

Board of Supervisors Regular Meeting held Tuesday March 21, 2006

The Board of Supervisors conducted a regular meeting held on Tuesday March 21, 2006 commencing at 9:00 a.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.

Township Police report. Sergeant Ranck presented the Board with a request to send John Sidiras to a two-day training class for Basic Crime Scene Investigation. The class is being held at the Westtown/East Goshen Police Department on April 26 & 27, 2006, the cost of the class is \$295.00. Sergeant Ranck announced that the 2006 Ford Crown Victoria Police Vehicle has been ordered.

Mr. Hensel made a motion, seconded by Mr. Doratt, to approve the training request for John Sidiras to take a Basic Crime Scene Investigation Course to cost \$295.00. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Township Engineer report. Mr. MacCombie presented that Board with an overview plan for the Sadsbury Enhancement Program; he states that he has submitted the plan to Delaware Valley Regional Planning Commission as well. Mr. MacCombie states a meeting will be scheduled for April 11th or 25th with the Delaware Valley Regional Planning Commission. Mr. MacCombie states that he is in the process of obtaining core samples for the South side of Washington Lane into Pomeroy Heights regarding placement of possible weight restrictions. Mr. MacCombie reported that Keystone Helicopter has issues with the placement of drip oil going into the sanitary sewer system with no meter. Mr. MacCombie states that all liquids going into the sanitary sewer system must be metered, he states Mr. Howe does not want to add a meter due to costs, but are requesting a permanent pump and haul. Mr. MacCombie reported that the line has been plugged up so that no oil can flow into the sanitary sewer system. Mr. MacCombie stated this is the reason for the pump and haul request and a request like this is typical when a development goes in before the sanitary sewer system has been completed a temporary agreement is made between the development owner and the Township. Mr. MacCombie states that a possible holding tank Ordinance may work? A holding tank Ordinance would allow a tank to be placed and regulated, a certified hauler would agree to pump the tank on a regular basis. Mr. Pompo stated that he is not sure this issue is a Township matter; he added that a holding tank could overflow with industrial waste and would seep into the ground or possible stream. Mr. Pompo asks if a clean stream permit was issued to Keystone? The answer is no. Mr. Pompo stated that the tank cannot sit there unregulated it must be permitted by DEP or the line must be connected to the sanitary sewer system and the meter placed, why create a whole new program Keystone should move forward and place the meter or provide the Township with a permit from DEP. The Board directed Mr. Pompo write a letter to Keystone regarding these issues. Mr. MacCombie reminded the Board of the time frame to get a revision on the Act 537 Plan. He states that Clinton Cleaver suggested that if the Township is in need of additional flow to provide the information to him with a request to

revise the Township's Act 537. Mr. MacCombie stated that currently the Township's current service for the Act 537 will be met, but any changes will affect the new treatment plant. Ms. Silvernail stated that the C-2 Task Force Committee could review the Act 537, Mr. Hensel suggested the Township's Planning Commission review the Act 537 since it will need to go before them anyway.

Mr. Hensel made a motion, seconded by Mr. Doratt, to have the Township Planning Commission review the current Act 537 and make suggestions if additional flow is needed. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Ms. Silvernail asked if the Township Secretary would advise Mr. Przychozien of the Act 537 for the next Planning Commission agenda.

Township Solicitors report. Mr. Pompo presented the Board with a copy of the Decision and Order of the applicant of Keystone Foods located in Valley Township, Chester County. Mr. Pompo stated that Sadsbury Township was accepted as a party to the conditional use. Mr. Pompo pointed out the page 12 section F refers to all traffic/road changes for Washington Lane and states that Keystone shall widen the existing cart way to 24' with 2 lanes of 12' each with 4' paved shoulders on each side. The timing for these road improvements shall be established during the land development approval process at which Sadsbury Township will be copied on. Mr. MacCombie stated that Mr. Johnson one of Valley Township Supervisors told him there is no flow allocated for Keystone Foods that he was told to seek the neighboring Township's for capacity. Mr. Pompo stated that according to the decision page 13 section g states approval herein granted upon (1) the availability of sewage capacity for the proposed uses and the approval of sewage modules for those uses by the Commonwealth of Pennsylvania, DEP and (2) the assignment of sufficient EDU's by All County Partnership to Keystone for the proposed uses (currently estimated at 20 EDU's). Mr. Kelly representing All County Partnership states that a mini Act 537 revision requesting 20 EDU's have been allocated specifically for the Keystone Project and Mr. Kelly states they have a commitment from DEP regarding that matter. Mr. Pompo went on to point out page 12 section F stating that Keystone shall be responsible for payment of a sufficient sum into escrow for the signalization, as well as any road improvements incidental to the signalization of the intersection of Washington Lane and US Business Route 30. Mr. Pompo asked the Board if the trash document was satisfactory. The Board stated yes.

