

Draft of September 6, 2005

**Chadds Ford Township Board of Supervisors Meeting  
August 3, 2005  
M I N U T E S**

**OFFICIALS PRESENT:** George M. Thorpe, Chairman  
Deborah Love D'Elia, Vice Chairman  
James Bradley, Acting Township Solicitor  
James C. Kelly, Township Engineer  
Richard J. Jensen, Building Inspector/CEO  
Maryann D. Furlong, Secretary/Treasurer

**CALL TO ORDER – REGULAR MEETING**

The meeting was called to order at 7:35 PM and the Pledge of Allegiance was recited. Mr. Thorpe thanked all for attending and pointed out emergency exits.

**STATE POLICE REPORT**

Trooper Testa of the Pennsylvania State Police Barracks, Media, gave a brief summary of incidents during July including 40 false burglar alarm calls, 6 DUIs, 3 stolen vehicles, and 2 burglaries, one in Springwater Plaza and the other on Baltimore Pike. Jim Kelly reported vandalism to one of the dwelling units on Fox Pointe Court. The Trooper verified for Mr. Thorpe that private roads are patrolled by the State Police, as long as there is public access.

Mrs. Reardon suggested State Police patrol the intersection of Heyburn and Ridge Roads for motorists running the stop sign. Mr. Thorpe said the same conditions exist at Creek and Station Way Roads.

**APPROVAL OF MINUTES – July 11, 2005**

Minutes of the July 11, 2005 meeting were previously circulated for review with Mr. Thorpe making minor changes.

**MOTION TO APPROVE BOARD OF SUPERVISOR MINUTES OF July 11, 2005**

Upon motion and second (D'Elia, Thorpe), the Supervisors present approved the minutes of July 11, 2005, as revised and signed by acting Township Secretary Gail Force.

**REPORTS**

**SUPERVISORS' REPORT**

The Calvary Chapel conditional use hearing was postponed from Thursday, July 28, 2005 to Monday, August 29, 2005, 7:00 PM.

All three Supervisors met with Toll Brothers representatives and the Township Solicitor on July 27<sup>th</sup> regarding the Turner's Mill sewage plant and construction items.

**RACHEL KOHL COMMUNITY LIBRARY**

Library Board of Directors member Sandie Paul announced that the Library will host its second annual Family Fun Day on Saturday, September 10<sup>th</sup> from 4PM – 7PM at the Library grounds, on Smithbridge Road. Everyone is invited to attend.

## TREASURER'S REPORT

Mrs. Furlong reported the following figures and balances for the month of July, 2005:

Total all deposits to General Fund:	\$	46,197.03
Total disbursements General Fund:	\$	269,290.73
Total disbursements Escrow Account:	\$	20,316.60
Cash Accounts Balances	\$	817,792.44

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### **MOTION TO APPROVE TREASURER'S REPORT**

Upon motion and second (D'Elia, Thorpe), Mrs. Love D'Elia and Mr. Thorpe unanimously voted to approve the Treasurer's Report for July, 2005, and authorized payment of bills in the amount of \$269,290.73.

### **FIRE MARSHALL**

No report was available.

### **EMERGENCY MANAGEMENT COORDINATOR**

No report was available.

### **ROADMASTER'S REPORT**

Joe Barakat, Township Roadmaster, presented the Roadmaster's report. A copy follows. Mrs. Reardon thanked the Roadmaster for the improvements to Heyburn Road. Susan Daryl advised Mr. Barakat of a limb blocking a stop sign on Oakland Road.

Mr. Thorpe thanked Richard Jensen for his continuing diligence in overseeing the Turner's Mill project.

### **BUILDING INSPECTOR/CODE ENFORCEMENT OFFICER**

Mr. Jensen presented the Building Inspector/Code Enforcement Officer's report for the month of July. A written report and accompanying checks were submitted.

Three Zoning Hearing Board applications are scheduled for August 17<sup>th</sup>: the Walker application; the Horan application and the Chadds Ford Township application regarding a parking island issue at Turner's Mill.

Mr. Thorpe asked for specific information on the Walker application. Plans were reviewed, with Mr. Jensen advising the Supervisors of a change in the estimated distance from the proposed terrace to the rear yard line of only 31 feet, not 45 feet as originally submitted. After discussion, the Supervisors directed Mr. Bradley to attend the Walker

hearing to oppose the current plan, specifically the terrace.

