

CHADDS FORD TOWNSHIP

Minutes – Board of Supervisors

October 3, 2001

The Supervisors of Chadds Ford Township met in the Township Building on Wednesday, October 3, 2001. The meeting was called to order at 7:30 P.M. Present were Harvey L. Kliman and James E. Shipley. Also present were Solicitor Donald T. Petrosa and James C. Kelly of Kelly Engineers.

PUBLIC COMMENT

Lauren Parsons asked for the status of water and sewer at Southpoint. Mr. Kliman looked to Mr. Kelly who acknowledged this would be included in his report.

Bruce Prabel mentioned that there have been a number of burglaries of cars along Heyburn Road. Mr. Kliman acknowledged that this was reflected in State Police Report.

STATE POLICE REPORT- No Report

APPROVAL OF MINUTES

Mr. Shipley motioned, Mr. Kliman seconded, and the Board approved the Minutes of the September 5, 2001, meeting.

Reports

Supervisors - Mr. Kliman delivered his Chairman's Report (attached).

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Treasurer

Account balances as of September 30, 2001:

State Funds:

v Checking	\$ 284.99	
v Savings	<u>\$54,007.57</u>	\$ 54,292.56

Township Funds:

v Checking	\$161,556.96	
v Savings	<u>\$ 34,721.33</u>	\$196,278.29

Escrow Fund:

\$414,553.63

Total

\$665,124.48

Certificates of Deposit opened December 12, 2000 – 14 months @ 6.50%:

Township Fund	\$ 65,978.48
Building Fund	\$102,443.61
Sewer Fund	\$ 7,111.13
Land Trust	\$ 10,000.00

Money Market opened December 12, 2000 – 30 days @ 6.05%:

Township Fund \$51,416.30

Total Certificates of Deposit/Money Market

\$236,949.50

TOTAL ALL FUNDS

\$902,074.00

Receipts for the month of September 2001:

General Fund:

Treasurer of Delaware County – trans. Tax	\$23,766.96
District Court – fines	100.00
Charles J. Weigold	895.06
v \$430.91 – Township	
v \$106.74 – Fire	
v \$286.46 – Int. Township	
v \$ 70.95 – Int. Fire	

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Receipts for the month of September 2001: (cont.)

Richard J. Jensen	3,327.50
v \$2,247.50 – BP	
v \$ 535.00 – ZP	
v \$ 265.00 – PP	
v \$ 200.00 – GP	
v \$ 80.00 – C/O	
SEO	
v \$500.00 – Paul A. Sica	500.00

Engineering	16,699.62	
√ \$ 511.50 – Anderson		
√ \$ 953.50 – Zantzinger		
√ \$ 143.50 – Olde Ridge		
√ \$ 33.75 – Berlin (Cunningham)		
√ \$ 132.63 – Keenan		
√ \$2,556.54 – St. Cornelius		
√ \$ 262.50 – Montchanin (Sheer)		
√ \$ 82.00 – Engineering Solutions (Sunoco)		
√ \$5,818.25 – Applied Card Systems		
√ \$1,895.00 – Applied Card (Caruolo inspection)		
√ \$ 681.00 – Mack		
√ \$2,711.95 – Wawa #2		
√ \$ 830.00 – Bancroft		
√ \$ 87.50 – Giunta (R.Jensen inspection)		
Legal	2,412.50	
√ \$ 775.00 – Applied Card Systems		
√ \$ 150.00 – Garnet VW		
√ \$1,275.00 – Wawa #2		
√ \$ 75.00 – AT&T		
√ \$ 87.50 – Bancroft		
√ \$ 50.00 – Concord One Assoc.(Ramada)		
Planning Module	79.00	
Sales of Maps & Ordinances	<u>215.86</u>	
Total Receipts – General Fund		\$47,996.50

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Receipts for the month of September 2001: (cont.)

