fluctuating, or intermittent with a recurrence greater than one time in any fifteen-second interval) in such a manner as to create a sound level that exceeds the limits set forth in the following table for the land use of the property receiving the sound, as measured at or within the boundary of the said receiving property.

Receiving Land Use Category	Time	Sound Level Limit
		(dBA)
Residential, public space, open space, agricultural, or institutional	7:00 a.m. to 7:00 p.m.	65
	7:00 p.m. to 7:00 a.m.	55
Commercial or business	7:00 a.m. to 10:00 p.m.	70
	10:00 p.m. to 7:00 a.m.	65
Industrial	At all times	75

- (2) The proper designation of "receiving land use category" shall be determined by the Township representative taking the sound measurement for the purposes of enforcement of these provisions.

**B. Correction for character of sound.**

- (1) For any source of sound which emits a pure tone, the maximum sound level limits set forth in the above table shall be reduced by five dBA.
- (2) For any source of sound which emits an impulsive sound (a sound of short duration, with an abrupt onset and rapid decay and an occurrence of not more than one time in any fifteen-second interval) the maximum sound level shall not



exceed 20 dBA over the ambient sound level, regardless of time of day or night or type of receiving land use.

C. Measurement of sound.

- (1) For the purpose of measuring sound to determine compliance with the provisions of this chapter, test equipment, methods, and procedures shall conform to the latest approved standards of the American National Standards Institute (ANSI), or equivalent entity as may be identified by the Board of Supervisors.
- (2) Test equipment shall be operated in accordance with the manufacturer's instructions, specifically including calibration requirements as necessary to assure an accurate measurement.
- (3) The measurement of the sound shall be taken at or beyond the property line of the property from which the sound being measured is emanating.

D. Noise sources defined as nuisances.

- (1) The following sources of noise are hereby defined as public nuisances and subject to control by the Township, regardless of decibel level:
  - (a) A domesticated animal that makes a noise continuously or persistently for a period of 15 minutes or more in such a manner as to disturb persons beyond the property line of the property whereupon such animal is kept.
  - (b) The operation, playing, or permitting of operation or playing of any musical instrument, radio, television, sound amplifier, audio equipment, or similar device between the hours of 9:00 p.m. and 8:00 a.m. in such a manner as to disturb persons beyond the property line of the property upon which such devices are located.
  - (c) Performing any construction operation or operating or permitting the operating of any tools or other equipment used in construction, drilling, blasting, demolition, excavation, extraction of stone, or other such activities, except between the hours of 7:00 a.m. and 7:00 p.m., prevailing time, Monday through Friday, between the hours of 9:00 a.m. and 5:00 p.m., or at any time on Sunday.
  - (d) The operation of an internal combustion engine in such a manner as to disturb persons beyond the property line of the property upon which the engine is located.
  - (e) The operation or permitting of operation of any mechanically powered saw, drill, sander, grinder, lawn or garden tool, or similar device used out of doors between the hours of 9:00 p.m. and 7:00 a.m. in such a manner to disturb persons beyond the property line of the property upon which such device is being operated.

- (2) In addition to the above, it is hereby declared to be a nuisance and shall be unlawful for any person, firm, or business entity to make, cause, or allow to be made or caused upon a property owned, occupied, or controlled by him or it any excessive noises or sounds by means of vehicles, machinery, equipment (including sound amplification equipment and musical instruments), or by any other means or methods which are physically annoying to the comfort of any reasonable person or which are so harsh, prolonged, unnatural, or unusual in their use, time, and place as to occasion physical discomfort or which are otherwise injurious to the lives, health, peace, and comfort of the inhabitants of the Township.

**§ 156-4 Exceptions to noise limits.**

The following noise sources are hereby exempted from the maximum permissible sound levels provided hereinabove and are furthermore deemed not to be nuisances:

- A. Devices used to alert persons to the existence of an emergency.
- B. Noise associated with emergency work to provide electricity, water, or other utilities when the public health or safety is at risk.
- C. Noise caused by the operation of snow removal and other emergency equipment.
- D. Hand-held power tools and yard maintenance equipment operated on a residential property between the hours of 7:00 a.m. and 9:00 p.m.
- E. Noise caused by construction activity between the hours of 7:00 a.m. and 7:00 p.m., Monday through Friday and between 9:00 a.m. and 5:00 p.m. on Saturday.
- F. Noise attributable to agricultural operations.
- G. Public events authorized by the Township.
- H. Noise from trains.
- I. The unamplified human voice.
- J. Private events for which a waiver under § 156-7 has been granted.

**§ 156-5 Enforcement; violation and penalties.**

- A. Any person or business entity who or which shall violate any of the provisions of this chapter shall, upon summary conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, be punishable by a fine of not less than \$100 nor more than \$1,000, plus costs of prosecution and, in default of such fine and costs, by imprisonment for a term not exceeding 30 days. Each violation of any of the provisions of this chapter shall be deemed to be a separate and distinct offense. A summary citation under this Chapter may be filed by any Township law enforcement officer, zoning officer, code enforcement officer, Township Manager, or any other person designated by the Board of

Supervisors.

- B. In addition to the above, the Township may institute an action for injunctive relief to prohibit or abate any activity in violation of the provisions of this chapter.