### **TOWNSHIP ENGINEER**

Mr. Kelly presented the Engineer's report dated August 3, 2005. A copy follows the minutes. JP Kelly will attend an MS4 meeting to be held at Edgmont Township regarding NPDES requirements for year three. Mr. Kelly also suggested three reductions in improvement security escrows.

### ***MOTION TO APPROVE ESCROW RELEASES and REDUCTIONS IN LETTERS OF CREDIT***

Upon motion and second (Thorpe, D'Elia), the Supervisors present approved the release of \$2,766.60 from the Cornerstone improvement security cash escrow, and reductions in letters of credit for improvement security escrows for Stone Brook I in the amount of \$38,169.99 and for Stone Brook II in the amount of \$4,788.27.

### **PLANNING COMMISSION**

Mr. Taylor, Planning Commission Chairman, read his report for the meeting of Wednesday, July 13, 2005 and the special meeting of July 27, 2005.

There was discussion as to roadway maintenance for the residential portion of the proposed Ridge Road Associates development in Chadds Ford. A small portion of the residential road falls in Concord Township. Mrs. Love D'Elia reported that a meeting is scheduled with Concord Township officials to review both shopping center and residential plans and that the road issue will be addressed.

### **ZONING HEARING BOARD**

Mr. Wandersee reviewed his report on hearings held on July 20, 2005. A written report follows.

### **HARB**

No submissions were made during July.

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### **SEWER AUTHORITY**

Mrs. Taylor presented the Sewer Authority report for the meeting held on July 19, 2005 and subsequent activities. A copy of the report follows. There was discussion regarding odor emanating from the Knight's Bridge WWTP.

### **OPEN SPACE COMMITTEE**

Chairman Debbie Reardon reviewed recent Open Space activities and reported on the meeting held on July 14, 2005. A report follows.

### **TOWNSHIP PROPERTIES COMMITTEE**

Mr. Thorpe reported that the Committee did not meet during July.

## **FINANCIAL ADVISORY BOARD**

Mrs. Love D'Elia reported that arrangements had been made with Commerce Bank for automatic withdrawals of monthly payments on the Turner's Mill loan.

## **PUBLIC COMMENT**

Paul Vernon, Beaver Valley Road, invited all to attend the second annual Chadds Ford

Community Day, scheduled for September 17<sup>th</sup> at the King residence on Ring Road. The event is sponsored by the Civic Association and the Brandywine Baptist Church.

Mr. Thorpe reminded everyone of the annual 9/11 memorial service at the Brandywine Battlefield

State Park, September 11<sup>th</sup> at 6:00 PM. The Brandywine Battlefield will also reenact the Battle of the

Brandywine on September 25<sup>th</sup> and Chadds Ford Days is scheduled for September 10<sup>th</sup> & 11<sup>th</sup>. Paul

Koch announced that thanks to Commerce Bank and Carrabba's Italian Restaurant, admission will be

free this year. Family Fun Day, sponsored by the Rachel Kohl Community Library, will be held on

September 10<sup>th</sup> from 4PM – 7 PM.

## **OLD BUSINESS**

There was no old business.

## **NEW BUSINESS**

### **BALTIMORE PIKE OVERLAY DISTRICT**

Upon recommendation of the Township Solicitor, the Board intended to readopt Ordinance 110, the Baltimore Pike Overlay District. A recent Court decision indicated that any slight change in a proposed ordinance after the legal advertisement necessitates another review process. In that effort both Delaware County Planning and Chadds Ford Planning Commissions have re-reviewed the ordinance. A second set of notifications, both mailed and posted was completed, as well as another legal advertisement.

The Chairman expressed concern regarding severe erosion and flooding problems within the Harvey Run watershed, especially on Ring, Heyburn and Creek Roads. Additionally, when flooding occurs, those who live south of Route 1 often are left with no quick access for emergency vehicles with residents on Camly and Murphy Roads are completely cut off. Mr. Thorpe said that it is obvious that the increase in impervious coverage needs to be stopped.

George Watkins, property owner, asked that the Board confirm that Chadds Ford Ordinance 110 to be readopted is the same, without any change, as Ordinance 110 that was enacted June 1, 2005. Mr. Thorpe confirmed that it is exactly the same.

### **MOTION TO ADOPT ORDINANCE 110 BALTIMORE PIKE OVERLAY DISTRICT**

Upon motion and second (Thorpe, D'Elia), the Supervisors present voted to adopt again Ordinance 110, commonly known as the Baltimore Pike Overlay District, originally

passed on June 1, 2005.

