

**Chadds Ford Township Board of Supervisors Meeting
May 3, 2006
M I N U T E S**

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

CALL TO ORDER

Chairman Deborah Love D'Elia called the meeting to order at 7:30 PM. The pledge of allegiance was recited. Mr. Thorpe pointed out the two emergency exits, explaining that the one door exits upon a deck with steps down to the driveway.

STATE POLICE REPORT

No report was available.

APPROVAL OF MINUTES – April 5, 2006 Draft of 5/2/06 and Special Meeting of April 12, 2006

Minutes of the April 5, 2006 meeting and the special meeting of April 12, 2006 were reviewed by the Supervisors.

Mr. Thorpe explained that the special meeting of April 12th was held to authorize refinancing of the Sewer Authority Delaware Valley Regional Finance Authority Bond Series of 1996. Ordinance 114 was adopted and Resolution 2006-9 was approved to facilitate the procedure.

MOTION TO APPROVE MINUTES OF April 5, 2006, Draft of 5/2/06, and Special Meeting of April 12, 2006

Upon motion and second (Paul, D'Elia), the Board of Supervisors approved the minutes of April 5, 2006, Draft of 5/2/06, and the Special Meeting of April 12, 2006.

SUPERVISORS REPORT

Chairman Love D'Elia reported that two or more Supervisors were together at the following times:

- On April 4/19 Mrs. Love D'Elia and Mr. Paul met with various Planning Commission members and Township engineers for both Concord and Chadds Ford to identify shared Township concerns regarding the Ridge Road Associates proposed land development applications. Representatives agreed to attend all Township meeting held because of the many overlapping items.
- On May 2, 2006, Mrs. Love D'Elia and Mr. Paul attended the

Heritage
Commission award ceremony at the Delaware County Court
House. The
Chadds Ford Township Supervisors were presented with the
Heritage Commission's Certificate of Appreciation in the
construction category in recognition of the rehabilitation and
adaptive reuse of the Turner's Mill site.

TREASURER'S REPORT

Mrs. Furlong reported the following figures for the month of May, 2006:

Total deposits to General Fund:	\$	275,911.85
Total disbursements General Fund:	\$	370,543.88
Cash Accounts Balances	\$	1,104,454.23

Mrs. Furlong reported that tax revenue is being disbursed and that two additional bills have been added for consideration. One is in the amount of \$60,000 for the Sewer Authority short-term loan that was approved at the April Board meeting. The second was a PECO electric bill just received for Turner's Mill.

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MOTION TO APPROVE TREASURER'S REPORT

Upon motion and second (Thorpe, Paul), the Supervisors unanimously voted to approve the Treasurer's Report for April, 2006, and authorized payment of bills in the amount of \$370,543.88.

EMERGENCY MANAGEMENT COORDINATOR

No report was available.

ROADMASTER'S REPORT

Joe Barakat, Roadmaster, presented his report for the month of April, 2006. A copy follows.

BUILDING INSPECTOR/CODE ENFORCEMENT OFFICER

Mr. Jensen submitted a written report and accompanying checks to the Supervisors for review. Two citations were issued during April, one for Toll Brothers working after hours and another for illegal burning. Mr. Jensen is pursuing service of a writ of execution regarding the judgment obtained by the Township in the firework violation. Board members suggested Mr. Jensen seek the Township Solicitor's assistance.

MOTION TO AUTHORIZE THE TOWNSHIP SOLICITOR TO PURSUE WRIT OF EXECUTION

Upon motion and second (Love D'Elia, Paul), the Township Solicitor was

authorized to take steps to locate the whereabouts of Mr. Monroe. A cap of \$250 was set for these services.

TOWNSHIP ENGINEER REPORT

Joseph Mastronardo, Township Engineer, reviewed his written report of activities during April, 2006. Bids for the 2006 Road Program were opened on May 2nd. Chadds Ford will be joining Concord Township in contracting for services in order to obtain better rates. Combined program costs total \$598,347.00, with Concord's portion being \$484,392 and Chadds Ford's portion being \$113,955.

MOTION TO ACCEPT BID OF D. MALLOY PAVING, Inc. - 2006 ROAD PROGRAM

Upon motion and second (Thorpe, Paul), the Supervisors accepted the bid of D. Malloy Paving in an amount not to exceed \$113,955 for the 2006 Road Program.

