

Chadds Ford Township Board of Supervisors Meeting
April 29, 2004
MINUTES

OFFICIALS PRESENT: George M. Thorpe, Chairman
Deborah Love D'Elia, Vice Chairman
Garry Paul, Member
Hugh A. Donaghue, Township Solicitor
James C. Kelly, Township Engineer
Richard J. Jensen, Building Inspector, CEO
Maryann D. Furlong, Secretary/Treasurer

CALL TO ORDER

Mr. Thorpe called the meeting to order at 7:05 PM. The Pledge of Allegiance was recited.

Mr. Thorpe pointed out the emergency exits.

PUBLIC COMMENT – CHADDS FORD RESIDENTS

Fred Reiter, Atwater Road, stated that he thought Election Day had gone very well.

Jim Murray, on behalf of the Chadds Ford Township Civic Association, thanked all those who had helped with the recent cleanup day, especially those from Hannum Harley Davidson who had worked on rather hazardous areas of Route 1.

Andy Varriale, who is currently developing the "Keystone Plaza" site on Wilmington West Chester Pike, asked the Board for guidance as to what might be done to have a traffic light installed at the entrance to his shopping center. Mr. Thorpe replied that he would be glad to discuss various options with Mr. Varriale after the meeting.

STATE POLICE REPORT

There was no report available.

APPROVAL OF MINUTES – April 1, 2004

Mrs. Furlong had prepared and circulated minutes of the April 1, 2004 meeting of the Board of Supervisors for review and comment. Mr. Thorpe had suggested minor revisions. Mr. Paul had a revision to the February minutes, which Mrs. Furlong will address prior to the next Board meeting.

MOTION TO APPROVE BOARD OF SUPERVISOR MINUTES OF APRIL 1, 2004

Upon motion and second (D'Elia, Paul), the Board of Supervisors approved the minutes of April 1, 2004, draft of 4.28.04.

REPORTS

SUPERVISORS' REPORT

Ms. Love D'Elia reported that she had attended the PSATS Convention in Hershey. Of particular interest were seminars on open space and wastewater management. Mr. Paul and Mrs. Ms. Love D'Elia had been present with Township Solicitor Hugh Donaghue just prior to this meeting with representative of Toll Brothers. The three

Supervisors had also met on April 21st at Mr. Kelly's office along with Mr. Donaghue and Mr. Jensen.

Mr. Thorpe thanked members of the Chadds Ford Township Civic Association for distributing the pamphlet "When It Rains It Drains" on behalf of the Township. Many residents in the audience had received and reviewed the information contained in the brochure.

TREASURER'S REPORT

Mrs. Furlong reported the following balances as of April 30, 2004:

Total all deposits to General Fund:	\$ 145,412.69
Total disbursements General Fund:	\$ 51,742.25
Cash Account Balance	\$ 989,045.16

MOTION TO APPROVE TREASURER'S REPORT

Upon motion and second (Paul, D'Elia), the Board of Supervisors unanimously voted to approve the Treasurer's Report for April, 2004, and authorized payment of bills in the amount of \$ 51,742.25, as listed in the

Disbursement Report dated April 28, 2004, with the addition of check number 3605 in the amount of \$78.18 payable to Mrs. Love D'Elia for reimbursement of expenses incurred at the PSATS Convention.

ROADMASTER'S REPORT

Phil Wenrich presented the Roadmaster's report for the month of April, 2004, a copy of which follows.

Ms. Love D'Elia asked Mr. Wenrich if repairs had been made to Susan Alatary's lawn on Woodland Drive as yet, pursuant to an e-mail that had been received. Mr. Kelly replied that the contractor, who had performed the work, although not the cause of the damage, would be back to make the repair in the near future.

PLANNING COMMISSION

Mrs. Furlong briefly reviewed the minutes of the Planning Commission meeting of Wednesday, April 14, 2004, a copy of which follows.

ZONING HEARING BOARD

Mr. Wandersee reported that the Board had meet on Wednesday, April 21, 2004, for a hearing on the application of Michael and Linda Maxwell. A copy of Mr. Wandersee's report follows.

