

**WEST GOSHEN TOWNSHIP  
BOARD OF SUPERVISORS MEETING  
January 17, 2023**

Township Supervisors:

Mr. Shaun Walsh, Chair  
Ms. Ashley Gagné, Vice-Chair  
Mr. John Hellmann, Member  
Ms. Tinamarie Smith, Member

Township Officials:

Mr. Christopher Bashore, Township Manager  
Ms. Jaime Jilozian, Assistant Township Manager  
Chief Michael Carroll, Chief of Police  
Ms. Kristin Camp, Esq., Township Solicitor  
Mr. Bryan Kulakowsky, P.E., Township Engineer  
Mr. David Woodward, Director of Public Works

The regular monthly meeting of the Board of Supervisors of West Goshen Township was called to order by Chair Shaun Walsh, at 6:00 p.m. on Tuesday, January 17, 2023.

This meeting was advertised in The Daily Local News on December 19, 2022.

This meeting agenda was posted on the West Goshen Township website and at the Township Building on Friday, January 13, 2023.

Mr. Walsh opened the meeting with the Pledge of Allegiance to the Flag.

Mr. Walsh announced that the meeting may be recorded by 3<sup>rd</sup> parties.

**Public Comment.**

Steve Crum, resident of West Goshen Township, asked if the Board would consider adding language to the applicable codes to require that new developments integrate EV capabilities. Ms. Camp, Township Solicitor, shared that she attended a one-day conference where other municipalities shared their ordinance requirements for EV standards, noting that she would provide examples to the Township. Ms. Gagné commented that this is a topic she would bring before the Sustainability Advisory Committee (SAC).

Margie Swart, resident of West Goshen Township, made comments requesting more transparency on budget items.

**Discussion and possible approval of Resolution No. 4 – 2023, granting Final Land Development Approval to a plan for a 19,325 sq. ft. warehouse building at 1004 Saunders Lane for Green Lawn Fertilizing, Inc.**

Mr. Kulakowsky brought forth Resolution No. 4 – 2023, granting Final Land Development Approval to a plan for a 19,325 sq. ft. warehouse building at 1004 Saunders Lane for Green Lawn Fertilizing, Inc.

Before introducing the plan, there was a general discussion regarding implementing Resolutions of Approval for land development applications.

Mr. Hellmann asked if the resolutions could be amended once they were passed by the Board. Ms. Camp clarified that they could not.

Mr. Kulakowsky announced that the plans before the Board were a Preliminary/Final Subdivision plan for 1004 Saunders Lane consisting of 15 sheets, prepared by D.L. Howell & Associates, last revised on August 11, 2022 and issued a satisfactory review by the Township Engineer on September 7, 2022. Mr. Kulakowsky announced that at the September 13, 2022 Township Planning Commission meeting the plan was recommended to the Board for approval.

Ms. Smith asked why an NPDES permit was not required. Mr. Kulakowsky responded that it was because the disturbance would be less than one acre in total.

There was a general discussion of the plan regarding gravel or impervious coverage being added, a local historic resource on the property, and notification to the Historical Commission.

Ms. Gagné made a motion to approve Resolution No. 4 – 2023, granting Final Land Development Approval to a plan for a 19,325 sq. ft. warehouse building at 1004 Saunders Lane for Green Lawn Fertilizing, Inc. Ms. Smith seconded the motion.

Mr. Walsh asked if there were any comments from the Board on the proposed motion. No comments were noted.

Mr. Walsh opened the floor to public comment.

Doug White, resident of West Goshen Township, asked if tree replacement standards were met, and Mr. Kulakowsky confirmed they would be according to the plan.

Ms. Camp provided an overview of the process of a Land Development, summarizing the Operating and Maintenance agreement and Improvement Security Agreement purposes.

There being no further discussion, the motion passed with a vote of 4-0.

**Discussion and possible approval of Resolution No. 5 – 2023, granting Final Subdivision plan approval for a lot line change at the Taylor Run Pump Station (Pump Station No. 11) for the West Goshen Sewer Authority.**

Mr. Kulakowsky brought forth the plan for the Taylor Run Pump Station, stating the plan was strictly for a lot line change as the West Goshen Sewer Authority was acquiring 0.08 adjacent acres and adding it to the current parcel the pump station is currently situated on. Mr. Kulakowsky announced the plan consisted of two (2) sheets prepared by Herbert, Rowland & Grubic, Inc. and were last revised on January 3, 2023, which were recommended for approval by the Township Planning Commission on January 10, 2023.