Mr. Mastronardo is negotiating with Toll Brothers to share the expense for repaving a portion of Heyburn Road. The proposed cost of the work is within the range of what was expected. In response to a question from Mrs. Love D'Elia, Mr. Mastronardo reported that he is in the process of locating the deeds and resolutions for all Township maintained roads in order to ensure appropriate liquid fuel funding through PennDOT.

PLANNING COMMISSION

Mr. Taylor, Planning Commission Chairman, read from a draft of minutes for the Planning Commission's most recent meeting of Wednesday, April 19, 2006.

ZONING HEARING BOARD

Mr. Wandersee was not yet present. Mr. Paul presented the report for the deGrazia hearing held on April 19, 2006.

HARB

Mr. Jensen reported that there were no new applications during April.

SEWER AUTHORITY

Mr. Klaver, Treasurer, presented the monthly report for the Sewer Authority in Mr. Del Rossi's absence. A copy follows.

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OPEN SPACE COMMITTEE

Mrs. Love D'Elia presented the April, 2006 report for Mrs. Reardon. A copy follows.

EMERGENCY PREPAREDNESS

No report was available.

Mrs. Love D'Elia reminded those present of the Township Building dedication ceremony to be held on Saturday, May 6, 2006 at 10:00 AM. All are invited to attend.

PUBLIC COMMENT

Fred Reiter, Atwater Road, announced that the Chadds Ford Historic Society will hold the Spring Open House on May 19, 2006. Mr. Reiter also addressed the Olde Ridge Village Phase II proposed land development application, suggesting that Olde Ridge and Keystone Plaza be connected by walking paths. Mr. Taylor commented that Mr. Reiter was not present at the Planning Commission meeting when the plan was reviewed and that walkways were still an option. The application is on tonight's agenda for Board consideration.

Karen Johnson, representing the Ridings Homeowners Association, read a letter regarding potential stormwater problems resulting from the pending Ridge Associates developments. A copy of the letter follows. The Ridge Associates land development application is on tonight's agenda.

Mr. Bailey asked if Township funds are secure. Mrs. Love D'Elia explained monthly review procedures taken at the suggestion of the Township's auditor. Mr. Bailey also questioned Sewer Authority bills. Mr. Paul responded.

NEW BUSINESS

OLDE RIDGE VILLAGE PHASE II LAND DEVELOPMENT APPLICATION

Dominic Pileggi, applicant, reviewed the land development history of Olde Ridge Village, explaining the initial plan and subsequent plans for Phase I. Development and Improvement Security Agreements have been entered into with the Township for Phase I. Mr. Pileggi now has applied to amend the plan to establish Phase II which will remove a restaurant pad and establish a site for an Ethan Allen store. Planning Commission reviewed the application. There was concern regarding the edge of the retaining wall. The applicant has agreed to add a guardrail and plant thorny bushes to discourage pedestrian crossover. Further, Mr. Pileggi will discuss pedestrian walkways with the owner of Keystone Plaza and submit an agreement for Township approval. A note has been added to the plan indicating same.

James Fritsch, PE, acting Township Engineer for this application, reviewed outstanding issues in his May 1st review letter. The applicant is willing to comply with all. Mr. Fritsch reviewed the suggested waivers as included in the proposed resolution. He had no objections to the waivers. There will be screening to reach the top of cars along specified parking rows.

There was discussion as to ingress and egress and improvements to Route 202 in conjunction with the pending development on the opposite corner. Stormwater flows mainly to the rear of the site into the Chester Creek and does not come back into the Ridings development.

Robert Pinto, Esquire, alternate Township Solicitor, had prepared a proposed resolution incorporating the most recent approvals of July and November, 2005, and both of Jim Fritsch's review letters.

Mr. Reiter voiced concern regarding automobile traffic between the two shopping

centers. Mrs. Love D'Elia suggested that the concern should have been addressed at the Planning Commission stage.

MOTION TO APPROVE RESOLUTION 2006-10 OLDE RIDGE VILLAGE PHASE II LAND DEVELOPMENT APPLICATION

Upon motion and second (Thorpe, Paul) the Supervisors approved Resolution 2006-10, granting the preliminary/final land development application of Olde Ridge Village Phase II, subject to the six conditions and three waivers as included therein.

