

CHADDS FORD TOWNSHIP

Board of Supervisors – Minutes

July 11, 2005

The Board of Supervisors of Chadds Ford Township met in the Township Building on Monday, July 11, 2005. Present were Chairman George M. Thorpe, Vice-Chair Deborah Love D’Elia, and Member Garry Paul. Also present were Solicitor Hugh A. Donaghue, James C. Kelly of Kelly Engineers, and Richard J. Jensen our Building Inspector/Code Enforcement Officer.

CALL TO ORDER

Mr. Thorpe called the meeting to order at 7:40 P.M. The Pledge of Allegiance was recited and emergency exits were noted.

STATE POLICE REPORT

Corporal Malone of the Media State Police Barracks delivered his Police Report totaling 160 calls in the month of June 2005 including 28 accidents, 3 criminal mischief, 3 burglaries (1 residential and 2 business), 6 DUI (4 involved accidents), 2 thefts, 36 residential false burglar alarms, and 115 various requests for assistance.

Corporeal Malone acknowledged that the State Police have been asked to monitor traffic at Ridge and Heyburn Roads. Mr. Thorpe and Mr. Jensen added that Station Way Road needs to be monitored between 5:00 and 5:30 for traffic racing to beat the light at Route 1.

Mr. Thorpe expressed thanks to both Laura Kot and Gail Force for filling in while Maryann Furlong was on vacation.

APPROVAL OF MINTUES

Upon a motion and second (D’Elia/Thorpe) approved the Minutes of the Board of Supervisors’ meeting of June 1, 2005.

REPORTS

Supervisors

Mr. Thorpe reported that on June 29, 2005 all three Supervisors, along with Kathy Labrum, Esquire from our Solicitor's office, met to sign Commerce Bank commercial loan documents and to discuss other legal matters.

On June 13, 2005, Ms. D'Elia and Mr. Paul met at Mr. Kelly's office with Joe Barakat to discuss the solution to culvert repairs on Atwater Road.

Treasurer's Report

Deposits to General Fund	\$ 49,363.73
General Fund Disbursements (June) additional check for Mill project)	\$273,941.72 plus an \$119,121.30 (for Turner's \$817,945.72
Cash Account Balances 6/30/05	

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Treasurer's Report (cont.)

It was explained that approximately \$222,000.00 of the \$273,941.72 for General Fund Disbursements is in payment of invoices for the Turner's Mill project. Upon a motion and second (Paul/D'Elia) the Board of Supervisors approved the Treasurer's Report and authorized payment of invoices including a \$119,121.30 payment for the Turner's Mill project and \$1,375.00 for Lobec, Inc. for the annual Traffic Signal Maintenance Contract.

Roadmaster's Report

In Mr. Barakat's absence, Ms. D'Elia presented his Roadmaster's Report (copy attached).

The Board (D'Elia/Paul) voted to approve the Lobec, Inc. Traffic Signal Maintenance Contract for one year (6/1/05 to 5/31/06) in the amount of \$1,375.00.

The Board (D'Elia/Thorpe) voted to accept the bid dated 6/29/05 submitted by Keller & Wolf for the 2005 Road Program in the amount of \$147,387.15. Our Engineer, Mr. Kelly, certified that this was a reasonable contract as required by PennDOT when there is a single bidder.

Ms. D'Elia reported that she, Mr. Paul, Richard Jensen, and Joe Barakat met with J.P. Kelly to discuss Atwater Road stormwater drainage. Mr. Jensen explained

that the two pipes crossing Atwater Road uphill have deteriorated and are in danger of collapsing. One pipe and box in the upper section will be replaced. The pipe in the lower section will be replaced and the box repaired.

Calvary Chapel Hearing

Mr. Thorpe announced that the hearing scheduled for Monday, July 18, 2005 will be delayed at the request of the Applicant. Someone will be present at the original hearing time to advise anyone attending that the hearing has now been scheduled for July 28, 2005 at 7:00 P.M.

