

Minutes of the Meeting, January 25, 2010

The meeting of the North Coventry Township Board of Supervisors was called to order at 7:01 PM, January 25, 2010 at the Township Building, 845 South Hanover Street, Pottstown. Present were, Andy Paravis, E. Kent High, Harvey Greenawalt, and Spencer Claypoole, Supervisors; and Kevin Hennessey, Township Manager, Lawrence Sager, Solicitor.

Chairman Paravis asked if there were any corrections or changes to the January 4, 2010 minutes and there were none. **Supervisor Claypoole made a motion to approve the minutes as presented and the motion was seconded by Supervisor High and unanimously carried.** There were no other comments.

Chairman Paravis asked if there were any questions or comments concerning the bills totaling \$56,249.18 from the Board or the audience and there were none. **Supervisor Greenawalt made a motion to approve the payment of the bills totaling \$56,249.18 and it was seconded by Supervisor High and unanimously carried.** There were no comments.

Developer Bills

There were no questions or comments on this report.

Public Comment

Christie Morell of Hanover Street asked if the Board would authorize the installation of a speed bump or a 15 mph speed limit sign on Coyne Alley to help deter speeders. She explained that she has to drive down the alley to get into her driveway and that her main concern is the number of kids in the neighborhood. The Chief said he would check to see if a 15 mph sign was permitted and also said that Liberty Ambulance has been using Coyne Alley and after he spoke to them concerning the drivers speeding, they have not been using it since. Township Manager Hennessey asked that the Chief verify that Coyne Alley was part of the Speed Limit Ordinance and was permitted to be posted at the 15 mph request and if not, the township could amend the Ordinance to include it. Solicitor Sager agreed that the Board should not vote on this until the Chief verified the ordinance. There were no other comments.

Subdivision, Land Development and Conditional Use

Whispering Ponds

- Chairman Paravis said the developer has requested a 3 month extension until April 30, 2010 and the Planning Commission recommended it be granted. Jay Kline, Chairman of the Planning Commission commented that the developer, Will Halmann has not appeared in front of the Planning Commission recently nor has he addressed any of the LTL issues. Chairman Paravis said there has been one staff meeting and former Vice-Chairman Jenschke had asked for a second with Supervisor Greenawalt also suggesting one. Chairman Paravis asked if the Board wanted to schedule a time for the meeting. Solicitor Sager suggested granting a 30 day extension and see if they are willing to pay for the staff meeting in order to move forward. Supervisor Greenawalt asked if the developer wants to continue the project and are they willing to address the issues. Chairman Paravis said that Mr. Halmann has refused to comply with the ordinance. Jay Kline said they had asked for some relief at the first staff meeting but never came back. Township Manager Hennessey said he believed the developer requested the 3 month extension because they wanted to schedule a staff meeting and Supervisor High commented that a staff meeting is not necessary. Chairman Paravis said they should go to the

Planning Commission first, but they requested the staff meeting because they did not like the Planning Commission's comments. Supervisor Greenawalt said this needs to be resolved. **Supervisor Greenawalt made a motion to grant a 30 day extension; advise the developer that the Board will deny the application at their 2nd February meeting unless they respond within the 30 days by going to the Planning Commission and they should be made aware of this motion by telephone and letter from the Township. The motion was seconded by Supervisor High and unanimously carried.** There were no other comments.