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OLD BUSINESS

RIDGE ROAD ASSOCIATES SUBDIVISION/LAND DEVELOPMENT APPLICATION

Ross Unruh, Esquire, and Matt Houtmann, PE were present for the applicant, Ridge Road Associates. Mr. Unruh presented an overview of the application. The applicant's representative expressed a desire to cooperate with the Township and neighbors regarding various concerns.

Major outstanding issues include existing stormwater problems in the Ridings development and residents' concerns that the commercial development at the corner of Route 202 and Ridge Road will compound the problem. James Fritsch, PE, acting as alternate Township Engineer, requested applicant's engineer to submit calculations regarding a proposal for the Ripsom driveway.

Mr. Unruh stated the proposed stormwater design will not adversely effect the current situation. Mr. Houtmann reviewed stormwater calculations, indicating flows will be cut in half. Mr. Donaghue believed the numbers did not address the consequences of the proposed adjacent commercial development next door which has yet to be engineered.

Karen Johnson, Ridings, addressed other areas of concern including an additional drainage field as identified by URS. Mr. Unruh replied that solving existing problems is not the applicant's responsibility. Mr. Thorpe voiced concern regarding the flooding of Ring Road. He further stated that the Township is asking all developers to go beyond what is required to help improve conditions. Mr. Fritsch suggested there are areas on site where seepage beds could be increased and/or more added.

There was further discussion of maintenance of a drainage basin and the developer's cooperation in cleaning it out.

David Ripsom, Ridings, thanked both Supervisors and the applicant's representatives for their perseverance. The issue of "reasonable corrective measures" was discussed, as was the status of pending applications in Concord Township and the volume of water flow.

Mr. Donaghue suggested the applicant execute an extension of time pursuant to MPC regulations. Board members will await Concord's action on the subdivision application there at their next meeting and ask the applicant to return to Chadds Ford on June 7th.

Mr. Jensen, Mr. Fritsch and Mr. Houtmann will view the problematic drainage

areas.

Mr. Unruh questioned Township policy on tree removal. Mr. Jensen asked for a plan showing what clearing is to be done and parameters suggested.

The applicant signed two extension requests granting the Township until June 10, 2006, to act on the application.

GRACE ZONING HEARING BOARD APPLICATION

Michael Lyons, Esquire and Steve Woodward, PE were present for the applicant. The applicant's representatives presented a chart including a Table of Existing Non-Conformities and Variance Requests. Mr. Lyons stated the main topics are parking stalls, both size and number and a dimensional variance required for access onto Route 100. Mr. Mastronardo asked if the plan shows expansion to the Inn. Mr. Woodward replied it did not. There was discussion concerning the parking and any areas that might be utilized for it in the future. Board members made it known that an additional area for parking is desirable. Mr. Mastronardo will attend the Zoning Hearing Board meeting in his capacity as the Zoning Enforcement Officer in this matter. The Board will not send Mr. Donaghue to oppose the application.

RESOLUTION 2006-11 BIKE TO WORK WEEK

At the suggestion of Delaware County Planning, Mrs. Love D'Elia presented a resolution for consideration regarding biking to work to help reduce traffic congestion, air pollution, energy consumption and the effects of global warming.

MOTION TO ADOPT RESOLUTION 2006-11 BIKE TO WORK WEEK

Upon motion and second (Thorpe, Paul), the Board of Supervisors adopted Resolution 2006-11, proclaiming May 15th through 19th, 2006 to be Bike to Work Week in Chadds Ford Township to encourage the use of bicycles rather than cars for the week.

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ESCROW RELEASES

Name	Escrow Type	Original Amount	Amount
Refunded			
Franz Herrmann	SD/LD Application	\$ 1200.00	\$ 1200.00
Buckley, Nagel for Wawa 142.20	Zoning	\$ 700.00	\$
Chadds Ford Township 557.80	O/S bills Wawa		\$
Riddle Memorial Hospital 3500.00	LD Application	\$ 3500.00	\$
John A. Richards	Grading	\$ 700.00	\$

700.00			
Omnipoint	Zoning	\$ 700.00	\$
445.18			
Chadds Ford Township	O/S bills Omnipoint		\$
254.82			
Berlin Builders	Improvement Security	\$16,025.00	
\$16,025.00			
Cellular Realty/Omnipoint	Zoning	\$ 700.00	\$
490.87			
Chadds Ford Township	O/S bills Cellular		\$
209.13			

There being no further business, the meeting was adjourned at 11:04 PM.

Respectfully submitted,

MARYANN D. FURLONG,
Township Secretary