Mr. Wandersee suggested that with the resignation of Diane Pendleton, the Board of Supervisors might consider appointing alternate member Joseph Vaites as a permanent member of the Zoning Hearing Board. Mr. Wandersee will seek another resident to recommend as an alternate member of the Board. Mr. Thorpe stated that consideration of Mr. Vaites' appointment would be addressed under the New Business portion of tonight's meeting.

HARB

Mr. Jensen stated that there was nothing to report for the month of April.

SEWER AUTHORITY

Mr. Murray presented a condensed Sewer Authority report for the month of April, 2004, a copy of which follows. Mr. Paul questioned Mr. Murray as to how things were going with flows relative to the INI and the 225 figure versus the 265 figure. Mr. Murray replied that the topic would be on the agenda for next Sewer Authority meeting, but although he was not seeing as much reduction as he would like, the results were encouraging.

BUILDING INSPECTOR/CODE ENFORCEMENT OFFICER

Mr. Jensen reported as to the number of permits that had been issued during the month of April, 2004. A report had been submitted to the Supervisors.

Mr. Thorpe asked if Mr. Jensen could remind those present of Township regulations regarding the public sale of automobiles. Mr. Jensen replied that parking a car on the street or in a yard with a "For Sale" sign(s) without conditional use approval is not permitted.

TOWNSHIP ENGINEER

Mr. Kelly had no formal report, however, he did announce that a review letter dated April 29, 2004, containing comments on the Toll Brothers' PRD application had been submitted to the Township Secretary, along with a project list relative to the Toll Brothers/ Camp Sunset Hill PRD Application.

OPEN SPACE COMMITTEE

Ms. Lois Saunders presented the April 8, 2004 report of the Open Space Committee.

TOWNSHIP PROPERTIES COMMITTEE

Mr. Thorpe reported that two meetings had been held this week regarding the continuing renovation of Mother Archie's Church. The first was to review the proposed sign and the second was with an expert on gravestones from Widener University who offered advise as to how to repair, upright and preserve the gravestones. The expert had worked on the site in 1982 and congratulated Mr. Thorpe on the improvements that had been made. Mr. Thorpe announced that one grant the Township had received from DCED was nearing completion, with a subsequent grant pending to finish the work.

As to Turner's Mill, the Township was still waiting on refinements of plans from both Mr. Kelly and Mr. Milner before moving ahead.

FINANCIAL ADVISORY BOARD

Mrs. Love D'Elia reported that the FAB had not met during April.

OLD BUSINESS

WAWA

Attorney Skip Bryon was present on behalf of Wawa, Inc., regarding the land development application for the parcel of land at the corner of Route 202 and Dilworthtown Road, a small portion of which falls within Thornbury Township. The plan had received

preliminary approval from the Chadds Ford Township Board of Supervisors on September 5, 2001, with one condition of the approval being public sewage. The applicant has received approval of the land development plan from Thornbury Township.

Robert Irons, PE, of Bohler Engineering reviewed the proposal for sewage. A line would run from the rear of the proposed Wawa and connect to the first manhole in the Cherry Farm development. An extension of the line will also run towards Route 202 for future connections. Mr. Murray, Chairman of the Chadds Ford Township Sewer Authority asked if everything Mr. Irons had suggested was in compliance w/Township ordinances. Mr. Irons replied that the Township's Act 537 Plan would have to be revised. There was further discussion of the specific types of equipment and lines proposed. Mr. Murray asked if any treatment will occur at the building site. Mr. Irons replied that only a force main and a gravity line will be on site.

Mr. Byron indicated that the applicant had received land development approval and tentative approval of the concept of the sewage disposal from Thornbury Township. Mr. Kelly discussed the need for DEP approval and what the applicant must do to receive same. Mr. Byron stated that he was asking for Chadds Ford's approval of the conceptual plan for sewage disposal as an indication that the Township will be willing to revise its Act 537 Plan when appropriate.

Mr. Thorpe asked Mr. Kelly is Chadds Ford's concerns that had been voiced at prior meetings had been addressed. Mr. Kelly responded that Chadds Ford was concerned with the sewer line being extended to Route 202 and available for property owners in that area and that issue had been addressed.