Coventry Congregation Church

- Attorney Michael Murray said he had discussed a proposed addition to the Church with the Building Inspector, Deborah Russo and it was evident the Church would need zoning relief. Mr. Murray explained that the proposal was for a 352 square foot addition to the back of the church so that there would be access to the lower level and restrooms for handicapped individuals. He said there would also be additional parking requirements and their plan was to connect the rear and front parking areas in order to make emergency access easier. Mr. Murray said a Conditional Use would be in order with regards to the religious use and there would need to be an application for Special Exception due to the variances for the impervious coverage of the net lot area. Mr. Murray said they hoped to eliminate the Conditional Use requirement and proceed with a Special Exception for a non-conforming use. Chairman Paravis said the Board could not waive the zoning requirements and they must go before the Zoning Hearing Board for any determinations. Mr. Murray said the interpretation reads "erecting or allow a use" but the church is already established in its use. Chairman Paravis said the addition appears that it will not diminish the neighborhood in any way. Supervisor Greenawalt said it doesn't make sense to make the church go through 2 separate hearings. Supervisor High commented that they should go to the Zoning Hearing Board. Solicitor Sager agreed with Mr. High and suggested they ask the Zoning Hearing Board for an interpretation, since the Board of Supervisors did not have the power to waive any zoning requirements or grant any zoning relief, and it would be no big deal if they had to go through both processes. Mr. Sager said the church would be in a better position if they followed the process so that there are no problems. Mr. Murray said he was trying to save the church some money by alleviating the costs of one of the hearings. Township Manager Hennessey said the fee is \$1,000.00 under the Zoning and suggested they go to the Zoning Hearing Board and then come back to the Board of Supervisors, to which Mr. Murray agreed. There were no other comments.

Caribou Development

- Present were Doug Stewart, Land Planner; Adam Brower, Engineer; Kevin Silverwang, Attorney; and Randy Yucha, principal to discuss the proposed subdivision on the 17 acres along Route 100. Mr. Stewart said they had been to the Planning Commission twice and came up with 2 sketch plans for medical offices, with 4 15,000 square foot buildings, covering 60,000 square feet of By-Right office space. Mr. Stewart said the 2nd sketch with 2 exits is the one they would like to use to prevent as much tree disturbance as possible and it would also be the most financially feasible and he asked if the township could create a new Conditional Use draft that would permit them to have the parking located on the ground level underneath each building, and then they would need overlay relief Mr. Stewart explained that in these economic times, the "campus" style medical park is a viable option for the property and would generate employment, increase real estate taxes and provide construction jobs. Mr. Stewart said he would provide details on the tax income and number of permanent and construction jobs at the next Planning Commission. He said that in addition to the overlay relief that would be needed with the Conditional Use, they are remaining consistent with the Route 100 Master Plan regarding the sketch that shows 2 entry/exit roads, but this would need further engineering.

- Supervisor High asked if one of the roads would be on Hoffecker Road and Mr. Silverwang said no, that the only activity on Hoffecker would be for emergency vehicles.
- Mr. Silverwang gave copies of their economic study to each Board member and Chairman Paravis stated that he would like to review the economic study but the Board could not possibly review all 10 pages of information tonight. Mr. Paravis pointed out that the current problem seems to be that the square feet has doubled for what the zoning allows. Mr. Silverwang said they would try to comply with the By-Rite but questioned the economics and agreed that the density of the office buildings did indeed double in size, but at this time, it is a concept idea and the developer has some flexibility and will work any issues out with the township. Supervisor Greenawalt asked if the parking arrangement had anything to do with the geography of the land and it was answered yes.
- Mr. Silverwang explained that they were trying to do a feasibility study to determine if there will be a surgical center and other medical specialties, such as clinics, that use satellite locations. He said he is confident they will attract medical offices because the principal Randy Yucha has many contacts in this industry. He said that medical facilities require a higher square footage but the plus side is that their leases are long term and they eventually become members of the community. Supervisor Greenawalt questioned the number of people that would be working there and Mr. Silverwang said he estimated approximately 100 permanent medical jobs and 200 to 250 part time construction jobs. Supervisor Greenawalt requested the projected information on taxes and jobs be provided to the Supervisors as well as the Planning Commission.
- Chairman Paravis asked if they were willing to invest in a traffic signal on Route 100 and Mr. Silverwang said yes. Mr. Stewart said they would like to speak with the township's traffic consultant while they are in the sketch plan phase. Chairman Paravis suggested they review the Route 100 Master Plan. Supervisor High questioned if the southern area of the parcel will be developed and Mr. Stewart said no, it will be left alone so that they can use it for drainage and buffering. Chairman Paravis agreed there needs to be buffering installed for the residents that already live next to the parcel.
- Supervisor Claypoole asked if there would be elevators in the medical buildings and Mr. Stewart said yes, and that they would address this when the time was proper. Supervisor Claypoole asked if there will be wells on the property and Mr. Stewart said they did not edit the wells off from the previous plan for this parcel. Solicitor Sager said the previous proposal included banks, restaurants, drug stores with drive-throughs and asked if they were willing to limit the offices to medical facilities. Mr. Silverwang said yes, there would be ancillary services, a drug store for medical uses. Mr. Sager pointed out that there are already 3 drug stores along Route 100 and they should consider this.
- Solicitor Sager questioned how they would buffer 3 stories on the residential sides and Mr. Stewart said the By Rite gives the ability to develop, and suggested that by putting the roadway inside the plan, this bears the least impact, and they would have to do berming and landscaping. Township Manager Hennessey said the Master Plan calls for a connector road on Hoffecker, but the developer has no connection to the vacant lot in the corner of the sketch. There were no further comments.

