

## **Board of Supervisors Regular Meeting held Tuesday February 7, 2006**

The Board of Supervisors conducted a regular meeting held on Tuesday February 7, 2006 commencing at 7:00 p.m. Chairman Hensel called the meeting to order. Present were Supervisors Ms. Silvernail, and Mr. Doratt, Mr. Pompo Township Solicitor, Mr. Lowry Township Zoning Officer/Building Inspector, Mr. MacCombie Township Engineer and members of the community.

The moment of silence and pledge of allegiance were observed.

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

**Township Police report.** Chief Groce reported that 6,359 miles were patrolled for the month of January and handled 389 incidents. The categories were: 3 criminal mischief, 3 thefts, 11 suspicious persons, 103 stationary patrols, 7 911 hang ups, 113 business checks, 13 alarms, 22 assist to other departments, 6 animal, 6 domestics, 8 accidents, 2 disturbance, 1 harassment. The Chief reported 57 citations were issued for 55 traffic, 2 non-traffic, 1 disorderly conduct, 1 underage drinking. Five criminal arrests were made for 3 warrants, 1 possession of drugs, and 1 simple assault.

**Township Engineer report.** Mr. MacCombie reported that he has reviewed grading permits for lot 35 of Octorara Glen and the grading permit for the installation of a swimming pool at the property of Erik Brecht. Mr. MacCombie stated that he is in receipt of a grading permit berm request for AIM. Mr. MacCombie stated that before issuance of the grading permit that Mr. Muto must satisfy the agreement between AIM and Sadsbury Township which states that AIM will pay the Township money to offset the costs of the sewer installation in lieu of placement of sidewalks within Phase IA and IB. Mr. MacCombie states that a balance of \$35,360 remains. Mr. MacCombie stated that he has prepared certificate of completion releases for the following: Octorara Glen in the amount of \$18,217.80, P & R Products in the amount of \$58,851.37, Keystone Ranger in the amount of \$152,951.78, Sadsbury Crossing in the amount of \$30,605.89 for the Boards consideration. Mr. MacCombie stated that he is responding to PaDEP regarding the MS4 documents. Mr. MacCombie announced that there would be another meeting with PAWC to be held at West Brandywine Township on Thursday February 9, 2006 at 9:00 a.m., Clinton Cleaver of PaDEP will be present.

Mr. Doratt made a motion, seconded by Mr. Hensel, to approve the Certificate of Completion for Octorara Glen in the amount of \$18,217.80 per Mr. MacCombies

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

Mr. Doratt made a motion, seconded by Mr. Hensel, to approve the Certificate of Completion for P & R Products in the amount of \$58,851.37 per Mr. MacCombies recommendation. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Mr. Doratt made a motion, seconded by Ms. Silvernail, to approve the Certificate of Completion release for Sadsbury Crossing and Mr. David Carr in the amount of \$30,605.89 per Mr. MacCombies recommendation. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

**Township Solicitors report.** Mr. Pompo stated that he has reviewed the Commonwealth of Pennsylvania Department of General Services salt contract participation agreement. Mr. Pompo stated he has no issues with this contract but for the Board to carefully consider the amount of salt that will be needed for the 2007 season. Mr. Pompo suggested any motion be tabled until the next meeting. Mr. Pompo reported that the trash contract is being prepared and he will provide a draft for discussion at the next Board meeting. Mr. Pompo stated that he is in receipt of the extension letters from Arcadia regarding a 60-day extension letter for Sadsbury Park Phase I along with a 90-day extension letter and finds both letters to be acceptable.

