

Board of Supervisors Regular Meeting Tuesday November 21, 2006

The Board of Supervisors conducted a regular meeting held on Tuesday November 21, 2006 commencing at 9:00 a.m. Chairman Hensel called the meeting to order. Present were Supervisors Mr. Hensel, Ms. Silvernail, and Mr. Doratt, Mr. Pompo Township Solicitor, Mr. MacCombie Township Engineer, Mr. Todd Meltsch Township Building Inspector/Zoning Officer and members of the community.

The moment of silence and pledge of allegiance were observed.

Township Police report. Sergeant Ranck stated that he has no report at this time.

Township Engineer report. Mr. MacCombie stated that he had nothing to report at this time.

Township Solicitor report. Mr. Pompo reported that he has reviewed the agreement between Sadsbury Township and Chester County Vision Partnership regarding the Township updating the subdivision and land development Ordinance. Mr. Pompo reported that this agreement is acceptable.

Township Zoning Officer/Building Inspector report. Mr. Meltsch reported that a final letter was sent to the owners of the corn maze notifying them that if they intend on conducting this business next year they will need to obtain permits, and they were also notified of the electrical violations that need corrected. A letter was sent to the owner of an open permit regarding a swimming pool that the pool needs re-inspected for final approval. A letter was sent to Lynn Hannaway owner of the property along Route 30 informing him that no resale of soil or stockpiles is allowed on this property. Mr. Meltsch stated that he is in the process of reviewing the plans for the Aerzen project. A zoning hearing was held for 10 Western Avenue and no decision was given, and it was continued.

New Business:

Joe Rosella of D. Howell representing Keystone Helicopter presented the Board with a request that the land development plans of the Keystone Ranger hanger be reviewed as a final plan. Mr. MacCombie stated that he sees no problem with the Board allowing this request due to the fact that plans have already been reviewed, as they were shown on the preliminary plan. Mr. MacCombie stated since it has already been shown it's just a matter of phasing in the projects. Mr. Pompo stated that he sees no problems with this request.

Mr. Hensel made a motion, seconded by Mr. Doratt to allow Keystone Ranger submit their land development plans as preliminary/final. With there being no questions from the public, Mr. Hensel voting "aye", Mr. Doratt voting "aye", Ms. Silvernail abstained, the motion passed.

Mr. William Colby attorney for All County Partnership requested the Board accept the Resolution adopted by Valley Township Supervisors on November 6, 2006 to re-allocate (7) EDU's to Sadsbury Township for the proposed Valley View Subdivision. Mr. Hensel stated why only (7) he recalls the project needing (40) EDU's? Mr. Colby replied the (7) EDU's are being allocated for the build out of Valley View lots 1,2 &3. Mr. Pompo asked why can't there be an arrangement that would provide for the capacity that is needed for the future due to no capacity being available until the build out of the sewer treatment plant? Is it that there will not be available capacity in the future? Mr. Colby states that there is no risk to Sadsbury Township if Valley View cannot build out lots; they will just sit there. Mr. MacCombie stated that you cannot build on a lot that does not have sewer, DEP states that you must provide adequate sewer. Mr. Colby stated that the (7) EDU's would be allocated to 5 EDU's for lot 1, 1EDU for lot 2 and 1EDU for lot 3. Mr. Colby reminded the Board that Pennsylvania American Water Company stated that they would guarantee the re-allocation of 40 EDU's back to Sadsbury Township when the sewage plant got built out, the Township declined to accept the request for fear that the Township residents may need the EDU's before the plant got built out. Ms. Silvernail asked how would you provide the Township the use of the EDU's? Mr. Colby answered that a land site plan would be submitted. Mr. Hensel stated that the original approval was based on (40) EDU's. Mr. Pompo stated that condition would have to be amended before they could proceed with any submittals. Mr. Colby stated that currently they do not have any purchasers for the lots. Mr. Pompo asked if Valley View currently has (7) EDU's, would 32 EDU's be available when the plant gets built out? Mr. Reading a partner of Valley View stated yes. Mr. Pompo asked why not get an agreement with Pennsylvania American Water Company? Mr. Reading stated that Pennsylvania American Water Company would not give an agreement for something they don't have yet. Mr. Pompo stated that (1) EDU per lot is not enough. Mr. Colby replied that is not the Township's problem. Mr. Pompo stated again why can't Pennsylvania American Water Company cannot provide a written agreement giving the developer the required capacity when the plant is expanded, he added that he has the idea that there will not be enough capacity when the plant is built out. Mr. Colby stated that Pennsylvania American Water Company never stated that capacity would not be available. Mr. Colby stated again there is not risk to Sadsbury Township with regards to the sewer. Mr. Pompo stated that the Resolution states that all the unused EDU's shall revert back to Valley Township. Mr. Colby stated its written like that because in fact Valley View purchased 20 EDU's to all be allocated for Keystone Foods, but Keystone will not be completely built out until after 2009 so they will use 13 for Keystone Foods and 7 for Sadsbury Township and count on 7 EDU's being available for Keystone. Mr. Pompo asked what is the time frame that Valley Township would want the unused EDU's reverted back to them? Mr. Colby stated that a time frame was not discussed. Mr. Pompo stated that Sadsbury is looking for an agreement between Pennsylvania American Water Company and Valley View Development stating the EDU's will be available upon build out of the plant and with regards to the Resolution stating that once they allocate EDU's to Sadsbury they stay and would only ever be used for the Valley View project.