Ms. Camp verified that both property owners would sign the plan, and Mr. Kulakowsky confirmed.

Mr. Hellmann asked if the Sewer Authority had plans for future development. Mr. Kulakowsky stated that the current plan was for a lot line change to expand the parcel and that would provide the Sewer Authority additional space if needed for future development.

Mr. Walsh commented that the West Goshen Sewer Authority would be looking to develop the parcel in the future with improvements to the pump station.

Ms. Smith made a motion to approve Resolution No. 5 – 2023, granting Final Subdivision and Land Development approval for a lot line change at the Taylor Run Pump Station (Pump Station No. 11) for the West Goshen Sewer Authority. Mr. Hellmann seconded the motion.

Mr. Walsh asked if there were any comments from the Board on the proposed motion. No comments were noted.

Mr. Walsh opened the floor to public comment. There were no comments from the public.

There being no further discussion, the motion passed with a vote of 4-0.

**Discussion and possible approval of Resolution No. 6 – 2023, granting approval for a Final Lot Consolidation Plan for a 15,000 square foot area to be added to 815 Paoli Pike for Perfect Self-Storage, L.P.**

Mr. Kulakowsky brought forth the plan for 815 Paoli Pike for Perfect Self-Storage, L.P., stating the plan was for a lot-line change to add the 15,000 sq. foot area conveyed from Stanbery West Goshen LLC. to the Perfect Self-Storage operation for future development use. Mr. Kulakowsky announced that as a result of the Stanbery plan being recorded that identified the creation of this parcel, this plan could move forward with the lot line change intended to expand the Perfect Self-Storage parcel. Mr Kulakowsky announced the plan consists of two (2) sheets prepared by Inland Design last revised April 1, 2022 and recommended for approval by the Township Planning Commission on April 12, 2022.

Ms. Gagné made a motion to approve Resolution No. 6 – 2023, granting approval for a Final Lot Consolidation Plan for a 15,000 square foot area to be added to 815 Paoli Pike for Perfect Self-Storage, L.P. Ms. Smith seconded the motion.

Mr. Walsh asked if there were any comments from the Board on the proposed motion. No comments were noted.

Mr. Walsh asked if there were any comments from the public on the motion.

Steve Crum asked if stormwater plans would be included when the property owner applied for the building expansion intended in the future. Mr. Kulakowsky confirmed.

There being no further discussion the motion passed with a vote 4-0.

**Discussion and possible approval of Ordinance No. 1 – 2023, establishing a Volunteer Service Tax Credit program pursuant to Act 172 of 2016.**

Mr. Bashore brought before the Board a discussion and possible approval of Ordinance No. 1-2023, establishing a Volunteer Service Tax Credit program pursuant to Act 172 of 2016. Mr. Bashore announced that the proposed ordinance was discussed at the December 20, 2022 Board of Supervisors meeting but was tabled due to advertising requirements. Mr. Bashore announced the proposed ordinance was advertised in the Daily Local on December 5, 2022 and December 12, 2022. Mr. Bashore announced that the ordinance would allow for qualifying volunteers to receive an Earned Income tax and/or Real Property Tax credit pursuant to the allowances of Act 172 and the amounts of each tax credit and criteria would be established via resolution.

Mr. Hellmann asked if there was any indication of how many people may participate, and Mr. Bashore estimated approximately 30 at this time.

Mr. Hellmann asked if there was any estimate of the cost to the Township, and Mr. Bashore estimated approximately \$20,000.

Mr. Hellmann commented that he this program is a great opportunity to recruit and retain providers. Mr. Crum agreed that certainly for retention it would be helpful.

Ms. Smith made a motion to approve the Ordinance No. 1 – 2023, establishing a Volunteer Service Tax Credit program pursuant to Act 172 of 2016. Mr. Hellmann seconded the motion.

Mr. Walsh asked if there were any comments from the Board on the proposed motion. No comments were noted.