Mr. Hensel made a motion, seconded by Mr. Doratt, to accept the 60-day extension letter from Sadsbury Park Phase I to expire April 14, 2006. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Mr. Hensel made a motion, seconded by Mr. Doratt, to accept the 90-day extension letter from Sadsbury Park for posting of the financial security for lot 6A. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

**Township Road report.** Mr. Doratt reported that all roads are in good shape, the Road Crew has finished the Reel Street right of way fence project. The road crew replaced the drainpipe on Old Mill Road under the overpass to drain the standing water from under the bridge. Potholes were patched along Old Mill Road, one-lane bridge signs were placed at all one-lane bridges, (two on Compass Road and one on Greenbelt Drive). The road crew began grading along the Old Mill Road shoulder to drain water. All equipment is running all maintenance has been completed. Total vehicle miles are 644 and total machine hours are 31.5. Penn Power Systems preformed service on the Township pump station January 18, 2006. The road crew raked and added screenings to the low spots along the Bert Reel Park walking trail. Fence was repaired along the home side bench and along first base.

**Planning Commission report.** Mr. Przychodzien stated that he would summarize the meetings minutes as they are attached to the Boards minutes. He reported that the Planning Commission re-organized on January 10, 2006 and the following members were appointed: Tony Przychodzien Chairman, Jane Heineman Vice Chairman, and Matt

Arnoldy Recording Secretary. Mr. Przychodzien stated that Mr. Disciullo representing Pomeroy Partnership was present to discuss his proposed subdivision of their 2-acre parcel located on the Eastern side of Chestnut Street. Mr. Disciullo expressed that the reason for the subdivision is to build 2 single family detached homes on each of the two half acre lots. Julie Kirkpatrick of Lake Roeder Hillard and Associates representing the Hershey Property discussed Mr. MacCombies review letter dated December 13, 2005. She explained the applicant is requesting to subdivide 10.60 acres from the existing parcel and combine the new parcel with an existing one. Mr. Przychodzien stated that Commonwealth Engineers would address issues regarding Valley View at the joint meeting between Sadsbury Township and Valley. Gary Hudson, Chester County Airport Manager along with Dave Jones from Delta Airport Consultants was present to discuss the proposed airport expansion project. Mr. Przychodzien stated that the Planning Commission briefly reviewed the Comprehensive Plan and mentioned that figure 9.1 and figure 9.2 showing the Township park areas was not depicted properly; also figure 9.1 Strasburg Road should be re-labeled as Sadsbury Road.

**Township Zoning report.** Mr. Lowry reported that 48 inspections have been performed and 64 inquires have been answered, 4 permits were issued for 1 construction trailer, 1 garage, 2 alterations. Mr. Lowry stated that the Zoning Hearing Board heard (2) applications on January 5, 2006 at 7:00 p.m. The Tractor Supply Company did not have any representation at the meeting; their application is to install a freestanding sign 5feet by 15 feet or 75 square feet. The current sign meeting the Zoning Standard and is 18 square feet. Little by Little of 2800 Lincoln Highway was granted the relief requested for a Variance and Special Exception in order to construct a covered outside deck dining area and to enlarge the kitchen. Mr. Lowry reported that he has sent a letter to West Sadsbury Township regarding the trash from the Wal-Mart center being deposited in Sadsbury Township. Mr. Lowry stated that West Sadsbury did respond to the letter and the trash is being cleaned up and regular maintenance will be conducted on the property. Mr. Lowry has received numerous calls to re-open the Tractor Supply application. A complaint regarding the installation of gates blocking any thru traffic at Western Avenue to Boroline Road has been removed. Mr. Lowry stated that the EB building has been sold. Mr. Lowry stated that he is in receipt of a request for a vendors permit to sell fireworks at the Hershey Farm Market. Mr. Wes Reynolds was present and stated he is the one that made this request. He stated his company name is Keystone Novelties and his intent is to sell Pennsylvania Legal fireworks from June 23, 2006 to July 5, 2006. Mr. Reynolds stated that his fireworks are the same, as you would find in stores in the area. He stated that he plans on having 24-hour security for the dates he mentioned. Mr. Hensel asked the Chief if he had questions or concerns and he stated he did not, Mr. Taylor was asked if he had any concerns and he stated "no". The Board agreed to allow Mr. Reynolds apply for the vendor permit.