Interest – General Fund	76.39
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Interest – State Fund	62.36
Interest – Money Market	<u>114.08</u>

Escrow Fund:

J's MVP Realty, LP (Applied Card) – GP	700.00
William R. Mock – GP	<u>700.00</u>

Total Receipts – Escrow Fund	<u>\$1,400.00</u>
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TOTAL RECEIPTS	<u>\$49,649.33</u>
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Bills presented for payment October 3, 2001:

General Fund:

Chester Water Authority	\$792.00
PECO	745.62
√ \$156.05	
√ \$451.43	
√ \$138.14	
PECO	127.12
Verizon (phone and fax)	105.21
AT&T	8.35
Petrikín, Wellman, Damico, Brown & Petrosa	3,567.50
Kelly Engineers	15,499.80
Chadds Ford Township Sewer Authority	2,333.33
Chadds Ford Township Sewer Authority	5,448.92
Shurgard of Painter's Crossing	169.00
Ehrlich	59.00
Daily Times	135.12
Charles J. Weigold	314.91
Reino's Print & Copy Centers	589.52
Ralph E. Jennings	480.00
Collinson, Inc.	254.00
Keystone Digital Imaging	687.00
Eugene A. Defino – Tax overpayment refund	633.89
United States Treasury	450.00

PA Department of Revenue	56.00
Martin Bros. Excavation	816.00

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Bills presented for payment October 3, 2001: (cont.)

Susie Ahlstrom	60.00
Harvey L. Kliman	125.00
George M. Thorpe	125.00
James E. Shipley	125.00
George M. Thorpe – Roadmaster	75.00
Richard J. Jensen	2,883.50
Richard J. Jensen – phone	120.67
Richard J. Jensen – postage	51.98
Gail G. Force	935.65
EarthLink, Inc.	17.95
AOL	<u>28.90</u>

Total Bills – General Fund	\$37,820.94
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Mr. Shipley motioned, Mr. Kliman seconded, and the Board approved the bills as presented.

Roadmaster

Mr. Kliman read Roadmaster Thorpe’s report (attached).

Planning Commission

The Secretary highlighted the Minutes of the September 26, 2001, Planning Commission Meeting.

Zoning Hearing Board

Mr. Petrosa announced that the Giunta case has been continued indefinitely. The Applicant will prepare a more specific proposal. Mr. Jensen spoke to Dr. Giunta during the week and he believes that the sign issue has been resolved between Dr. Giunta and his tenant.

HARB – No report

Sewer Authority

Jim Murray reported that the Rate Study has been completed. There will be a meeting on October 9, 2001, at 7:00 P.M. with the Supervisors.

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Two residential units have been approved for the Delaware County Rehab Program and five are pending under review. Chester Water Authority has received five applications for public water on Longview Road, so public water will be made available for Longview. Chester Water Authority began construction on Woodland today. Mr. Kelly advised that a hydrant has been pinpointed on Longview and Woodland. The sewer contractor has completed the main line on Woodland and Summit. The Longview manhole has been connected to the collection line in the cul-de-sac on Longview. The installation of the main pump station has been scheduled for January on the Woodland side. Project completion should be in February. Flow into the plant will be tested some time in January.

New influent pump, valves, and pipe installation at the Plant has been completed; cost \$20,000.

A Newsletter has been created to advise residents who already have sewer, those who are now connecting, and those in the future study areas, of what is going on with the Sewer Authority.

Building Inspector/Code Enforcement Officer

Mr. Jensen reported the issuance of the following permits during the month: 2 roof, 4 signs, 2 temporary signs, 1 grading, 1 new home, and 2 residential additions. Two Certificates of Occupancy for new businesses and nine for

completed jobs were issued.

Engineer

Fanelli – The Developer submitted a request for the release of the remaining balance of escrow. The improvements have been completed; and, pending payment of any outstanding amount owed to the Township, Mr. Kelly recommended release of escrow. Mr. Shipley motioned, Mr. Kliman seconded, and the Board approved release of this escrow subject to payment of any outstanding invoices.

Fanelli/Mack - The Developer submitted a request for the release of the remaining balance of escrow. The improvements have been completed; and, pending payment of any outstanding amount owed to the Township, Mr. Kelly recommended release of escrow. Mr. Shipley motioned, Mr. Kliman seconded, and the Board approved release of this escrow subject to payment of any outstanding invoices.

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Engineer (cont.)

Because our Sign Ordinance speaks specifically to parking trucks on business properties as signs, Mr. Kliman asked Mr. Jensen to remind both Mr. Mack and the Teak Furniture property owner on Route 202 about the trucks they have parked along Route 202.