Mr. Walsh asked if there were any comments from the public on the motion. No comments were noted.

There being no further discussion, the motion passed with a vote of 4-0.

**Discussion and possible approval of Resolution No. 7 – 2023, establishing criteria for West Goshen Township’s Volunteer Service Tax Credit Program.**

Mr. Bashore brought before the Board possible approval of Resolution No. 7 – 2023, establishing criteria for West Goshen Township’s Volunteer Service Tax Credit Program. Mr. Bashore announced that the proposed resolution was discussed at the December 20, 2022 Board of Supervisors meeting but was tabled due to the ordinance advertising requirements of Act 172 of 2016. Mr. Bashore announced that the resolution would establish the criteria for the volunteer service tax credit program created through Ordinance 1-2023; Mr. Bashore shared the provisions outlined in the Resolution as follows:

- The Real Property Tax Credit is capped at 100% of the total tax liability as permitted by law. The Earned Income Tax Credit is capped at \$500 per year. The latter is in line with other regulations of this nature based on our research.
- Volunteers must be members of an entity serving the Township
- The eligibility criteria for each respective provider is outlined in the resolution.

Mr. Walsh commented that language in Section 2 was misleading to have an “up to amount” when there was a cap of \$500 for the Earned Income Tax Credit. Ms. Camp suggested a language change to “shall be entitled to a tax credit equal to \$500 dollars”.

Mr. Walsh asked about the process of receiving a tax credit for the earned income tax after it was already paid. Mr. Bashore explained his understanding of the process.

Ms. Smith asked if a change in language was required to capture all of the separate providers that serve the Township, and Ms. Camp suggested that each entity be included in the resolution.

Mr. Walsh made a motion to approve Resolution No. 7-2023, establishing criteria for West Goshen Township’s Volunteer Service Tax Credit Program subject to the two language changes described by Ms. Camp. Ms. Smith seconded the motion.

Mr. Walsh asked if there were any comments from the Board on the proposed motion. No comments were noted.

Mr. Walsh asked if there were any comments from the public on the motion.

Doug White asked if other organizations could be added that have volunteers, such as hospitals. Mr. Bashore clarified that this specifically was permitted pursuant to Act 172 for Fire and EMS agencies.

There being no further discussion, the motion passed with a vote of 4-0.

**Public hearing and possible approval of Ordinance No. 2 – 2023, amending the West Goshen Township Zoning Ordinance in order to permit assisted-living and miniwarehouse/self-storage facilities as uses by Conditional Use in the C-3 Limited Highway Commercial District.**

Ms. Camp introduced the hearing for Ordinance No. 2-2023, amending the West Goshen Township Zoning Ordinance in order to permit assisted-living and miniwarehouse/self-storage facilities as uses by Conditional Use in the C-3 Limited Highway Commercial District. Ms. Camp announced that the Ordinance was advertised pursuant to the Pennsylvania Municipalities Planning Code and shared proof of publication for advertising on January 6 and 10, 2023; announcing a copy was sent to the law library and a review performed and comments

received on December 16, 2022 from the Chester County Planning Commission (CCPC). Ms. Camp announced that in response to the County's December review letter, the buffer language was modified and an additional review and response was received from CCPC on January 12, 2023.

Mr. Hellmann made a motion to approve Ordinance No. 2 – 2023, amending the West Goshen Township Zoning Ordinance in order to permit assisted-living and miniwarehouse/self-storage facilities as uses by Conditional Use in the C-3 Limited Highway Commercial District. Mr. Walsh seconded the ordinance.

Mr. Walsh asked for any comments from the Board on the motion. No comments were noted.

Mr. Walsh opened the floor to comments from the public.

Bill Freas, commercial land owner of West Goshen Township, made comments regarding an influx of self-storage in the general area where the ordinance would permit self-storage in the C-3 district and as such he asked the Board to consider denying the ordinance as written.

Mr. Walsh responded that this ordinance and discussions regarding the best potential use for the site of the Quality Inn have been underway in public forum for a while.

Ms. Camp explained that the Board was in support of this Zoning Amendment due to low volume of traffic for these uses proposed for the C-3 District.

Margie Swart made a comment that self storage as zoned in the industrial use in the Zoning Ordinance has a height limit of 35 feet and in the proposed amendment the self-storage was permitted a height of 50 feet.

