

Board of Supervisors Regular Meeting Tuesday March 1, 2005

A regular meeting of the Board of Supervisors was held on Tuesday March 1, 2005 commencing at 7:00 p.m. Chairman Mr. Garris called the meeting to order. Present were Supervisors Mr. Doratt and Mr. Hensel, Mr. Pompo Township Solicitor, Mr. MacCombie Township Engineer, Mr. Tom Lowry, Township Zoning Officer and members of the community.

A moment of silence and pledge of allegiance were observed.

Mr. Garris made a motion, seconded by Mr. Hensel, to waive the reading of the previous meetings minutes. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Mr. Garris made a motion, seconded by Mr. Hensel, to adopt the minutes of the previous meetings. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Township Police report. Sergeant Ranck reported that 7,021 miles were patrolled and 498 incidents were answered. The categories were: 2 criminal mischief, 2 harassment, 4 suspicious persons, 190 stationary patrols, 2 911 hang ups, 110 business checks, 8 alarms, 22 assists to other departments, 3 animal, 6 domestic, 14 accident, 5 disturbance. There were 117 citations issued for the month 112 traffic, 1 harassment, 3 DC, 1 trespassing. There were 14 criminal arrests for 1 stolen vehicle, 3 DUI, 2 disorderly conduct, 1 fleeing, 1 possession, 5 warrants, 1 assault.

Mr. Doratt made a motion, seconded by Mr. Hensel to pay Chief Groce for 16 hours of his attendance in the Justice Network Administration Training held February 23rd and 24th. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Mr. Garris made a motion, seconded by Mr. Doratt, to approve the salary increase for John Sidiras, Brain Gathercole, David Simmons, and Richard Imhoff as they have completed their probation period. With there being no questions from the public the Board voting “aye”, the motion passed unanimously.

Township Engineer report. Mr. MacCombie reported that sanitary sewer is currently being placed up 1st avenue and Ramsey Alley. He reported that the sanitary sewer has been placed along Penn Street, Greenbelt Drive and the Pomeroy Heights area residents that have gotten a notice to connect letter are making the connections. Mr. MacCombie stated that Spring View Manor sanitary sewer will go out for bids next month. Mr. MacCombie has prepared a construction release for N. Abbonizio Contractors in the amount of \$72,594.25 for the Board approval.

Mr. Doratt made a motion, seconded by Mr. Garris, to approve a construction release to N. Abbonizio in the amount of \$72,594.25 per Mr. MacCombies recommendations. With

there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Mr. MacCombie reported that he has reviewed a Land Development application regarding Aerzen located within the Morris Farm Subdivision. Comments have been forwarded to the Township. Mr. MacCombie stated that Tractor Supply Land Development and D&S Developers Development plans are currently being reviewed. Mr. MacCombie stated he is currently reviewing the Mast Subdivision located in West Sadsbury Township at routes 10 & 30. He stated that Mr. Mast is leasing ground to WaWa that is located in West Sadsbury Township but has drainage going onto lands in Sadsbury Township; he stated the drainage is run off. Sadsbury Township is reviewing this plan to protect resident’s rights in Sadsbury. Mr. MacCombie stated that Pennsylvania American has been in contact with him regarding running a sanitary sewer line to routes 10 & 30 asking him if the Township would be interested. Mr. MacCombie will met with Pennsylvania American regarding this issue and the possibility of the Township buying more EDU’s from them. Mr. MacCombie stated he is reviewing the Quarry Ridge Easement Descriptions and the As Built Plan to define where the sanitary sewer lines are located.

Township Solicitors report. Mr. Pompo stated that he has reviewed the Land Development and Escrow Agreements for Cumberland Insurance and have found them to be acceptable.

Mr. Garris made a motion, seconded by Mr. Doratt, to approve the Land Development and Escrow Agreements for Cumberland Insurance. With there being no questions from the public the Board voting “aye”, the motion passed unanimously.