**§ 156-6 Other remedies.**

Nothing in this chapter shall be construed to impair any cause of action or legal remedy thereof of any person or the public for injury to or damage arising from the emission or release into the atmosphere or ground from any source whatsoever of noise in such a place or manner, or at such levels which may give rise to such cause of action.

**§ 156-7 Waivers.**

- A. No more than four (4) times in any calendar year, applicants may request a waiver from any of the parameters specified herein upon demonstrating evidence of the following, as determined at the sole discretion of the Township Manager:
- (1) The temporary operation or causation of such sound, under the circumstances, will not severely jeopardize the health, welfare or safety of the citizens of East Goshen Township;
  - (2) The denial of such a permit will impose excessive hardship on the applicant, the community, or other persons;
  - (3) The operation will not have an adverse effect on contiguous land use; and
  - (4) The operation will not exceed 30 days.
- B. Requests shall be submitted to the Township Manager or his/her designee and shall include the time, duration and reason for the requested waiver. The request should be submitted at least fourteen (14) days prior to the commencement of the noise source, unless such advance notice is impossible or impracticable under the circumstances.
- C. The fee for a waiver request shall be set forth from time to time by resolution of the Board of Supervisors.
- D. Waivers granted by the Township Manager or his/her designee shall be issued in writing, may contain conditions and restrictions in order to ensure that the intent of this Chapter is implemented, and shall be kept on the premises upon which the waiver is in effect for the duration specified.
- E. Upon the granting of a waiver, the Township shall send notice to all properties within 500 feet of the subject property as soon as practicable.
- F. Failure to abide by the terms of this Chapter, or the conditions and restrictions imposed upon the granting of a waiver, may result in the revocation or suspension of the waiver, as well as a one-year ban on obtaining further waivers from the provisions of this Chapter.



## **Article II – Nuisances**

### **§ 156-8 Title.**

This chapter shall be known as the "East Goshen Township Nuisance Ordinance."

### **§ 156-9 Definitions and word usage.**

- A. The following words, when used in this chapter or any accompanying resolution, shall have the meaning ascribed to them in this section, except in those incidences where the context clearly indicates a different meaning:

#### **ABANDONED OR JUNKED MOTOR VEHICLES**

Any vehicle in a nonserviceable or nonoperational condition, or without having both a current inspection sticker and current registration plate.

#### **BAMBOO**

Any monopodial (running) tropical or semi-tropical grasses from the genera Bambusa, including, but not limited to, Bambusa, Phyllostachys, Fallopia and Pseudosasa, as well as common bamboo, golden bamboo, arrow bamboo, and Japanese bamboo.

#### **BAMBOO OWNER**

Any property owner and/or resident, corporation and/or other entity who has planted and/or grows bamboo, or who maintains and/or cultivates bamboo on his/her/its property, or who permits bamboo to grow or remain on any property in East Goshen Township, even if the bamboo has spread from an adjoining property. Any property owner and/or resident, corporation and/or other entity owning, residing, occupying or doing business on property on which bamboo is found shall be considered a bamboo owner. A property owner and/or resident, corporation and/or other entity will not be considered to be a bamboo owner if:

- (1) He/she/it has provided satisfactory proof to East Goshen Township that, within a reasonable period of time not to exceed 60 days after discovering the encroachment of bamboo onto the subject property from an adjoining or neighboring property, he/she/it advised the owner of such property of his/her/its objection to the encroachment of the bamboo; and
- (2) He/she/it has initiated steps for the removal of the bamboo from the property, including remedies at law.

#### **NUISANCE**

The unreasonable, unwarrantable, or unlawful use of or activity on any public or private property which causes injury, damage, hurt, inconvenience, annoyance or discomfort to any person or resident in the legitimate enjoyment of his reasonable rights of person or property. This shall include any activity, condition, structure or improvement which shall constitute a threat or potential threat to the health, safety, or welfare of the citizens of the Township.

#### **OWNER**

The actual person owning, leasing, occupying or having charge of any premises within the

Township, whether individual, partnership, association or corporation.

### **PERSON**

Every natural person, association, partnership, firm, club, society, company, corporation or any organization of any kind. Whenever used in connection with prescribing or imposing a penalty, or both, the term as applied to a partnership shall include the individual partners, or any of them, and as applied to corporations or associations shall include the individual officer(s) thereof.

### **SUPERVISORS**

The Board of Supervisors of East Goshen Township, Chester County, Pennsylvania.

### **TOWNSHIP**

East Goshen Township, Chester County, Pennsylvania.

- B. For the purposes of this chapter, the single shall include the plural, and the masculine shall include the feminine and the neuter.