Ms. Camp clarified that the area and bulk applied to the entire zoning district, C-3, and in this case the height was only permitted if additional green area was provided.

Ms. Swart asked if the proposed self- storage for the Quality Inn site would be 50 feet tall, and Mr. Bashore stated that no land development plans had been received yet.

There being no further discussion, the motion passed with a vote of 4-0.

**Discussion and possible approval of Resolution No. 8 – 2023, authorizing the submission of a Park and Trail Improvement grant application to the Chester County Parks & Preservation Department for improvements to West Goshen Community Park.**

Mr. Bashore brought forth to the Board the possible approval of Resolution No. 8 – 2023, authorizing the submission of a Park and Trail Improvement grant application to the Chester County Parks & Preservation Department for improvements to West Goshen Community Park. Mr. Bashore explained that the grant would be for improvements to the basketball court, the installation of a splash pad, drainage improvements at the tennis courts, and the expansion of the bathroom facilities.

Ms. Gagné asked if it is possible to send in multiple applications to this grant program per grant round, and Mr. Bashore confirmed that is possible.

Ms. Gagné made a motion to approve Resolution No. 8 – 2023, authorizing the submission of a Park and Trail Improvement grant application to the Chester County Parks & Preservation Department for improvements to West Goshen Community Park. Ms. Smith seconded the motion.

Mr. Walsh asked if there were any comments from the Board on the proposed motion. No comments were noted.

Mr. Walsh asked if there were any comments from the public on the motion. No comments were noted.

There being no further discussion, the motion passed with a vote of 4-0.

**Discussion and possible authorization to advertise a proposed ordinance authorizing the fire companies servicing West Goshen Township to recover certain costs associated with their activities.**

Mr. Bashore brought forth before the Board authorization to advertise a proposed ordinance authorizing the fire companies servicing West Goshen Township to recover certain costs associated with their activities. Mr. Bashore announced that this was previously discussed by the Board as potential resolution, but it was determined that it would need to be an ordinance and is modeled after a similar ordinance adopted by Newtown Township in Delaware County.

Mr. Walsh asked if there were similar examples of this ordinance in Chester County and he asked for clarification of the process for the Township to accept and approve the rates to be charged.

Ms. Camp asked if the Board would want to approve the rates, as they would be set by the Fire Companies, or if an entity like the Coalition would approve them.

Mr. Bashore suggested that this be taken to the Coalition to develop the rates which could be set annually through a resolution. The Board was in consensus of this approach.

Mr. Hellmann made a motion to authorize to advertise the ordinance authorizing the fire companies servicing West Goshen Township to recover certain costs associated with their activities, subject to the change that the rates would be set annually through a Resolution, Ms. Smith seconded the motion.

Mr. Walsh asked if there were any comments from the Board on the proposed motion. No comments were noted.

Mr. Walsh asked if there were any comments from the public on the motion.

Doug White asked if a resident's insurance would be affected as a result of a claim from the company for the service. Mr. Bashore confirmed that the resident's insurance would be billed for materials or equipment used when responding to a fire call.

There was a general discussion among the Board about how a resident's insurance would be affected by the fire company billing insurance. It was suggested that Township staff reach out to municipalities with similar ordinances for additional information regarding the effect on homeowners' insurance.

There being no further discussion, the motion passed with a vote of 4-0.

**Discussion and possible approval of proposals from HRG, Inc. for the design of the following projects outlined in West Goshen Township's Pollution Reduction Plan.**

Mr. Kulakowsky brought forth proposals from HRG, Inc. for the design of the following projects outlined in the West Goshen Township's Pollution Reduction Plan:

- Basin Road Stream Restoration
- Government Services Center Basin Retrofit

Mr. Kulakowsky announced that the proposals for the design work for each project were \$79,600 for Basin Road and \$61,100 for Government Services and he noted that this would authorize HRG, Inc. to prepare the full scope of the project from preliminary through final design and preparing bid documents.

There was a general discussion about the two projects selected being more easily achieved projects whereas other projects in the PRP being stream bank restorations would require more design, time, and money to complete.