Public Comment

- Christie Morell said the Chief has checked on the ordinance for the roads and advised her that Coyne Alley can be posted as 15mph. Township Manager Hennessey advised the Chief to check the standards that are set for township roads before making this change and the Chief agreed.

Parks & Recreation Member Appointment

- Chairman Paravis said the Board has a memo from Parks & Rec along with a resume of Steve Weil. The Commission asked that he be appointed to fill a term that expires on 12.31.2014. Supervisor

High suggested have Mr. Weil appear before the Board and Jay Erb, Chairman of the Park & Rec Commission said he would ask Mr. Weil to attend the next meeting. **Supervisor Greenawalt moved to an interim appointment for Mr. Weil to the Park & Rec Commission, expiring on 12/31/2014, pending his formal appearance at the Board's February 8, 2010 meeting. The motion was seconded by Supervisor High and unanimously carried.** There were no other comments.

Planning Commission Candidates

- Chairman Paravis said the Planning Commission lost one member, Robyn Seto and were interviewing one candidate at their next workshop. He asked if the Board wants to interview the candidate, Jeremy Hoagland and the Board's general consensus was to wait for the recommendation. There were no other comments.

Fee Resolution

- Chairman Paravis explained that the Codes Office and the Township Manager revised the Fee Resolution and updated it to include some fees that were missed and to include the new Tree Harvesting Permit/Review Fee. Township Manager Hennessey said that Ed Latshaw of LTL has suggested for the Tree Harvesting Permit/Review that there be a \$1,000.00 fee with \$2,000.00 being put in an escrow for inspections during the process. Mr. Hennessey said that Mr. Latshaw said there would be approximately 8 hours of time for his forester plus 4 hours of his time to review the E&S controls and that the numbers were suggested by LTL. Supervisor Greenawalt asked how often the township received logging/harvesting applications and Mr. Hennessey said that one comes in every couple of years, but there has been recent litigation with Andrew Basile. Township Manager Hennessey suggested that the Board adopt the Fee Resolution and Supervisor Greenawalt said he was reluctant since it did not address all issues. Supervisor Greenawalt questioned if the township was making any money on the Tree Harvesting and Mr. Hennessey said very little, to which, Solicitor Sager said the fees cover the administrative costs and approximately 4 hours of the Code Officer.
- Nathaniel Wise of Gift Lumber said he had gotten a GP8 DEP Permit to proceed with timber harvesting on a township property. Supervisor Greenawalt asked the difference between the logger and the forester and Mr. Wise said the forester marks the trees to be felled and the logger actually does the work. Solicitor Sager asked Mr. Wise what the value per acre is at the current time and Mr. Wise replied that it is dependent on what species are there but he could estimate it at \$800.00 per acre, which is up from last year.
- Mr. Wise said he has contacted at least 16 local townships and their fees for timber harvesting range from \$100.00 to \$700.00. Mr. Sager explained that the township's Timber Harvesting Plan encompasses the inventory, the method, stormwater issues, skid rows and access roads, and the issues of restoration and regeneration. Mr. Sager said the township takes the stance of protecting the community, the impacts to the residents and it seems that if a professional went to Mr. Wise's site, it could take 8 to 12 hours to look at everything. Supervisor Greenawalt commented that the people at the County who conduct the soil and erosion reviews are young kids, just out of college. Mr. Wise said his concern was that the cost of the permit affects the landowner.
- Solicitor Sager suggested that Mr. Wise put up \$1,000.00 escrow for the review, which needs to be submitted at the time of application, plus another \$1,000.00 when the permit is approved for inspections during the process. Mr. Wise agreed to these terms and said he understood the purpose of the escrow. Mr. Wise commented that he was not aware of a forester on the LTL payroll. **Supervisor Greenawalt made a motion to adopt the Fee Resolution; and also having Mr. Wise pay a \$1,000.00 at the time of application to cover the cost of the application review, with another \$1,000.00 being submitted when the permit is approved for inspections during the process. The**

motion was seconded by Supervisor High and unanimously carried. There were no other comments.