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### **OSBORNE APPEAL TO BOARD OF SUPERVISORS**

Matthew Osborne, current owner of 385 Ring Road, asked for permission to install a bathroom and plumbing in an accessory building that already exists approximately twelve feet from his home. Mr. Osborne has removed walls within the structure with no intention of using the building for living purposes. The owner would be willing to encumber title via a deed restriction to prohibit any dwelling in the building.

Mrs. Love D'Elia asked if there is heat in the accessory building and if there is a pool or tennis court on the property. Mr. Osborne replied that he recently had heat installed, but does not have a tennis

court or swimming pool. Mr. Jensen stated that this presents a problem because he has not issued a permit for HVAC work, and has only spoken to the architect concerning the accessory building. Mr. Osborne will investigate the situation.

Mr. Jensen stated that prior owners had sought to use the accessory building to house their children after it had been used as an artist's studio. Mr. Thorpe noted that all year use is being sought as opposed to seasonal use. If the intent was to use the building as a seasonal pool house, plumbing might be acceptable. Mr. Osborne has considered attaching the structure to the house because of its close proximity and Mr. Thorpe suggested he reconsider that option. Mr. Osborne will contact Mr. Jensen regarding requirements for connecting the structures.

### **SUICIDE AWARENESS WEEK**

Mrs. Love D'Elia reviewed a proposed resolution that if adopted, would join Chadds Ford Township in Delaware County Council's support of the need for suicide awareness.

### **MOTION TO APPROVE RESOLUTION 2005-19 – SUICIDE AWARENESS WEEK**

Upon motion and second (D'Elia, Thorpe), Resolution 2005-19 was approved.

### **RACHEL KOHL LIBRARY FINANCIAL SUPPORT FOR FAMILY FUN DAY**

Mr. Thorpe and Mrs. Love D'Elia received letters from Chadds Ford's representative to the Rachel Kohl Community Library Board of Directors, Sandie Paul, seeking a monetary contribution of \$500 to offset expenses of the upcoming Family Fun Day. Mrs. D'Elia said that she had investigated the possibility of sponsoring an event, but the expense would exceed \$500. Both Mrs. Love D'Elia and Mr. Thorpe thought it appropriate to make a \$300 contribution.

### **MOTION FOR MONETARY CONTRIBUTION TO FAMILY FUN DAY**

Upon motion and second (Thorpe, D'Elia), the Supervisors approved a \$300.00 contribution to the Rachel Kohl Community Library to offset the expenses of Family Fun

Day.

## **ESCROW RELEASES**

Mrs. Love D'Elia reviewed proposed escrow releases. Outstanding costs were deducted and refund checks to both the applicants and Chadds Ford Township were prepared in the amounts noted:

Applicant	Type of Escrow	Original Amount	Amount
Refunded			
Custom Lawn Care	Grading Escrow	\$ 700.00	\$ 478.67
Chadds Ford Twp	Reimbursement for o/s bills Custom Lawn Care		\$ 221.33
C. Raymond Davis	Grading Escrow	\$ 700.00	\$ 700.00
Franz Herrmann ZHB Escrow		\$ 750.00	\$ 588.31
Chadds Ford Twp	Reimbursement for o/s bills Herrmann		\$ 161.69
Berlin Construction	Grading Escrow	\$ 800.00	\$ 800.00
Keefe	SD/LD App Escrow	\$ 1200.00	\$ 1200.00
Longview Builders	Special Escrow	\$ 10,000.00	\$ 10,000.00
Keenan Auto Body	ZHB Escrow	\$ 900.00	\$ 738.31
Chadds Ford Twp	Reimbursement for o/s bills Keenan		\$ 161.69
Robert Linn	ZHB Escrow	\$ 900.00	\$ 304.52
Chadds Ford Twp	Reimbursement for o/s bills Linn		\$ 595.48
111 Marshall Road	ZHB Escrow	\$ 900.00	\$ 414.93
Chadds Ford Twp	Reimbursement for o/s bills 111 Marshall		\$ 485.07

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## **MOTION TO APPROVE ESCROW RELEASES**

Upon motion and second (D'Elia, Thorpe) the Board of Supervisors approved the release of escrows and reimbursement checks to Chadds Ford Township for outstanding recoverable costs as noted above.

## **ADJOURNMENT**

There being no further business, the meeting was adjourned at 9:05 PM.

Respectfully submitted,

MARYANN D. FURLONG,  
Township Secretary