#### **§ 156-10 Health hazards and nuisances prohibited.**

It shall be unlawful for any person to create or maintain any condition, activity or use upon their property which could directly or indirectly cause a nuisance or health hazard to residents of the Township. While not intended to be a comprehensive list, the establishment, maintenance, operation or continuance of any of the following, at any time within the Township, is hereby declared to be a nuisance under the terms of this chapter:

- A. The maintenance, storage or accumulation of the following:
- (1) Garbage or rubbish;
  - (2) Junk material, including, but not limited to, unused or abandoned machinery, equipment or appliances, and all forms of waste and refuse of any type of materials, including, but not limited to, toxic chemicals, scrap metal, glass, industrial waste or other similar materials; and
  - (3) Any other materials which are conducive to the harboring of vermin, or otherwise cause a potential health hazard or nuisance.
- B. The maintenance, storage or accumulation of one or more abandoned or junked motor vehicles.
- C. The ownership or maintenance of abandoned or neglected buildings, structures, sidewalks or premises which shall pose or constitute any of the following conditions or hazards:
- (1) A fire hazard;
  - (2) A danger of infestation by vermin;
  - (3) An area, building or condition which is or which might potentially serve as an

area of play or general attraction for children, or the public in general;

- (4) Buildings, structures, sidewalks or premises, or parts thereof, which have been damaged by fire, wind or other causes so as to become dangerous to life or safety of the occupants or to others in the vicinity;
  - (5) Buildings, structures, sidewalks or premises, or parts thereof, which have become or are so dilapidated, decayed or unsafe that they are unfit for human habitation or are likely to cause injury to occupants or to others in the vicinity;
  - (6) Buildings or structures having inadequate facilities for egress in case of fire or panic, or those having insufficient stairways, fire escapes or other means of access and egress;
  - (7) Buildings, structures, sidewalks or premises, or parts thereof, which are in such condition that they may fail, collapse, break down, or otherwise cause damage to property or injury to members of the public;
  - (8) Allowing or permitting any excavation, material excavated or obstruction on or joining any highway, street or road, to remain opened or exposed without the same being secured by a suitable barricade, a temporary fence or other protective materials; and
  - (9) Any other condition which the Supervisors shall deem to be a health hazard, potential health hazard, or nuisance.
- D. The draining or flowing, or allowing to drain or flow, whether natural or artificial, of any foul or offensive water or drainage from any dwelling, sink, bathtub, wash stand, lavatory, water closet, swimming pool, privy, or cesspool of any kind or nature whatsoever, or any foul or offensive drainage of any kind, from any property into or upon any adjoining property, or onto or along any public highway, road, street, avenue, lane or alley.
- E. The burning of garbage, tires or other tar products.
- F. Permitting or allowing any well or cistern to be, or remain, uncovered.
- G. Permitting the growth of any grass, weed, noxious weeds or any vegetation whatsoever, to conceal any rubbish, garbage, trash or any other violation of this chapter.
- H. Pushing, shoveling or otherwise depositing snow upon the cartway or traveled portion of any public highway, road or street which is maintained by the Township or by the Commonwealth of Pennsylvania, and allowing the same to remain thereon.
- I. The establishment, maintenance, carrying on or permitting of any use or activity which is dangerous, injurious, offensive or damaging to the property of others, or which prevents the reasonable use, comfort or enjoyment of the property of others by reason of flames, odor, smoke, fumes, dust, gas, noise, dirt, vibration or emission of electromagnetic waves. In determining the offensive or damaging nature of any of the aforesaid items, the Township is



not required to make quantitative measurements by instrumentation or other testing, but, instead, may utilize the reasonable and substantial determinations of affected individuals, property owners or occupiers, as well as testimony of the Supervisors, or other persons authorized by the Township.

- J. The setting, maintenance, operation, conduct or permitting of the establishment and maintenance of fire, combustion or manufacturing, or commercial or other process which is or shall be accompanied by constant, periodic or occasional emission of smoke, odor, sparks, ash particles, burned sawdust and debris, or the creation and spreading of ash, debris, poison and like materials on surrounding or adjacent property to the annoyance, disturbance or detriment of surrounding property owners, residents, passersby or the traveling public.
- K. The storing of gasoline, kerosene or other petroleum products in excess of 5,000 gallons, except by gasoline service stations or petroleum products companies.
- L. Removing or altering the embankment of a stream so as to alter the natural flow of the stream.
- M. Interfering with the flow of a stream, creek or other waterway, by means of a dam, construction or otherwise.
- N. The permitting, growth or maintenance of ragweed, chicory, thistle, goldenrod, poison ivy, poison oak, sumac, or other similar vegetation, in such a manner that it extends or borders upon or overhangs any street, roadway, sidewalk or other public place.
- O. The permitting, growth or maintenance of any grass, weeds or other such vegetation, not edible or planted for some useful or ornamental purpose, so as to exceed a height of six inches. Excluded from this subsection are wooded areas and open fields or acreage to within 100 feet of any building or structure.

#### **§ 156-11 Bamboo.**

East Goshen Township has determined that the planting, cultivating and growing of certain running plants, particularly those plants commonly referred to as "bamboo," within East Goshen Township has a negative impact on the health, safety and welfare of the citizens of East Goshen Township and the public at large, as the uncontrolled planting, cultivating and growth of said bamboo plants results in the destructive spread of said plants onto private and public property and thereby constitutes a nuisance within East Goshen Township. East Goshen Township has therefore determined that it is in the best interests of the citizens of East Goshen Township and the public at large to control the planting, cultivating and/or growing said bamboo plants within East Goshen Township, primarily by prohibiting the future planting, cultivating and/or growing said bamboo plants within East Goshen Township, and by requiring the use of barriers to prevent the invasive spread of existing bamboo plants within East Goshen Township.