Engineer's Report

Mr. Kelly highlighted his report (copy attached).

Included in his report, Mr. Kelly submitted a draft of an Ordinance establishing procedures for the installation, use and maintenance of sewage grinder pumps and any associated force main or low-pressure laterals. Mr. Donaghue will review this proposed Ordinance and have comments at the August meeting. It will then be advertised for adoption at the September meeting. A copy was provided to Mrs. Taylor for distribution to the Sewer Authority members.

As recommended by Mr. Kelly, the Board (Thorpe/Paul) approved Release No. 2. for Stonebrook I in the amount of \$96,096.96 which is 90% of the amount requested.

Planning Commission

William Taylor reported on the June 8, 2005 meeting of the Planning Commission.

Noise Ordinance

Mr. Thorpe mentioned that the Board has received the draft of the Noise Ordinance from the Planning Commission and expressed thanks for their efforts.

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Solicitor

Mr. Donaghue questioned Mr. Lyons, the attorney for Mr. Grace, to clarify that Mr. Grace's original application for the Chadds Ford Inn property has been put on hold. Mr. Lyons responded that there is an extension until October 2005.

Mr. Donaghue explained that it is required by Statute that the Planning Commission present a plan to the Board of Supervisors with respect to the acquisition of open space, easements, etc. He suggested that, at the Board's direction, the Planning Commission take into consideration and study the work already performed by the Open Space Committee; i.e. properties identified within the Township; and prepare an analysis with respect to water preservation, agricultural preservation, woodlands, and active recreation fields and/or passive trails. The Planning Commission should also take into consideration the amount of money that should be spent; what interest is to be protected (i.e., easements, fee ownership, purchase life estate for current owners); determine a methodology for setting prices; and then rank areas of the Township that they would like to see preserved (including streams, steep slopes, historic areas). Ranking should be set by features; i.e., minimum size of parcels, active or passive recreation, cost per acre, and a priority for the order in which parcels are to be considered. Mr. Donaghue suggested that this should be presented to the Board of Supervisors in November 2005 and offered the assistance of Kathy Labrum, Esquire in his office to meet with the Planning Commission if needed.

Ridge Associates

Mr. Thorpe also reminded Mr. Taylor that someone should contact Concord Township relative to the Ridge Associates application (Capano) in order to meet relative to applications in both Townships. Planning Commission Chairman Taylor will contact Concord Township.

Noise Ordinance

Ms. D'Elia asked for the time frame for the Noise Ordinance. Mr. Jensen commented that there are still some details to be discussed; however, they are awaiting comments from the Board. Mr. Thorpe stated that the Board members will have comments at their next meeting.

Zoning Hearing Board

Ms. D'Elia delivered Mr. Wandersee's report on the June 15, 2005 meeting of the Zoning Hearing Board (Minutes attached).

Bayard Walker Zoning Hearing - It was the Board's decision not to send our Solicitor to this hearing for a variance for side and rear yard setback.

HARB

Mr. Jensen reported that the HARB approved an application for the Blackburn property on 5 Stationway Road for repair and painting of siding in the

back of this property (like and kind). The Board (D'Elia/Paul) voted to approve this application to the HARB.

Mr. Grace's application for replace and repair of soffets on the Chadds Ford Inn, demolition of the former jewelry store structure, and removal of stucco on the Baldwin building was also reviewed. The HARB granted conditional approval to do repairs to the soffets on the Inn (pending color approval); removal of stucco on the Baldwin building; and demolition the jewelry shop building.

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HARB (cont.)

The Board (D'Elia/Paul) voted to approve this application to the HARB for the Chadds Ford Inn and surrounding properties conditioned upon the primer color being consistent with existing color.

Sewer Authority

Vince DelRossi reported on the Sewer Authority activity for the previous month (copy attached).

Building Inspector/Code Enforcement Officer

Mr. Jensen reported issuance of the following permits during the previous month: One grading, 5 residential alterations, 1 new home, 3 commercial alterations, 1 well, 2 plumbing, 1 heating, and 1 sign. In addition, one Certificate of Occupancy for a new home. 5 completed building permits, and 5 electrical permits were issued.