Mr. Hensel made a motion, seconded by Mr. Doratt, to authorize the additional amount of money that was paid to Linda Shank in 2006 as the result of an error. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Dave Jones Engineer for Chester County Airport discussed the August 24, 2006 south Apron submission. Mr. Jones stated that he received a review letter from Mr. MacCombie with issues concerning the closure or relocation of Rockdale Road. Mr. Jones stated that the Township's Planning Commission recommended approval of the preliminary plan of the South Apron project. Mr. Jones stated that they received preliminary approval from Valley Township on September 17, 2006. Mr. MacCombie stated that he has no issues with the plan other than the relocation of Rockdale Road. Mr. Hensel states that if the Township agrees to relocate Rockdale Road it will create more surfaces to maintain. Ms. Silvernail agreed. Mr. Hensel stated it is a major concern to relocate Rockdale Road. Mr. Doratt asked Mr. Hensel if he would approve the South Apron Project? Mr. Hensel said yes if the road is left as it is. Mr. Doratt asked if there was anything that could be done to get the project going? Mr. MacCombie stated at this point it is a legal matter, not an engineering issue. Mr. Doratt asked Mr. Jones if they could phase the South Apron Project to leave Rockdale Road where it remains? Mr. Jones stated it would be a challenge and he would have to re-look at the plans. Mr. MacCombie asked what would happen to the (4) homes currently located on Rockdale when the master plan goes into effect? Mr. Jones stated that (2) of the homes would have to go, which Mr. Jones stated that the Airport is prepared to pay fair market value for. Mr. Doratt asked what if Valley Township would agree to take all the responsibility of Rockdale Road, pave, plow, maintenance. Mr. Pompo stated that an inter-municipal agreement could be prepared. Ms. Silvernail asked who would take care of the complaints regarding noise. Mr. Jones states that the plans show an earth berm and plantings and the area would be posted to make residents aware. The Board agreed to table any decision.

Mr. Pompo stated that he reviewed the revised Quarry Ridge Homeowners Association park bench agreements and has found them to be acceptable.

Mr. Hensel made a motion, seconded by Mr. Doratt, to accept the revised Quarry Ridge Homeowners Association park bench agreements. With comments from Todd Meltsch stating that he did the inspection on the park benches and will release the U & O. With the Board voting "aye", the motion passed unanimously.

Mr. MacCombie stated that he is in receipt of a letter from the Sadsbury Village Homeowners Association attorney. Mr. MacCombie stated the letter is requesting the Township place grates at the storm water basins. The Board stated that is the homeowner's association responsibility not the Townships.

The Board thanked Herb MacCombie and Dennis O'Neil for an excellent job well done at the meeting they conducted on November 15, 2006 with regards to the Sadsbury Village Enhancement Project.

Public Comment:

Susan Franco stated that she has received numerous complaints regarding 611 Bedrock Road as being in an unhealthy condition. She states there is trash, rodents, garbage, building materials, and hay bales on this property.

Jane Roper stated that she is a Springview Manor resident and wants to know when the roads will be repaired and also the yards that were tore up during the construction of the sewer project? Mr. MacCombie stated that all repairs to the yards would be done by December 1, 2006. Ms. Roper stated that her yard was used for equipment storage and is a mess. Ms. Roper stated that she has called the office twice and nobody ever came to the property to even look. Ms. Roper wants to know when she can get public water? Mr. MacCombie stated that a survey went out to all residents and only 25% responded to as whether they wanted water or not, therefore Pennsylvania American Water Company would not extend the line into the development due to lack of interest. Ms. Roper wants to know why the Board of Supervisors approved to allow (2) parking spaces for the Sadsbury Village Homeowners when the original plan showed (7)? Ms. Silvernail stated that the parking plan never was for (7) spaces, only ever (2). Ms. Roper stated that is poor planning on the Supervisors part. Mr. Pompo stated that the allotted amount of parking spaces was determined under the Township Ordinance requirements. Ms. Silvernail stated that the developer submitted the plans for that development under the old ordinance and the new ordinance was not adopted yet. Ms. Roper says she has a daughter that lives there and it's not fair to visitor's because they have to pay a ticket. The Board told her that there are life safety issues with allowing parking on the streets. Snowplows, ambulance and fire trucks cannot get through if there is parking on the streets.

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

Respectfully Submitted,

Lisa Myers
Secretary/Treasurer