Mr. Hensel made a motion, seconded by Mr. Doratt, to advertise for the trash bid contract expiring in 2006. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. Pompo stated that he reviewed the procedures in order to declare a State of Emergency. Mr. Pompo stated that in order for Mr. Taylor to declare a State of Emergency that there must be authority to do so. Mr. Pompo reported that Township's do not normally declare an emergency unless it is an extreme event. If Township would declare an emergency due to severe weather doesn't mean that the State will keep the roads open. However if a disaster occurs such as a large airliner crashes in the Township, the Township has the authority to close whatever roads necessary including State roads. The decision maker to make the judgment would be one of the Board of Supervisors.

Township Zoning report. Mr. Lowry reported that a Zoning Hearing was scheduled and heard last night for (3) different properties: Lance & Valerie Castle got approval for a winery located at 3000 Lincoln Highway, Tractor Supply got denied for a bigger sign and Shoemaker's hearing got continued. Mr. Lowry stated that he knows of a business in the Bellaire Business Center that has received approval but has no intent to proceed with the business. Mr. Lowry states that he confirmed the business was sold and the property owner was going to build the building minus the office space and lease. Mr. Lowry stated that the owner must re-submit plans just to build the shell of the building. The Board states that they cannot do anything at this point until the sale has gone through.

Ms. Marie Pantalone representing McMahon Associates presented the Board with the Valley View Mixed up Development (Bone Tract) Traffic review #1. The McMahon Associates Valley View Mixed Use Development has been attached and made part of these minutes.

The Board discussed the monthly cost for (4) streetlights for Peco to own and maintain the lights costs will be \$104.00 a month and for the Township to take responsibility for the streetlights and maintain them would cost \$54.00 a month. The Board discussed currently we do not own a bucket truck to service the streetlights and insurance would need to be placed on each pole in case of an accident, if the Township pays Peco to own and maintain them they would carry full responsibility for them.

Mr. Hensel made a motion, seconded by Mr. Doratt, to have Peco own and maintain the (4) streetlights, which Chief Groce stated, should remain in service. 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 send Dave Turner, William Baxter and Gary Dunmyre to a Spring Road Maintenance Course to be held on March 22, 2006 to cost \$105.00 with their hourly wages being paid. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Jason Duckworth and Christy Flynn presented the Board with a request for advertisement and setting a hearing date for the 1 page amendment to the TND Ordinance. Ms. Silvernail demanded to know when discussions were held to change this Ordinance. Mr. Hensel stated that it was being presented right now. Ms. Silvernail stated that in the beginning the set back was 20' why has it changed? Mr. Duckworth stated that the amendment only affects 15% of the entire community. Ms. Silvernail stated to Mr. Duckworth that he should have taken this matter into consideration in the beginning and that he agreed upon the 20' setback and now he wants to amend it. Ms. Silvernail added that by amending the setback it would shorten the parking area and then you have residents parking on the streets and the current Board is already experiencing issues with parking. Ms. Silvernail added that maybe Arcadia should keep all their own roads in the development and worry about the parking issues and snow removal. Mr. Pompo stated that the Ordinance states the garage is front entry and offset at least 20' behind the principal front façade, stoop or porch of the dwelling or in the case of dwellings located South of Quarry Road. Mr. Doratt commented that the parking issues should be addressed. Robert Silvernail asked how much driveway with amendment? Mr. Hensel

answered 18' from the sidewalk. Robert Silvernail asked what is the length of the driveways in Sadsbury Village? Mr. Hensel stated that he does not know without looking at a plan. Mr. Duckworth stated with the amendment the driveway would be approximately 23' in length. John Lymberis asked if there is an opportunity to move the entire home back? Mr. Duckworth stated that certain options would not be available if that is done. Robert Silvernail stated that the real issue is that the density is too high; maybe some of the homes can be taken out of the plan.

Mr. Hensel made a motion, seconded by Mr. Doratt, to have Mr. Pompo write the TND Ordinance placing a setback for the porch at 6' and advertise for a public hearing for the TND Ordinance. With there being questions from Robert Silvernail, wanting to know what the set back of the porch has to do with the driveway? Mr. Pompo answering that porch size has no bearing on the setback. With Mr. Doratt voting "aye", Mr. Hensel voting "aye", Ms. Silvernail voting "nay", the motion passed.

Mr. Bill McClure and Bryan Kulakowsky representing Gateway Church requested an additional 18-month extension to their conditional use decision and order. Ms. Silvernail asked Mr. McClure if he would agree to comply with any new updates such as Ordinances or amendments? Mr. McClure said yes.

Ms. Silvernail made a motion, seconded by Mr. Doratt, to approve the request of Gateway Church for an additional 18 month extension to begin from the expiration date of the original conditional use decision subject that Gateway Church complies with all Ordinance's that are in place. With there being no questions from the public, Mr. Doratt voting "aye", Ms. Silvernail voting "aye", Mr. Hensel "abstained", the motion passed.

The Board discussed adopting a job description appendix that would be added to the personnel policy handbook. After discussion the Board tabled this item for Mr. Pompo's review of the job descriptions.

With there being no public comment the meeting was adjourned.

Respectfully Submitted,

Lisa Myers
Secretary/Treasurer