Approximately 17 enforcement notices were issued during the last month. A court date has been set in August for a violation for sale of fireworks.

Open Space Committee

Lois Saunders read the Minutes of the June Open Space Committee meeting prepared by Debbie Reardon (copy attached).

Township Properties Committee

No report.

Financial Advisory Board

No report.

Chester Creek Stormwater Requirements

Mr. Kelly announced a meeting to be held on Monday, July 18, 2005, at the Thornbury Township Building from 1:30 to 3:30 P.M. Mr. Kelly plans to attend.

PUBLIC COMMENT

None

OLD BUSINESS

Old Ridge Village Preliminary/Final Land Development Application

Mr. Donaghue explained difference between plan approved 7/1/2004 and the present plan is that the Applicant will be completing this project in two phases. Mr. Jensen explained that each phase of this plan stands on its own and meet all requirements. He believes that before completion of Phase 2, there will be a change to the footprint of one of the buildings requiring this Applicant to amend the plan for Phase 2. The Board (D'Elia/Thorpe) approved Resolution 2005-17 permitting completion of this plan in phases.

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NEW BUSINESS

Herrmann Subdivision Application

The Board (Paul/D'Elia) approved Resolution 2005-18 and this preliminary/final subdivision plan for the property at 27 Longview Road.

Baltimore Pike Overlay District Ordinance

Mr. Donaghue explained that, because of a 6/13/2005 decision handed down in Commonwealth Court, the decision suggests that any change, no matter how minute, must be resubmitted to the County Planning Commission. As a caution, Mr. Donaghue recommended that the Board re-advertise this Ordinance, re-submit to both the County Planning Commission and our Township Planning Commission (which Mr. Donaghue stated he had already done), re-post, and hold another public hearing on August 3, 2005 at 7:00 P.M. to allow one-half hour for

discussion before the regularly scheduled Board of Supervisors' meeting. Mr. Donaghue requested that the Board authorize our Township Engineer to make postings along Baltimore Pike and allow Mr. Donaghue to advertise in a newspaper of general circulation. The Board approved this procedure outlined by Mr. Donaghue.

Horan Subdivision Application

Michael Lyons, Esquire, representing this Applicant, briefly outlined this two-lot subdivision of a 5-acre parcel at 429 Webb Road which is pending before the Planning Commission. The property consists of a stable, pool house with two dressing rooms and no plumbing, a barn, and a pool. The Engineer, Matt Houtman summarized the zoning variances required in order not to raze the barn. Mr. Kelly suggested that a possible solution would be creation of an easement where the barn exists. Mr. Lyons requested that the Board not take a position and allow the Zoning Hearing Board to make the decision. The Board will consider this plan and advise of their decision prior to the August Zoning Hearing Board meeting.

Recess

A ten minute recess took place for a meeting of the Board of Supervisors, Mr. Donaghue, and Mr. Kelly.

Camp Sunset Hill (Toll Brothers)

Mr. Donaghue explained that the Developer's Agreement for this project is in the negotiation stage. The Sewer Authority had requested the Board to consider having the Village connected into the overall plan. Many months ago bids were sent out. Kelly Engineers was the low bidder (\$68,000.00). Vandemark & Lynch also submitted a bid in excess of \$100,000.00. In order to be incorporated in the Developer's Agreement, Mr. Donaghue requested that the Board make a motion for Kelly Engineers to proceed with the design of the sewer plan for connection of the Village to the plant. Although being paid for by the Township, it will be done by Toll Brothers at a savings to the taxpayers. The Board (Paul/Thorpe) motioned and approved to accept the bid from Kelly Engineers in the amount of \$68,000.00 for design of the collection system for the Village and underneath to the other side of Route 1 to be connected to the sewer plant to be built by Toll Brothers.

ADJOURNMENT

The meeting was adjourned at 9:50 P.M.

Secretary

Gail G. Force, Acting