Ms. Silvernail asked Mr. Lowry what the status of the burned our property is on Spruce Street in Pomeroy? Mr. Lowry answered that the property has been sold and an application has been submitted to tear down the house. The new owners intentions are to tear down the burnt home and build a new one.

**Pomeroy Fire Company report.** Mr. Taylor reported that for the month of January 12 alarms were answered for 1 ambulance assist, 4 automatic alarms, 1 brush fire, 1 chimney fire, 1 gas leak, 1 house, 1 trash, 2 wires. Total miles were 66, time in service 8 hours 33 minutes, man-hours 41.76.

**Sadsburyville Fire Company report.** Mr. Doratt reported that for the month of January 14 alarms were answered for 3 auto accidents, 2 automatic alarms, 1 fields, 1 vehicle, 1 stand by, 1 trash, 1 dwelling, 1 stand by, 1 smoke, 1 building. Time in service was 14 hours and 30 minutes.

**Emergency Services Coordinator Update.** Mr. Taylor reported that Tractor Supply has been in contact with him regarding the Knox box “an emergency access into the building. Mr. Taylor stated that he has been in contact with the Quarry Ridge Homeowners regarding parking issues. He stated he would park a fire truck on the roadway and see if cars can get by it safely.

Alan Eagles stated that the bus company has moved the stops within Quarry Ridge Development and requested the Township police department be lenient on parents parked waiting for their children. Chief Groce stated he would follow the Ordinance.

**C-2 Task Force Committee report.** Ms. Silvernail reported that the Board met on January 18, 2006 and Mr. Wayne Grafton began the meeting by discussing the C-2 Commercial Zoning District as it is currently written with the concept of including a main street commercial center district within the C-2. Mr. Grafton presented a typical shopping center layout v/s crucible design layout. Examples used were a shopping center proposed in Concord Township and Main Street in Exton. Traffic circulation, pedestrian oriented central areas, variety of mixed uses, integration of historic resources, landscaping and architecture were all discussed. Mr. Grafton indicated that from this discussion he would then bring a draft sample ordinance to review at the next meeting. Ms. Silvernail reported that the seconded C-2 Task Force meeting was held on February 1, 2006 and Mr. Grafton presented the draft sample Ordinance to provide for a main street commercial center district within the existing C-2 commercial district. The discussion included use regulations and bulk regulations, design standards and special development regulations. Ms. Silvernail stated that after reviewing different conceptual design options, Mr. Grafton suggested for the Board to think about the ideas presented and to conduct further discussion at the next meeting.

**Comprehensive Study Committee report.** Mr. Hensel reported that the Comprehensive Study Committee meeting was held on Tuesday February 7, 2006. All members were present. Mr. Lloyd discussed comments from the January 27, 2006 review letter from Chester County Planning Commission and it was decided by all members that most of the comments have been answered in one or more parts of the plan. Mr. Lloyd said the document is ready to be forwarded on to the Township Planning Commission for their review and recommendation to the Board of Supervisors. A copy of the Plan is to be given to the Township Solicitor for legal advertisement of a public hearing; the plan is also to be given to all adjacent municipalities and school district. The Township

Planning Commission will receive a copy before their next meeting. Ms. Audette made a motion, seconded by Ms. Keen that the Board of Supervisors adopt the completed plan with some minor changes discussed at the meeting today, the committee voted “aye”, and the motion passed unanimously.

Mr. Hensel made a motion, seconded by Mr. Doratt, to pay the January bills in the amount of \$57,023.18. With there being no questions from the public the Board voting “aye”, the motion passed unanimously.

Mr. Hensel made a motion, seconded by Ms. Silvernail, to pay the January payroll in the amount of \$33,781.26. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Mr. Hensel made a motion, seconded by Mr. Doratt, to pay the January sanitary sewer invoices in the amount of \$24,811.95. With there being no questions from the public the Board voting “aye” the motion passed unanimously.