DCNR Grant Announcements

- Chairman Paravis said the township has received approval for 2 new DCNR Grants. One is toward the Nueva/Fernbrook Project in the amount of \$390,000.00 and the other is for \$140,000.00 towards the Coventry Heights Project. Mr. Paravis said the township has completed the subdivision of Nueva, but needs to subdivide a parcel for the cell tower on Coventry Heights. Chairman Paravis said that North Coventry's grants were the 2nd highest awarded, following Philadelphia County.
- Solicitor Sager said the subdivision of the Coventry Heights parcel should be tabled since there was zoning coming up. Township Manager Hennessey said the township needs to proceed with a basic survey for the grants but that he would check to see if the first survey done there could be used. Supervisor High asked if the township owns the adjacent property and Chairman Paravis said yes, it is divided by a pipeline. Chris Washburn, Chairman of the Open Space Review Board, said the township has an access easement on the pipe line driveway. **Supervisor Greenawalt made a motion to authorize the Township Manager to proceed with the basic survey if the one that was completed by Gambone could not be used for the grants. The motion was seconded by Supervisor Claypoole and unanimously carried.** There were no other comments.

Deer Management Committee

- David Edleman said the committee drafted Rules and Regulations for Regulated Archery Hunting on the Coventry Woods Preserve and said it is similar to what Warwick Township had instituted. He further explained that the archers may be qualified by Frontier Archery before they are permitted to hunt on the township's property. Supervisor High asked how big a job this could be and Mr. Edleman said that Frontier would need to get a membership and possibly charge a fee for the qualification. Supervisor Greenawalt asked if there would be signs posted since there are dog-walkers in the area. Jay Erb said the trails would be posted and the hunting zones regulated away from the trails. Mr. Edleman said the tree stands would be in an assigned area and baiting is prohibited. Solicitor Sager questioned how they would go about protecting the regulations with supervision and suggested the township present the regulations to its insurance carrier. Chairman Paravis and Supervisor High both agreed that this needed to be presented to the insurance carrier. Mr. Edleman said they could have a maximum of 75 permits or as little as 10, they didn't know at this time. Chairman Paravis asked if there had been a deer count and Mr. Erb said no. Mr. Edleman said the committee was trying to make the rules stricter and then they could adjust them as necessary. There were no other comments.

Reports

- Supervisor High said he was aware that Neiman Road is a state road but something needed to be done about the water on the roadway. Township Manager Hennessey said he spoke to Joe Durning of Penn Dot today and Mr. Durning suggested digging the area out by hand. Joe Wood said this may not solve the problem since the water is coming from under the road where the well boils over.

Administration

Action Items List

- There were no comments on this list.

Check List

- Township Manager Hennessey said there is a 3 day PELRAS training conference at Penn State in State College on March 17, 18, and 19th and that he and Chief Schurr would like to attend. Supervisor

Greenawalt asked how much the conference is and Mr. Hennessey said its \$375 for the first attendee then \$500 for the 2nd for non-members, where if you are a member it would only cost \$300.00. Mr. Hennessey said the rooms are \$108 per night. The consensus was to approve the Township Manager and the Chief to attend this conference. There were no other comments.