Mr. Murray stated that the Chadds Ford Township Sewer Authority was totally funded by users and if a problem should occur at the Wawa location, he did not want those users to be adversely effected monetarily. Mr. Murray wished to go on record stating that the Sewer Authority was not aware of this application, had no input into it and further stated that it had not been approved by Sewer Authority. Mr. Thorpe took exception to Mr. Murray's remarks and replied that the sewage issue has been discussed publicly for some three years.

MOTION TO APPROVE SEWER DESIGN OF WAWA FOOD MARKET – ROUTE 202 & DILWORTHTOWN ROAD

Upon motion and second (D'Elia, Paul), members of the Board of Supervisors approved the sewer design for the Wawa Food Market at Route 202 and Dilworthtown Road, subject to approval of the plans and agreements as submitted and further subject to approval from DEP.

Mr. Paul commented that Mr. Murray had a valid point in that anything having to do with sewage in the Township should first be presented to the Sewer Authority, then to the Board. Mr. Thorpe, however, suggested that since the Act 537 Plan was controlled by the Township, it was appropriate for the Township to be approving the Wawa proposal.

JA BERGIN ZONING APPLICATION PRESENTATION

Donald T. Petrosa, Esquire, was present for the applicant, James A. Bergin. Mr. Petrosa had attended the March 3, 2004, Board of Supervisors meeting, seeking relief from Township parking requirements for a proposed new 3625 square foot retail/coffee shop on the former Urella property. A report dated March 25, 2004, from Orth-Rodgers Associates, Transportation Engineers and Planners, had been submitted to the Supervisors for review. Mr. Petrosa summarized the report, stating that the Township's retail space

parking requirement was too strict. The question before the Board was whether or not to send the solicitor to oppose the Zoning Hearing Board application. Board members and Mr. Petrosa discussed various aspects of the plan with Mr. Jensen suggesting the building be moved back and perhaps parking slot #9 be eliminated. The applicant was willing to work on that aspect of the proposal. Mr. Paul suggested that the quality of the parking spaces is also important and there might be less of a problem by moving the building back in order to provide more parking in the front. Mr. Petrosa replied that the applicant would look into the suggestion.

The Board will make a determination as to whether or not to oppose the Zoning Hearing Board application after Mr. Petrosa has had an opportunity to meet with Mr. Jensen and Mr. Kelly to discuss possible revisions to the plan.

NEW BUSINESS

471 WEBB ROAD PRELIMINARY/FINAL SUBDIVISION APPLICATION – 471 Webb Road

Mr. Donaghue presented Resolution 2004-11, which would approve the application of 471 Webb Road to subdivide their property at 471 Webb Road and briefly described the proposal. Mr. Thorpe asked if all conditions had been met and documents received. Mr. Donaghue read the conditions set forth in the Resolution and asked the applicant if he agreed to same. Resident stated that he did agree to the conditions.

MOTION TO APPROVE 471 WEBB ROAD PRELIMINARY/FINAL SUBDIVISION APPLICATION – 471 Webb Road

Upon motion and second (Paul, D'Elia), the Board of Supervisors unanimously approved the Preliminary/Final Subdivision Application of 471 Webb Road, tax folio number 04-0000123-00, conditioned upon the three (3) requirements set forth in Resolution 2004-11.

ZONING HEARING BOARD VACANCY

Board members discussed the vacancy on the Zoning Hearing Board and Mr. Wandersee's recommendation that current alternate member Joseph Vaites be appointed.

MOTION TO APPOINT JOSEPH VAITES AS A REGULAR MEMBER OF THE ZONING HEARING BOARD

Upon motion and second (D'Elia, Paul), members of the Board of Supervisors unanimously voted to fill the Zoning Hearing Board vacancy created by the resignation of Diane Pendleton with Joseph Vaites, with a term to be effective immediately and run through December 31, 2005.

ADJOURNMENT

There being no further business, the meeting was adjourned at 8:11 PM.

Respectfully submitted,

MARYANN D. FURLONG,
Township Secretary