Mr. Walsh inquired if Carroll Engineering had prepared a proposal for the same scope of work, expressing interest in comparing what their estimate of the design work would be. There was a general discussion by the Board and a consensus that it would be beneficial to request an estimate from Carroll Engineering as well.

Mr. Walsh opened the floor to comments from the public.

Margie Swart thanked the Township for pursuing another proposal for the work.

Ms. Swart questioned the rate sheet provided, noting that the rates and overall costs seemed like an excessive amount of money.

Ms. Swart questioned how elimination of sedimentation could be proved to be reduced.

Ms. Swart questioned what billable expenses included on the HRG proposal.

Mr. Walsh stated that this would be tabled until the Township received a quote from Carroll Engineering for similar scope of work.

**Discussion and possible appointment of Paul Cavanaugh as a full voting member to the Zoning Hearing Board for a three-year term.**

Mr. Bashore brought forth the consideration of the Board to appoint Paul Cavanaugh as a full member of the Zoning Hearing Board. Mr. Bashore explained that it was discovered after the Board Organizations meeting on January 3, 2023 that the term information for Mr. Shannon Royer was incorrect and his term had expired; upon hearing this Mr. Royer indicated he wanted to step aside after serving on the Zoning Hearing Board for ten years. Mr. Bashore announced that if appointed, Mr. Cavanaugh would serve a term that expires in January 2026.

Mr. Walsh thanked Mr. Royer for his years of service on the Zoning Hearing Board.

Mr. Walsh made a motion to appoint Paul Cavanaugh as a full voting member to the Zoning Hearing Board for a three-year term. Mr. Hellmann seconded the motion.

Mr. Walsh asked if there were any comments from the Board on the proposed motion. No comments were noted.

Mr. Walsh asked if there were any comments from the public on the motion. No comments were noted.

There being no further discussion, the motion passed with a vote of 4-0.

**Reports for the month of December 2022:**

**Police Report presented Chief Michael Carroll.**

Police Chief Michael Carroll provided the monthly report for December 2022.

Mr. Hellmann inquired about the status of the formation of a police department at Chester County Hospital. Chief Carroll had nothing new to report.

Mr. Hellmann inquired about an update on the contract with the School District for an SRO, and Chief Carroll stated that the agreement was provided to the School District for approval.

Mr. Hellmann inquired about the status of a promotion of a Police Officer to Lieutenant and the hiring of an additional Officer.

**Board of Supervisors' announcements.**

Ms. Smith announced attendance of a Pennsylvania State Association of Township Supervisors (PSATS) webinar about recruitment of firefighters. Ms. Smith announced the appearance of multiple photographs taken by Ken Lehr, Parks and Recreation Director, in the PSATs calendar. Ms. Smith announced attendance on January 14, 2023 for the police recruitment process. Ms. Smith announced meeting with Chief Carroll on January 17, 2023. Ms. Smith announced the next Fire/EMS Coalition would be on January 23, 2023 at 5 PM.

Ms. Gagné announced that she had submitted the Tree City application on January 16, 2023 for the year 2022 reporting.

Mr. Hellmann announced participation on January 7, 2023 at a community book discussion on equity at the Melton Center hosted by the former WCASD Director of Equity and Assessment. Mr. Hellmann announced attending the Police recruitment process observation on January 14, 2023 and meeting with Chief Carroll on January 17, 2023. Mr. Hellmann announced there would be a Police Advisory Community Meeting on January 19, 2023.

Mr. Walsh announced attendance of a Special Pension Committee meeting on January 11, 2023 for presentations by financial advisors of their services.

**Township Manager's announcements.**

Mr. Bashore announced the next e-newsletter would go out at the end of the week.

Mr. Bashore announced that Township Staff met with HRG, Inc. to review the draft analysis of the Corrugated Metal Pipe report.

Mr. Bashore announced that the survey to residents of the R3-C Zoning District regarding a possible amendment of the requirements for projections into rear yards would be sent out at the end of the week and respondents would have until the end of February.

**Township Engineer's Stormwater announcements and Woodlands at Greystone update.**

Mr. Kulakowsky announced that he did not have anything specific to report relating to stormwater or Greystone at this time.

Mr. Hellmann asked for an update on the Glen Avenue/Sylvan Road project. Mr. Woodward responded that the final paving would occur in the next few weeks and then landscaping work would be completed in the spring.