Mr. Pompo discussed an agreement that he received from the National Railroad Passenger Corporation License Agreement. He stated that originally this agreement belonged to SSC but got assigned to Sadsbury when we took dedication of the sanitary sewer lines. Mr. Pompo stated that the renewal of the agreement is every 5 years with a renewal fee of \$4,000.00. Mr. Pompo stated the \$4,000.00 is a flat fee to occupy. Mr. Pompo stated that the agreement shows construction insurance but the construction has been completed, he has made several attempts to contact them by phone but has got no response. Mr. Pompo copied the Board on a letter received from Patrick O’Donnell regarding the redevelopment authority of the City of Coatesville Tax Increment Financing. The letter states of misunderstandings of some citizens and he thought it would be a good idea to bring everyone up to date. Some of the misunderstandings are that the entire tax base in the City of Coatesville will be frozen, there was a common misunderstanding that the TIF process is detrimental to school tax revenues and there is a common misunderstanding that the TIF district has some impact on other taxes. Mr. Pompo discussed an Emergency Radio Communications System Ordinance. He stated this Ordinance would establish regulations for buildings to require antennas within the structure so cell phones and radios can communicate with each other in the event of an

emergency. Mr. Lymberis asked what buildings would require the antennas; Mr. Pompo replied R-3 and R-4 does not apply the rest do.

Mr. Garris made a motion, seconded by Mr. Doratt, to advertise the Emergency Radio Communications System Ordinance Regulations With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Mr. Pompo stated he has an application for a Conditional Use for Aerzen to reduce the parking spaces. The Board agreed to conduct the Conditional Use at the April 5th Board of Supervisors meeting.

Township Road report. Mr. Hensel reported that all roads are open and clear of the latest snowstorm. The crew has been filling in potholes during decent weather. All equipment is up and running. The crew has been working on basketball backstops for the park in Pomeroy. Total vehicle miles are 704, total hours are 2,133. Mr. Hensel stated railroad ties were removed from Bert Reel Park.

Mr. Hensel made a motion, seconded by Mr. Garris, to purchase a jack to cost approximately \$160.00. With Mr. Doratt asking how many miles are put on the Township equipment each month, Mr. Hensel answered approximately 600 to 800 miles. With there being no further questions the Board voting “aye”, the motion passed unanimously.

Planning Commission report. Mr. Przychodzien stated that new member Jay Gregg was welcomed to the Commission. Mr. Rosella of DL Howell & Associates introduced a preliminary sketch plan for lots 18 & 19 of the Bellaire Business Center. One was Rampmaster who has been in operation in the business park since 1991; they are proposing improvements to their existing facility and expanding onto lot 19. Representatives of Aerzen discussed their preliminary land development submission; they are proposing a 41,700 square foot manufacturing office building located on lot 4 of the Morris Farm tract. Aerzen will be requesting to have the number of parking spaces reduced which will require a conditional use hearing, they are also requesting to have the loading docks face away from the street. Mr. Przychodzien expressed concerns regarding safe access for fire and emergency vehicles and a safety concern over trucks maneuvering in the front parking lot. After a lengthy discussion Aerzen agreed to come back with additional information. Mr. Lowery introduced a draft Ordinance requiring public sewer and water within all commercial and industrial zoning districts.

Township Zoning report. Mr. Lowry reported it's been a slow month in the Township. He performed 11 inspections, 54 inquires have been answered and 4 permits issued for the month for 1 deck, 1 sunroom, 1 alteration, and 1 removal of trailer. Mr. Lowry stated the Conditional Use hearing was held for JYF Partners for a proposed 125 unit condominiums. The Board will discuss the draft decision later in this meeting. Mr. Lowry stated he has received no response from the owners of the burnt out home on Spruce Street, two letters have been sent. Mr. Lowry stated that Aerzen has made a preliminary submission to erect an environmentally safe building on the Morris Farm

tract. Mr. Lowry stated that Pen Dot is currently improving the coordination of the development process to effect access and driveways. Mr. Lowry has placed a call to them to obtain the proper form. Mr. Lowry state that he has received plans from Valley View for proposed construction of one 33,000 square foot warehouse to utilize sanitary sewer within Sadsbury Township. Mr. Lowry stated that Valley View is in need of approximately 15/20 EDU's. They are seeking to obtain the EDU's from Pennsylvania American Water Company. Mr. Lowry stated he has contacted the Transportation Management Association of Chester County with regards to becoming members, he states they will attend the next Board meeting.

Mr. Doratt requested that the Secretary send out a survey to North Street and Spring View Manor to get the interest in public water.