- A. For purposes of this chapter, bamboo found growing upon a property shall constitute presumptive evidence that the bamboo was planted, cultivated and/or grown by, and/or with the consent of, the subject property owner, tenant, and/or any other individual, entity or

corporation then having control of and/or over the subject property, subject to the definition of "bamboo owner," above.

- B. Prohibition. Upon the effective date of this section, the planting, cultivating and/or growing of bamboo shall be prohibited within the Township. No persons, property owners, tenants, and/or other individuals, entities, and/or corporations having control of and/or over any property located within the Township shall plant, cultivate, and/or cause to grow any bamboo on any real property within the Township. Any person who plants, cultivates, and/or grows, and/or causes or allows to be planted, cultivated and/or grown, bamboo within the Township shall be deemed to be in violation of this chapter and shall be subject to such penalties as are set forth herein.
- C. This section shall not be deemed to alter or abrogate any rights at common law, or otherwise, that any persons, property owners, tenants, and/or other individuals, entities, and/or corporations may have to recover the cost of removal of any bamboo found on their own property that has encroached from a neighboring property.
- D. Exceptions. Notwithstanding the prohibitions set forth in § 156-11.B, above, upon the effective date of this section, persons, property owners, tenants, and/or other individuals, entities, and/or corporations having control of and/or over any property located within the Township shall be permitted to plant, cultivate, and/or cause to grow bamboo on any real property within the Township only if:
  - (1) The root system of such bamboo is entirely contained within an above-ground-level planter, barrel or other vessel of such design, material, and location as to prevent completely the spread of growth of the bamboo root system beyond the container in which it is planted; or
  - (2) The root system of such bamboo is contained within and/or restricted by a barrier, constructed in accordance with the following specifications, and installed by an experienced installer with certification provided to the Township:
    - (a) The barrier itself shall be composed of a high-density polypropylene or polyethylene, with a thickness of 40 mils, or more;
    - (b) Each portion or sheet of the barrier shall be secured or joined together by the use of stainless steel clamps or stainless steel closure strips designed to be used with such barriers;
    - (c) The barrier shall be installed not less than 30 inches deep;
    - (d) The barrier shall be circular or oblong shaped;
    - (e) Not less than three inches of the barrier shall protrude above ground level around the entire perimeter of the bamboo; and
    - (f) When installed, the barrier shall slant outward from the bottom to top.

- (3) Any and all bamboo existing pursuant to this shall, at all times, be located, trimmed and maintained so that no bamboo, or any part thereof, shall be within 10 feet of any property line, curb, and/or sidewalk, nor within 40 feet of any roadway, cartway, street, storm sewer, sanitary sewer and/or public water facilities within the Township.
- E. Any bamboo that has been planted or otherwise permitted to grow on any property within the Township prior to the effective date of this section may remain on such property subject to compliance with the following:
- (1) The bamboo shall not be within 10 feet of any property line, curb, and/or sidewalk, or within 40 feet of any roadway, cartway, street, storm sewer, sanitary sewer and/or public water facilities within the Township.
  - (2) Any bamboo owner whose property contains bamboo that is located within 10 feet of any property line, curb, and/or sidewalk, or within 40 feet of any roadway, cartway, street, storm sewer, sanitary sewer and/or public water facilities within the Township shall remove such bamboo and shall abate the growth of such bamboo so that it is not within 10 feet of any property line, curb, and/or sidewalk, nor within 40 feet of any roadway, cartway, street, storm sewer, sanitary sewer and/or public water facilities within the Township.
  - (3) A bamboo owner shall further be responsible to ensure that any bamboo planted and/or growing on the property of the bamboo owner prior to the effective date of this section is maintained such that it does not encroach or grow upon any adjoining or neighboring property or properties, including all public property and public rights-of-way. If the Township determines that any such bamboo, or part thereof, has been allowed to encroach, grow upon, extend roots across, and/or extend branches, stalks and/or leaves over any public right-of-way and/or any private property not owned by and/or in the possession of the bamboo owner, the bamboo owner shall be required to comply with the provisions of § 156-11.D above.
- F. Replanting prohibited. Any bamboo either planted or caused to be planted or existing on a property prior to the effective date of this section may not be replanted or replaced in kind once such running bamboo is or has become, for any reason, dead, destroyed, uprooted or otherwise removed, unless such replanting is consistent with the provisions of § 156-11.D above.

**§ 156-12 Notice to abate nuisances.**

Whenever a condition constituting a nuisance or health hazard is permitted or maintained, the Supervisors, or persons authorized by the Township, may give the owner of the property in which said nuisance is located, and any other person permitting the maintenance of such a nuisance, written notice to completely remove, repair or abate the same. Said notice shall require such removal, repair, or abatement within 15 days of the date of such notice. Said notice shall be served in one of the following matters:

- A. By personal delivery;
- B. By certified mail, return receipt requested, to the last known address of the owner;
- C. By posting a copy of the notice upon the premises; or
- D. By publishing a copy of the notice in a local paper of general circulation within East Goshen Township, Chester County, Pennsylvania, once a week for three consecutive weeks.