Steve Crum asked for an update on the West Goshen Shopping Center redevelopment project.

Mr. Walsh asked what other project other than the West Goshen Shopping Center project the Township had hired a Traffic Engineer for. Ms. Camp responded that it was a project in West Chester Borough for a warehouse space, and the project was approved by the Borough.

**Zoning Officer's announcements.**



Mr. Bashore announced that there would be two applications before the Zoning Hearing Board at their next meeting on Monday, January 23, 2023 which are as follows:

- ZHB Application No. 11-2022: An application has been submitted to the Zoning Hearing Board for 220 Garfield Avenue (UPI # 52-5B-1) in the I-3 General Industrial Zoning District. The Applicant is Envera, LLC, LLC and they are seeking relief from Section 84-39.B.(5) of the Township's Zoning Ordinance in order to have a 21-foot front yard setback where a 40 foot yard setback is required. This is a result of their intention to expand the existing building on the property with a 7,770 sq. ft. addition.
- ZHB Application No. 1-2023: An application has been submitted to the Zoning Hearing Board for 546 Taylors Mill road ( UPI # 52-4-4.1) which is the Taylor Run Pump Station. The applicant is the West Goshen Sewer Authority and they are seeking a Special Exception pursuant to Section 84.90.9F of the Township's Zoning Ordinance in order to construct an electrical pad and other improvements at the pump station which is in the floodplain.

Mr. Bashore also announced another Zoning Hearing Board application was received for the property at 1081 Larc Lane which would have a hearing on February 27, 2023 before the Zoning Hearing Board. Mr. Bashore stated that the application was for relief from a rear yard setback requirement in order to construct a 2-story, 2-car detached garage on the property.

Mr. Hellmann asked how neighbors felt about a 2-story, 2-car detached garage. Mr. Bashore noted that Ms. Jilozian received calls from neighbors regarding the potential garage. Ms. Camp suggested that the applicant could be requested to attend the Board of Supervisors meeting to explain their project and allow for an opportunity for the Board to ask questions.

It was determined that the Applicants of the Zoning Hearing Board Application for 1081 Larc Lane be invited to attend the February 7, 2023 Board meeting to present their project and allow the Board opportunity to ask questions.

**Approval of Board of Supervisors meeting minutes of December 20, 2022 and January 3, 2023.**

Ms. Gagné made a motion to approve the minutes from December 20, 2022 and January 3, 2023 meetings of the Board of Supervisors. Ms. Smith seconded the motion.

Mr. Walsh asked if there were any comments from the Board on the proposed motion.

Mr. Hellmann brought forth edits for the December 20, 2022.

Ms. Gagné amended the motion to include correcting the typos pointed out by Mr. Hellmann. Ms. Smith seconded the amended motion.

Mr. Walsh asked if there were any comments from the public on the motion. No comments were noted.

There being no further discussion, the motion approving the minutes passed by a vote of 4-0.

**Approval of Treasurer's Report dated December 31, 2022 for the General Fund, the Sewer Revenue Fund, the Waste and Recycling Fund, and the Capital Reserve Fund, and the bills to be paid from these funds.**

Mr. Walsh made a motion to approve the Treasurer's Report dated December 31, 2022, for the General Fund, the Sewer Revenue Fund, the Waste and Recycling Fund, and the Capital Reserve Fund, and the bills to be paid from these funds. Ms. Smith seconded the motion.

Mr. Walsh asked if there were any comments from the Board on the proposed motion.

Ms. Smith questioned an amount paid to Goshen Fire Company regarding false alarm fees.

Mr. Walsh questioned a bill for Tyler Technologies.

Mr. Walsh asked if there were any comments from the public on the motion.

There being no further discussion, the motion to approve the Treasurer's Report dated December 31, 2022, for the General Fund, the Sewer Revenue Fund, the Waste and Recycling Fund, and the Capital Reserve Fund, and the bills to be paid from these funds passed by a vote of 4-0.

**Adjourn**

There being no further business, on motion by Mr. Walsh, seconded by Mr. Hellmann, and passed by a vote of 4-0, the meeting adjourned at 8:25 p.m.

Respectfully submitted,

Jaime Jilozian  
Assistant Township Secretary