- Township Manager Hennessey said there was a letter from the County regarding the Solid Waste Reduction Act that needed to be ratified by the township before March.
- Township Manager Hennessey said that he, the Road Engineer, John Theisen, Roadmaster Joe Wood, and the property owners met to discuss the water issue on Harvey Lane. Mr. Hennessey said the property owners are willing to give the township an easement but the Roadmaster saw some additional problems there today. Mr. Theisen is working on a proposal of the costs to remedy the situation.
- Supervisor High said there is a problem at the end of Squirrel Drive near the west end of Laurelwood Road where there is a hole and a pipe in the road and it is dangerous. Supervisor High said the pipe needs to be extended and the Roadmaster said he would take a look at it.
- Chairman Paravis said the township received a nice thank you note from Isabel Rosewarne for box of candy she received at Christmas from the township for her volunteer effort.
- Supervisor Greenawalt said he had nothing for the check list.
- Supervisor Claypoole said that the Frank and Betty Hohl property at 1082 W Cedarville Road needs to be classified from a Class II to a Class I Historical Resource. Mr. Claypoole explained that this would put it on the National Historic Register and this is the childhood home of Daryl Hall, a partner in the singing duo "Hall & Oates. **Supervisor Claypoole made a motion to re-classify the property at 1082 W Cedarville Road from a Class II to a Class I on the Historical Register. The motion was seconded by Supervisor High and unanimously carried.** There were no other comments.
- Supervisor Claypoole said he attended the COG meeting and they are looking for items to work on.
- Supervisor Claypoole asked if the board needed to take action on the Hopewell Big Woods Partnership. Township Manager Hennessey said the proposed Resolution will be addressed at a later date. Supervisor Claypoole commented that the plan does not address the needs for seniors and there should be a staff meeting to work these items out.
- Supervisor Claypoole said the Historical Commission received a \$95 donation from a township resident, Louise Griffiths, and she wants to join the Historical Commission and asked that this be put on the next agenda for her to appear before the Board at 6:30pm.
- Supervisor High asked if bikes will be permitted on the trails and Mr. Claypoole said yes. Supervisor High asked if the motorized ones are permitted and Township Manager Hennessey said no, they are not permitted anywhere in the township. Jay Erb said this will vary at the Hopewell Big Woods depending on the property.
- Solicitor Sager said the court's decision regarding the Basile property was that they approved the Timber Harvesting Plan but the condition is that there is no development on the property for a period of 5 years.
- Mr. Sager said there is a zoning hearing on Thursday for the cell tower.

Public Comment

- Roadmaster Joe Wood said he agreed with the resident from Coyne Alley that it is a narrow roadway and it is difficult to get 2 cars through at one time.
- Chairman Paravis asked what was happening with the Heimbach property and Ron Comtois said there is a warrant that will be served and will force him to begin a cleanup.
- David Edleman asked the status of the Kline Place Apartments. Solicitor Sager said there is an argument in court set for February 16th and there needs to be money put into the complex to make it ready for sale. Mr. Sager said that Mrs. Tripodi's lawyer had requested a continuance and will argue that there is a scheduling conflict.

- Jay Kline said the Board was to pick a landscape architect and Chairman Paravis said he thought that LTL was recommended. Supervisor Greenawalt said the township needs to have a qualified individual asked how much the architect is per hour. Supervisor Greenawalt suggested that the Board speak to the architect first to ensure they are a professional, but worried the mall may object. Chairman Paravis said the mall may not object since they were trying to rent out the space and need to have it look attractive, but they have been known not to take care of the plantings. Chairman Paravis and Supervisor Greenawalt said it would be best to leave this in the Planning Commission and LTL's hands for the time being.
- Supervisor High asked if the garage was taken down on Hanover Street where it had collapsed and Ron Comtois said the property owner is demolishing it and cleaning up this week.

The meeting was recessed at 9:10 pm for five minutes before an executive session.

The meeting reconvened at 9:25 pm for 2 minutes when **Supervisor Greenawalt moved and Supervisor Claypoole seconded a motion to acquire the Bentley parcel for a sum of \$1,750,000.00 as open space for North Coventry, Warwick and South Coventry. The motion unanimously carried.**

The Board went back into the Executive Session, and then at 9:50 pm reconvened. **Supervisor Greenawalt made a motion to raise the pay of the Fire Marshal and Assistant Code Officer from \$15.00 to \$17.00 per hour since it has not been raised in 5 years; and to raise the Township Manager's salary by 4%, the same as all other full time township employees; and authorize the advertisement of the amended budget to adjust for the raises. The motion was seconded by Supervisor High and unanimously carried.** There were no other comments.

With no further business before the Board, the meeting adjourned at 9:55 pm.

Respectfully Submitted,

Kevin F. Hennessey
Township Manager