**§ 156-13 Violations and penalties.**

Any person or business entity who or which shall violate any of the provisions of this chapter shall, upon summary conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, be punishable by a fine of not less than \$100 nor more than \$1,000, plus costs of prosecution and, in default of such fine and costs, by imprisonment for a term not exceeding 30 days. Each violation of any of the provisions of this chapter shall be deemed to be a separate and distinct offense. When a violation continues beyond the time limit as may be set forth in an NOV, each day that a violation continues beyond the time limit shall be deemed a separate and distinct offense. When a person or entity who or which has been issued an NOV is found again to be in violation of this chapter and issued another NOV within 12 months of the previous NOV, the fine shall be double the amount of the previous fine up to a maximum fine of \$1,000 for each separate and distinct offense.

**§ 156-14 Abatement of nuisances by Township.**

In addition to, or instead of, invoking the penalties set forth in the preceding section, the Township, or persons authorized by the Township, may, in the event of any continued violations of this chapter, enter upon the offending premises and remove, repair or alter any nuisance, hazard or dangerous structure or condition on such property, or otherwise abate any identified nuisance or health hazard. Further, the Township may collect the costs of such removal or abatement, together with any penalty and costs as granted in summary proceedings, from the owner of the property or premises. The actual costs of such removal, together with the penalties, costs and reasonable attorney's fee, shall be a lien upon such premises, and may be enforced against the property and recovered by the Township in the manner prescribed for the levying and collecting of municipal liens under appropriate law.

**§ 156-15 Injunctive relief.**

The Township may, by means of a complaint in equity or other appropriate filing, compel the owner of a structure or premises declared a nuisance to comply with the terms of any notice of violation, or seek any other appropriate relief, including an injunction, from any court of competent jurisdiction.

**SECTION 2.** Section 240-24 of the East Goshen Township Zoning Ordinance, titled "General Performance Standards", is hereby amended to delete Subsection C, titled "Noise Control", as well as the subsection's constituent paragraphs, and is replaced with the following:



C. Reserved.

**SECTION 3.** Section 240-24 of the East Goshen Township Zoning Ordinance, titled “General Performance Standards”, is hereby amended to delete subsection D, titled “Vibration Control”, and is replaced with the following:

D. Reserved.

**SECTION 4.** Section 240-31 of the East Goshen Township Zoning Ordinance, titled “Conditional Uses; Additional Standards for Specific Principal Uses”, Subsection 240-31.C(3)(h)[2][b][ii][C], is hereby repealed and replaced with the following:

- [C] A study demonstrating compliance with the noise standards in Chapter 156 of the Code of Ordinances. In instances where there are multiple carriers or multiple equipment boxes proposed to be built on one site, the applicant must demonstrate that the cumulative noise from all carriers' equipment shall comply with the noise standards of Chapter 156 of the Code of Ordinances;

**SECTION 5.** Section 240-31 of the East Goshen Township Zoning Ordinance, titled “Conditional Uses; Additional Standards for Specific Principal Uses”, Subsection 240-31.C(3)(h)[3][c][ii][B]{3}, is hereby repealed and replaced with the following:

- {3} A study demonstrating compliance with the noise standards in Chapter 156 of the Code of Ordinances. In instances where there are multiple carriers or multiple equipment boxes proposed to be built on one site, the applicant must demonstrate that the cumulative noise from all carriers' equipment shall comply with the noise standards in Chapter 156 of the Code of Ordinances;

**SECTION 6.** Section 240-31 of the East Goshen Township Zoning Ordinance, titled “Conditional Uses; Additional Standards for Specific Principal Uses”, Subsection 240-31.C(3)(p)[6], is hereby repealed and replaced with the following:

- [6] See the general performance standards of Article V and the noise and nuisance regulations of Chapter 156.

**SECTION 7.** Section 240-31 of the East Goshen Township Zoning Ordinance, titled “Conditional Uses; Additional Standards for Specific Principal Uses”, Subsection 240-31.C(3)(aa)[14], is hereby repealed and replaced with the following:

- [14] All uses shall be conducted in compliance with applicable governmental regulations,

including the general performance standards of this chapter and the noise and nuisance regulations of Chapter 156.

**SECTION 8.** 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 therein.

**SECTION 9.** General Code is hereby authorized to make any necessary formatting and numbering changes needed in order for this Ordinance to be made consistent with the formatting and numbering standards applicable to the East Goshen Township Code of Ordinances as published by General Code.

**SECTION 10.** All Ordinances or parts of Ordinances conflicting with any provision of this Ordinance are hereby repealed insofar as the same affects this Ordinance.

**SECTION 11.** This Ordinance shall become effective five days after enactment.

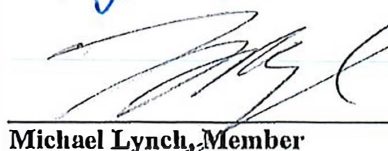
ENACTED and ORDAINED this 15<sup>th</sup> day of November 2022.