Mr. Hensel made a motion, seconded by Ms. Silvernail, to pay Pennsylvania American Water Company \$106,103.83. With there being questions from John Lymberis requesting what the money was for, Mr. Doratt replied by reading a letter that went: as required by the sewage treatment agreement dated July 7, 1997 between the City of Coatesville Authority and Sadsbury Township, the Township is required to pay a \$525.00 fee for each new connection. The amount reflects unpaid capacity as of December 31, 2005. With there being no further questions the Board voting “aye”, the motion passed unanimously.

Mr. Hensel made a motion, seconded by Mr. Doratt, to pay N. Abbonizio Contractors in the amount of \$54,743.40. With there being no questions from the public the Board voting “aye”, the motion passed unanimously.

Mr. Hensel made a motion, seconded by Ms. Silvernail, to pay Pflumm Contractors in the amount of \$11,322.60 this amount reflects the retainer from the road re-surfacing project. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

**Tabled Business:**

Christy Flynn representing Arcadia is requesting the Board to table her request of approval of Purcell Contractors contract. She stated that there are a few minor issues that needs to be worked out. The Board agreed to table any discussion until the next Board meeting.

### **New Business:**

Mr. Hensel made a motion, seconded by Ms. Silvernail, to adopt the amended 2006 General Fund Budget. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

The Board discussed concerns that they have with the proposed industrial development that is being discussed in Valley Township. Ms. Silvernail stated that she attended a Conditional Use Hearing in Valley Township regarding Keystone Foods which would run 116 tractor trailers in and out of the industrial development each day, Keystone foods is a 24/7 operation and discussions of having a truck wash. Ms. Silvernail stated that the hearing in Valley Township was continued to February 15, 2006. Mr. MacCombie stated that he has prepared a review letter that discusses traffic impact on Washington Lane. Mr. MacCombie states that this amount of traffic is a major impact for this area. (Attached please find Mr. MacCombies review letter.) Also a concern is sewer capacity and do they have any? Mr. Pompo stated that a portion of the property is in Sadsbury Township and that the Township has the right to appeal any decisions made. Mr. Pompo stated that representatives from Sadsbury should attend and be part of the record of Valley’s conditional use hearing form Keystone Foods and express concerns with the traffic impact. Mr. Doratt made a comment to send flyers to all Pomeroy Heights residents and invite them to the Planning Commission meeting to express any concerns.

Mr. Hensel made a motion, seconded by Mr. Doratt, to send a representative from Lamb McErlane’s office to attend the conditional use hearing held in Valley Township February 15, 2006 at 7:00 p.m. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Mr. Muto commented that he thought the Township intended on taking the roads within Bellaire Business Center. Mr. MacCombie stated that an access road would need built and how could the public access through private property and he added that the Township cannot give residents permission to drive on property that has not been dedicated. Mr. Pompo added that nobody could force the Township to take dedication of any roads. Mr. Muto stated that Keystone Foods wanted to purchase a lot within Bellaire Business Center and they turned them down because of the truck traffic. Mr. MacCombie added that Independence Way is beginning to break up because of a developer in another Township.

The Board discussed Peco being in contact with the Township regarding streetlights within the Township that are not claimed by the Township but are in service. Mr. Pompo stated that he believes that this issue would fall under the tariff agreement. The Board agreed to table this item until the next regular meeting.

Mr. Hensel made a motion, seconded by Ms. Silvernail, to authorize the advertisement of the hearing for the Comprehensive Plan scheduled for March 29, 2006 at 7:00 p.m. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Public Comment:

Alan Eagles inquired about the grates for the basins in the Quarry Ridge Development. Mr. MacCombie stated that he has concerns with this project due to the fact that Montgomery County had an incident of a child that got into a basin and could not get out. He states that raises concerns of the safety of the children. Mr. MacCombie states that the design for the grates has been completed but the Township must consider the safest way to have them placed. Mr. Eagles also stated that Kraft buses have agreed to move the bus stops within the development and will the police department relax on giving tickets to parents parked picking up their children? Chief Groce replied that he would follow the Township Ordinance.

With there being no further business, the meeting was adjourned.

Respectfully Submitted,

Lisa Myers  
Secretary/Treasurer