Applied Card – Two applications for Permit to Install and Operate Traffic Signals have been submitted. This application is in the form of a Resolution to be adopted by the Township who will be the owner and operator of the traffic signal. The application is subject to terms and conditions of the Township and approval of the Final Plans for the construction of the access road to the Applied Card development in Concord Township that sets forth the obligation of the Developer to bear all costs of operation and maintenance of this signal. Mr. Shipley motioned, Mr. Kliman second, and

the Board approved this Resolution to be held until the necessary agreements for maintenance and construction of this signal have been executed.

Ramada Inn – A small portion of this lot is within Chadds Ford Township, requiring multi-municipal approval. On August 29, 2001, the Planning Commission voted to recommend to the Board of Supervisors that this plan be approved. The plan, dated April 23, 1999, revised September 10, 2001, has been reviewed and is acceptable for execution.

Wawa (Dilworthtown Road) – On August 29, 2001, the Planning Commission recommended approval of the preliminary land development plans for the proposed facility on Route 202 at Dilworthtown Road, subject to addressing engineering review comments and provision of satisfactory sewage facilities in the form of connection to public sewers. No further submissions have been received.

Bunch Auction House – On August 21, 2001, a revised preliminary/final plan addressing all Planning Commission and engineering review comments was submitted to Kelly Engineers. The sewage issue has not been finally resolved because PaDEP has not approved the Planning Module. A meeting was held on Tuesday, September 25, 2001, with Messrs. Bunch and Zukin and their engineers, Jeff Nagorny and Brian Rupp, and Glenn Stinson and John Veneziale of PaDEP. DEP indicated that a Planning Module for an on-site system could be approved with the condition that the applicant connect to the Knight's Bridge sewer system as soon as the ability to connect became available. They further urged the Township to implement the "537 Plan" as adopted and approved, and take steps to acquire the Knight's Bridge sewer system. Therefore, PaDEP will approve the Planning Modules as submitted with conditions as stated above.

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Engineer's (cont.)

Hoffman's Mill Road – Construction of the new Hoffman's Mill Road has been satisfactorily completed.

2001 Road Program – A meeting has been scheduled with PennDOT to

review the contract for this project. Upon receiving PennDOT approval of the contract, a notice to proceed will be issued to the contractor, Joseph E. Sucher & Sons. It is anticipated that paving will begin at the end of this month and should be completed in about three weeks.

537 Plan Amendment – Mr. Kelly submitted a draft of a Scope of Work and cost estimate for revising the 537 Plan to include Ravens Crest and Ridge Road properties west to Heyburn Road and Marshall Road east to the Township line. PaDEP has been advised of the intention of the Township to amend the Act 537 Plan and the Scope of Work will be submitted to PaDEP for approval, making the Township eligible for 50% reimbursement according to Act 537. In Mr. Kelly's conversation with PaDEP, they inferred the Township may be required to expand the study area beyond that which was discussed. Mr. Kelly was authorized to proceed with the study of the Act 537 area.

SEO Activity Report (see attached report for the period September 1 through 30, 2001)

St. Cornelius - Mr. Kelly also reported that on Friday, September 28, 2001, he met with Jim Murray, Brian Rupp, and three engineers from Spotts, Stevens and McCoy to discuss connection of St. Cornelius school and/or entire campus to the sewer system. At the time Mr. Kelly left this meeting, the conclusion was that the Authority was going to look into the actual cost for connection. St. Cornelius was going to look into a more thorough estimate for their cost to build and operate an on-lot disposal system so there would be data for a comparison.

Solicitor

Daly vs. Chadds Ford Township – This litigation was filed by Mr. Daly, one of the owners of Kopy Kats (formerly Barnaby's Restaurant) because Mr. Jensen, refused to issue a Building Permit for a deck addition; because, in his opinion that this requires submission of a Land Development Application. A hearing is scheduled for October 29, 2001, at 10:00 A.M. At a meeting with Mr. Petrosa, Mr. Kelly, and the owner, there was discussion about the desire of the owner to have the Township consider re-zoning this property to permit automobile use. Mr. Kliman stated that the Board had just worked to re-define the auto zones for

Solicitor (cont.)