**BOARD OF SUPERVISORS  
EAST GOSHEN TOWNSHIP**

\_\_\_\_\_  
**Michele Truitt, Chair**

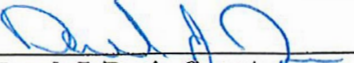
  
\_\_\_\_\_  
**John Hertzog, Vice Chair**

  
\_\_\_\_\_  
**Cody Bright, Member**

  
\_\_\_\_\_  
**Michael Lynch, Member**

David E. Shuey, Member

**ATTEST:**

  
Derek J. Davis, Secretary

# MEMO

Date: March 1, 2023  
From: Derek Davis, Township Manager  
To: Board of Supervisors  
Re: RFQ for WEGO Staffing and Policing Model Study

---

As the board is aware, a possible staffing and policing model study/evaluation of the Westtown-East Goshen Police Department has been discussed for the better part of the last two years. There finally seems to be consensus with Westtown Township to start the process for such a study.


Attached is the initial Request for Qualifications (RFQ) that Jon Altshul (Westtown Township manager) and I will distribute to qualified firms after it is approved by both boards.

After the RFQs are received, the board can either evaluate them as a whole or select one person from each board to interview these firms. Additionally, the boards can decide to select someone after the RFQ process or continue with a more in-depth Request for Proposal (RFP). The path forward is really up to the eight board members from Westtown and East Goshen.

If the board is supportive of this initial step, a motion is in order.

**DRAFT MOTION:** Mr. Chairman, I move we approve the Request for Qualifications (RFQ) for a staffing and policing model study/evaluation of the Westtown-East Goshen Police Department as written and authorize the Township Managers to seek and distribute to qualified firms and consultants.





# **Westtown Township & East Goshen Township**

## **Request for Qualifications (RFQ)**

### **Evaluating and Analyzing Police and Law Enforcement Human Capital Matters**

#### **1. INVITATION**

Westtown Township and East Goshen Township (“The Townships”), both located in Chester County, Pennsylvania, are pleased to be accepting Statements of Qualifications from capable consultants or firms about their qualifications and experience to conduct an in-depth assessment of the current staffing level or model for the Westtown - East Goshen Police Department and to provide recommendations for how the department should function in the decades to come.

#### **2. RESPONSES**

The response to this Request for Qualifications (RFQ) shall be submitted as outlined in the “Submittal Requirements” section of this document. The response must be submitted no later than **April X, 2023** at 5:00 p.m.

#### **3. PROJECT DEFINITION/SCOPE**

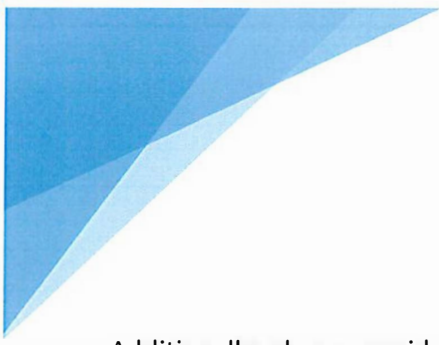
The Westtown-East Goshen Regional Police Department (also known as “WEGO” or “The Department”) was established in 1981 pursuant to an inter-municipal agreement between East Goshen and Westtown Townships. The Department also provides police services to neighboring contiguous Thornbury Township, Chester County, on a contract basis. The department is governed by a three-person Police Commission, consisting of an elected representative of Westtown Township, an elected representative of East Goshen Township and an at-large member. The Department provides police services to approximately 33,000 residents and has a service area covering approximately 23 square miles.

Both Westtown and East Goshen are Second Class Townships under the Pennsylvania Municipal Code and are located in Chester County, Pennsylvania.

The Adopted 2023 Departmental Budget is \$9,731,206, including some one-time grant revenue.

The Townships wish to receive qualifications from consulting firms regarding the following issues:

- What experience do you have making recommendations regarding “Community Policing”?
- What experience do you have making recommendations regarding optimal police staffing models?
- What experience do you have making recommendations regarding the types of services provided by police departments?
- What familiarity do you have with various law enforcement and public safety software solutions and, more specifically, CODY Systems Software?
- What is your approach to working with your clients, specifically around the level of involvement and engagement you would anticipate needing from your clients?



Additionally, please provide examples of your experience/qualifications evaluating the following issues:

- Police Staffing Models
- Types of services that should be provided by police departments.
- Policing models that anticipate the future of policing.
- Patrol methods that optimize staffing and takes into account the current views of policing.
- Timeliness of responses and ensuring appropriate resources are being dispatched for calls for service to ensure positive outcomes based on historic data.
- Departments with similar demographic profiles to the WEGO service area.

#### **4. SUBMITTAL REQUIREMENTS**

Each submittal shall provide:

- Specific examples of your firm's experience.
- Pertinent information about both your firm.
- A list of police departments (city, state, county) with whom your firm has consulted in the past.

Please provide an electronic copy in PDF format to both Township Managers via an email attachment:

Derek Davis (East Goshen Township Manager) - [ddavis@eastgoshen.org](mailto:ddavis@eastgoshen.org)

Jon Altshul (Westtown Township Manager) – [jaltshul@westtown.org](mailto:jaltshul@westtown.org)

- Email subject should be titled "WEGO RFQ Submittal" so that RFQs can be easily identified. Submittals shall be delivered by 5:00 p.m. local time on April X, 2023.

Hard copies will not be accepted.

#### **5. POSSIBLE NEXT STEPS AND RESERVATION OF RIGHTS**

Based on the review of the submissions, the Townships may invite responding firms to submit a Request for Proposals ("RFP") for a future study that will be started in 2023 with a target completion date in 2024.