Mr. Lazio of 540 North Octorara Trail is requesting from the Board a letter from the Township to allow him to keep deer, pheasants, and quail on his land. He stated that he was visited from the Pa Game Commission and stated they have no problems with him keeping his animals on his property as long as the Township agreed. Mr. Lowry stated currently it is not a permitted use, but Mr. Lazio may apply for a variance.

Pomeroy Fire report. Earl Taylor reported a total of 9 alarms were answered for the month of February for 2 automatic alarm, 1 house, 1 assist to police, 1 chimney fire, 1 assist with DOA, 2 auto accident, 1 gas leak. Time in service was 4 hours and 36 minutes.

Sadsburyville Fire report. William Dill reported that 19 alarms were answered for the month of February for 7 auto accidents, 1 building, 1 chimney, 4 ambulance assists, 1 automatic alarm, 1 haz mat. Time in service was 10 hours 31 minutes.

Comprehensive Study Committee report. Mr. Hensel reported that the Comprehensive Study Committee met on Wednesday February 16, 2005 at 10:30 a.m. All members were present. The discussion was on Transportation. The Committee is to read Chapter 7 Land Use Plan and will discuss at the next meeting scheduled for Wednesday March 16, 2005 at 10:30 a.m.

Mr. Garris made a motion, seconded by Mr. Doratt, to pay the February bills in the amount of \$25,730.19. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. Garris made a motion, seconded by Mr. Hensel, to pay the February payroll in the amount of \$31,616.19. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. Garris made a motion, seconded by Mr. Doratt, to pay the February sanitary sewer bills in the amount of \$92,916.91. With there being no questions from the public the Board voting "aye", the motion passed unanimously.

Mr. Pompo stated that a letter was sent February 21, 2005 to Pennsylvania American Water Company regarding the professional fees for reviewing and amending the sewer use rules and regulations. No response has been received.

Mr. Pompo sent a letter to Owen and Juanita James regarding their request to be excused from the Quarry Ridge Homeowners Association. No response has been received.

The Board discussed a draft decision and order of the application of JYF Partners. Mr. John Jaris attorney representing applicant stated he would like to discuss condition #3 referring to the wording stating In the event that Penn Dot does not approve highway occupancy permits for the full service intersection at both entrances as proposed, this conditional use approval shall be deemed null and void. Mr. Pompo and the Board agreed that the language could be modified to say if Penn Dot refuses plan it will trigger new negotiations with the Board of Supervisors. Mr. Jaris went on to discuss condition #9 reads as in the event that the perimeter requirements cannot be installed absent the relocation of the buildings and or the reduction in the number of proposed units. Mr. Jaris proposed a decorative fence, Mr. Garris stated no fences, and Mr. Hensel stated residents want buffering. Mr. MacCombie stated with a project like this one it is going to be hart to fit the parking lots and buffering. Mr. Doratt asked if the buffering could be planted with smaller roots. Mr. MacCombie stated maybe its possible. Mr. Jaris discussed condition #10 stating buffer as proposed shall be financially secured prior to the recording of the final subdivision and land development plans and the installation of the perimeter landscape buffer shall be substantially completed prior to the issuance of the first use and occupancy permit for the use of the property, weather permitting. Mr. Jaris suggested phasing this condition to state buffering would be installed according to each phase. Mr. Jaris stated condition #14 states The applicant shall execute and provide to the Township a recordable, notarized copy of a memorandum containing a metes and bounds description of the property in question. Mr. Pompo states this condition is provided in case a different person purchases the land they will know the conditions of the development up front. The Board took no action on the decision and order but will discuss it further at the next Board meeting.

Chairman Garris stated the County is conducting a National Incident Management System Class to be held in March and recommends a Township Official to attend. Mr. Lowry volunteered to attend this class.

Ms. Susan Franco made a request to the Board to have a meeting with the Quarry Ridge Homeowners Association to discuss the rules and enforcing of the rules of the association. The Board set March 29, 2005 at 7:00 at the Sadsburyville Fire Company.

Public Comment:

Earl Taylor stated that the cars parking near the island of the Quarry Ridge entrance makes it dangerous for cars coming in and out of the development. Mr. Lowry to look into this matter.

With there being no further business the meeting was adjourned.

Respectfully Submitted,

Lisa Myers
Secretary/Treasurer