Daly vs. Chadds Ford Township (cont.)

the Township and it did not include this property. Mr. Kliman felt it would not be a good thing to go back and create a spot zone for an auto dealership. Mr. Petrosa will advise the Applicant's attorney that it does not look likely that this property will be re-zoned.

Ordinance Revisions – Natural Lands Trust – Mr. Petrosa received correspondence from Ann Hutchinson and the Brandywine Conservancy. He will review the revisions and meet to discuss the Ordinances.

Concordville Fire Company – Harry Dunn, Esquire, Solicitor for the Fire Company, forwarded budgetary information and requested a meeting with the Supervisors regarding increased funding.

Condemnation of Patras property – Mr. Petrosa has had to contact another appraiser and expects information in a few days.

Open Space Committee

There was no report; however, Lois Saunders did mention that they have not received ordinance revisions for review.

Property Planning Workgroup – No report

OLD BUSINESS

Stonebridge Bed & Breakfast – Mary Anna Ralph, a consultant for the owners of Stonebridge, provided a model ordinance with an overlay district to allow reuse of historic buildings with provisions for Bed and Breakfast and Bed and Breakfasts with a restaurant. In the early 1970's this area was commercially zoned and was changed to residential. Two owners have advised Mr. Kliman that if this ordinance is adopted, they will be coming to the Township to change the zoning of their properties. Mr. Kliman expressed his concern regarding commercialization of Route 1, equivalent to spot zoning, and stated there is resistance. This ordinance

was referred to the Planning Commission and Mr. Petrosa for comments.

Animal Control Ordinance – Mr. Petrosa provided several model Animal Control Ordinances. Because it is very difficult to file a complaint either on the County or State level, there may be a benefit from having a lower level of action by maintaining an Animal Control Officer. This would be something the Township would try for a year.

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Animal Control Ordinance (cont.)

The cost is not significant and we could build into the ordinance a provision that a resident who calls for this service is responsible for the \$35.00 fee. If Supervisors have reviewed and commented, there may be a hearing at 7:00 P.M. before the November 2001 Board of Supervisors' meeting.

House Renumbering – Mr. Kelly prepared a revised plan. An informational hearing, to be held at the Chadds Ford Elementary School, will be advertised for November 1, 2001.

Loop Road Dedication – Mr. Kliman again stated that the Township is not interested in accepting dedication of the newly constructed loop road at the northwest corner of the Route 202 and Route 1 intersection. It is his feeling that this is a part of the highway system and not a local road. PennDOT has stated that they are not accepting any roadways. The drawback is that the private developer has stated that the road will not be open to traffic. Michael Lyons, Esquire, representing the Developer, will relay this information to Mr. Ciccarone. Mr. Ciccarone has lost his anchor tenant for this site; therefore, Mr. Lyons questioned if the road could be accepted for dedication without the development of the property, as was originally approved.

NEW BUSINESS

Heilman Sunoco (Routes 1 and 202) – Michael Lyons, Esquire, Wayne Grafton, and Gary Register represented this owner with a sketch plan for a proposed car wash addition at the rear of the existing building on this site. Setbacks and signage will be an issue. Gary Register, of Wash Systems, explained that the water for this

facility comes from the existing well. It is a closed loop system with 90% to 95% recovery of water. Any waste will be handled by a licensed hauler. The complete washing process will use 18 gallons of water per car, with a 2% loss per car, and they can wash 35 cars per hour during a 10-hour day peak season day. There will be approximately a 3% increase in impervious coverage. Mr. Kliman mentioned that we have asked Applicants of non-conforming sites, with high impervious coverage, to propose some mitigation for storm water management. The Board responded that they would not be sending our Solicitor to oppose at this hearing.

Mehring Subdivision – Representing Mr. Mehring, Tom Schocklin of Brandywine Valley Engineers, presented a sketch plan for subdivision of Mr. Mehring’s 33-acre property. His intent is to subdivide into four lots. Zoning relief will be required for setbacks from the private driveway and expansion of an existing structure within the setback. Mr. Mehring will be Deed restricting these lots. Mr. Petrosa will research the driveway setback.

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Well Ordinance – Mr. Kelly will revise the draft copy of this Ordinance for further review.

ADJOURNMENT

The meeting was adjourned at 9:45 P.M.

Gail G. Force, Secretary