#### **6. ADDITIONAL INSTRUCTIONS AND INFORMATION**

All questions and comments throughout the process shall be addressed to the Township Managers of the Townships.



# **Westtown Township & East Goshen Township**

## **Request for Qualifications (RFQ)**

### **Evaluating and Analyzing Police and Law Enforcement Human Capital Matters**

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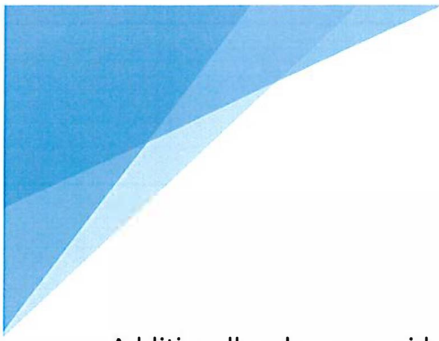
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#### **4. SUBMITTAL REQUIREMENTS**

Each submittal shall provide:

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- Pertinent information about both your firm.
- A list of police departments (city, state, county) with whom your firm has consulted in the past.

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Derek Davis (East Goshen Township Manager) - [ddavis@eastgoshen.org](mailto:ddavis@eastgoshen.org)

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Based on the review of the submissions, the Townships may invite responding firms to submit a Request for Proposals ("RFP") for a future study that will be started in 2023 with a target completion date in 2024.

#### **6. ADDITIONAL INSTRUCTIONS AND INFORMATION**

All questions and comments throughout the process shall be addressed to the Township Managers of the Townships.



# MEMO

Date: March 1, 2023  
From: Derek Davis, Township Manager  
To: Board of Supervisors  
Re: ESAC Proposed Time Change

---

I received communication from Bryan Hutchinson, Secretary/Treasurer for the ESAC, expressing the ESAC's desire to change the start time of their meetings from 7:00 PM to 6:30 PM. The communication and reasoning is attached.

My understanding is that the day of the month (4<sup>th</sup> Monday) would stay the same. We would re-advertise the times for the rest of the year in one ad.

**DRAFT MOTION:** Mr. Chairman, I move we allow the Environmental & Sustainability Advisory Committee (ESAC) to change the time of their meetings from 7:00 PM to 6:30 PM on the 4<sup>th</sup> Monday of every month.

## Derek Davis

---

**From:** bghutchinson@comcast.net  
**Sent:** Wednesday, March 1, 2023 10:43 AM  
**To:** Derek Davis  
**Cc:** 'Christi Marshall'; David Shuey  
**Subject:** ESAC motion to change our meeting time from 7pm to 6:30pm

Derek:

Please find below the wording from our minutes from our last meeting, held on Monday 2/27/23.

**Bryan Hutchinson made a motion for the Board of Supervisors to approve the time change of ESAC meetings from 7:00pm to 6:30pm on the 4<sup>th</sup> Monday of each month. Peg Friese seconded the motion. Motion approved 6-0.**

Is this sufficient language or do you need something more formal?

One of the reasons why I mentioned this for discussion, back at the 12/22 ESAC meeting, is that our only member who was working full time, Kipp Hap, is no longer on our committee. All members are open to having an earlier meeting. I was also considering the fact that Jason (last year) and now Jessica (this year) as staff liaisons have a considerable commute home. Our meetings tend to be long and was primarily focused on having them end a bit earlier.

Thank you.

Bryan Hutchinson

ESAC Secretary/Treasurer



One South Church Street  
Second Floor  
West Chester, PA 19382  
T: 610-429-8907  
F: 610-429-8918

[www.pennoni.com](http://www.pennoni.com)

March 3, 2023

EGOST 00767

Duane Brady  
Director of Code Enforcement/Zoning Officer  
East Goshen Township  
1580 Paoli Pike  
West Chester, PA 19380

**RE: 706 Hemlock Hill Lane  
Escrow Release No. 1**

Dear Duane:

In coordination with Township staff and project representatives, approval to release \$65,925.00 of the requested \$93,225.00 is recommended.

The requested release includes portions of *site prep. & erosion controls, earthwork, sanitary sewer, stormwater management, utilities, paving, and miscellaneous.*

Following approval of the recommended release, the total amount released will be \$65,925.00. The total amount remaining in escrow will be \$27,300.00 including \$8,475.00 in the contingency line item.

The items numbered 15 through 18 will be released after the correct documentation is provided to the Township. The remaining items (Landscaping and removal of Erosion and Sediment Controls) will be inspected and released accordingly in the Spring/Summer once they are completed and established.

Should you have any further questions or comments, please contact me.

Sincerely,

**PENNONI**

A handwritten signature in blue ink, appearing to read "N. Cline", is written over the printed name.

Nathan M. Cline, PE  
Township Engineer

cc: Derek Davis, Township Manager  
Mark Miller, Director of Public Works  
Amanda Megerian  
Hagop Keshishian, PE

In accordance with the Township-Builders Escrow Agreement for public improvements for the above referenced project, we hereby request public monies to be released from escrow for the following items of work which have been completed

Item	Description of Work	Scheduled value	Previously approved	This period	Total completed	Balance to finish
<b>1</b>	<b><u>Site Prep and Erosion Controls</u></b>					
a.	Construction Layout	\$ 3,500.00	\$ -	\$ 3,500.00	\$ 3,500.00	\$ -
b.	Construction Entrance	\$ 1,200.00	\$ -	\$ 1,200.00	\$ 1,200.00	\$ -
c.	Erosion Control Measures	\$ 2,300.00	\$ -	\$ 1,725.00	\$ 1,725.00	\$ 575.00
d.	Tree Fence Protection	\$ 500.00	\$ -	\$ 500.00	\$ 500.00	\$ -
e.	Maint and Removal of E&S Measures	\$ 650.00	\$ -	\$ 650.00	\$ 650.00	\$ -
	Subtotal	\$ 8,150.00	\$ -	\$ 7,575.00	\$ 7,575.00	\$ 575.00
	Site Prep and Erosion Controls This Period - Subtotal			\$ 7,575.00		
<b>2</b>	<b><u>Earthwork</u></b>					
a.	Strip Topsoil	\$ 1,600.00	\$ -	\$ 1,600.00	\$ 1,600.00	\$ -
b.	Site Grading	\$ 4,800.00	\$ -	\$ 4,800.00	\$ 4,800.00	\$ -
	Subtotal	\$ 6,400.00	\$ -	\$ 6,400.00	\$ 6,400.00	\$ -
	Stormwater Management This Period - Subtotal			\$ 6,400.00		
<b>3</b>	<b><u>Sanitary Sewer</u></b>					
a.	1 1/4" Force Main	\$ 4,480.00	\$ -	\$ 4,480.00	\$ 4,480.00	\$ -
b.	Lateral Driveway Crossing	\$ 1,600.00	\$ -	\$ 1,600.00	\$ 1,600.00	\$ -
c.	Proposed Manhole and Tie In	\$ 3,100.00	\$ -	\$ 3,100.00	\$ 3,100.00	\$ -
d.	Proposed Grinder Pumps	\$ 7,500.00	\$ -	\$ 7,500.00	\$ 7,500.00	\$ -
	Subtotal	\$ 16,680.00	\$ -	\$ 16,680.00	\$ 16,680.00	\$ -
	Sanitary Sewers This Period - Subtotal			\$ 16,680.00		
<b>4</b>	<b><u>Stormwater Management</u></b>					
a.	Crushed Stone Infiltration Bed (Includes Stone, Piping, Insp. Port, Earth Berm)	\$ 14,000.00	\$ -	\$ 14,000.00	\$ 14,000.00	\$ -
b.	8" Roof Drains and Connections	\$ 2,520.00	\$ -	\$ 2,520.00	\$ 2,520.00	\$ -
c.	Rain Garden Vegetation	\$ 3,000.00	\$ -	\$ 3,000.00	\$ 3,000.00	\$ -
	Subtotal	\$ 19,520.00	\$ -	\$ 19,520.00	\$ 19,520.00	\$ -
	Stormwater Management This Period - Subtotal			\$ 19,520.00		
<b>5</b>	<b><u>Utilities</u></b>					
a.	Well Installation	\$ 8,100.00	\$ -	\$ -	\$ -	\$ 8,100.00
b.	Water Lateral	\$ 1,100.00	\$ -	\$ -	\$ -	\$ 1,100.00
c.	Testing and Sterilization	\$ 650.00	\$ -	\$ -	\$ -	\$ 650.00
d.	Electric Trench and Install	\$ 2,100.00	\$ -	\$ -	\$ -	\$ 2,100.00
	Subtotal	\$ 11,950.00	\$ -	\$ -	\$ -	\$ 11,950.00
	Utilities This Period - Subtotal			\$ -		
<b>6</b>	<b><u>Paving</u></b>					
a.	Driveway Improvements	\$ 7,800.00	\$ -	\$ 7,800.00	\$ 7,800.00	\$ -
b.	Paver Pull off Area (Includes Permeable Paver and Stormwater Bed Detail)	\$ 2,200.00	\$ -	\$ 2,200.00	\$ 2,200.00	\$ -
	Subtotal	\$ 10,000.00	\$ -	\$ 10,000.00	\$ 10,000.00	\$ -
	Paving This Period - Subtotal			\$ 10,000.00		
<b>7</b>	<b><u>Misc</u></b>					
a.	Landscaping	\$ 11,500.00	\$ -	\$ 5,750.00	\$ 5,750.00	\$ 5,750.00
b.	BMP Inspection and Certification	\$ 550.00	\$ -	\$ -	\$ -	\$ 550.00
	Subtotal	\$ 12,050.00	\$ -	\$ 5,750.00	\$ 5,750.00	\$ 6,300.00
	Paving This Period - Subtotal			\$ 5,750.00		
	SUBTOTAL (Items 1 through 8)	\$ 84,750.00	\$ -	\$ 65,925.00	\$ 65,925.00	\$ 18,825.00
	10% CONTINGENCY	\$ 8,475.00	\$ -	\$ -	\$ -	\$ 8,475.00
	TOTAL	\$ 93,225.00	\$ -	\$ 65,925.00	\$ 65,925.00	\$ 27,300.00
	APPROVED THIS RELEASE			\$ 65,925.00		