

**EAST BRANDYWINE TOWNSHIP BOARD OF SUPERVISORS
REGULAR SESSION
Wednesday, April 16, 2008**

Those in Attendance:

Hudson L. Voltz, Chairman
David A. Kirkner, Vice-Chairman
Scott T. Piersol, Township Manager
Mark Kocsi, Chief of Police
Matthew T. VanLew, Roadmaster
Mary Beth Smedley, Secretary/Treasurer

Absent:

Jay G. Fischer, Member

The East Brandywine Township Board of Supervisors meeting of Wednesday, April 16, 2008 was called to order by Chairman Voltz at 7:30 P.M. at the East Brandywine Township Municipal Complex. There were 6 visitors.

Opening of Meeting

Chairman Voltz invited the Boy Scouts from Troop 8 to lead the audience in a Salute to the Flag.

Public Comment for Non-Agenda Items

Chairman Voltz asked if there were comments on non-agenda items. Mr. Richard Reale stated that he has seen many resident yard sales recently. He suggested that the Township could have a large yard sale at the Community Park where residents could rent space for a nominal price. He also suggested that the Boy Scouts might be able to offer food. Mr. Piersol stated that Mr. VanLew had suggested this to the Park and Recreation Board several years ago. Chairman Voltz stated he thought this would be a good idea and will send an email to the Park and Rec Board to consider holding a Township-wide yard sale.

Minutes: Board of Supervisors – March 19, 2008

Chairman Voltz asked if there were any additions or corrections to the above minutes. There were none. Vice-Chairman Kirkner made a motion to approve the March 19, 2008 minutes as presented. Chairman Voltz seconded the motion, with both voting Aye.

Minutes: Board of Supervisors – April 3, 2008

Chairman Voltz asked if there were any additions or corrections to the above minutes. There were none. Vice-Chairman Kirkner made a motion to approve the April 3, 2008 minutes as presented. Chairman Voltz seconded the motion, with both voting Aye.

Minutes: Planning Commission Minutes – April 2, 2008

Chairman Voltz asked if there were any additions or corrections to the above minutes. There were none. Vice-Chairman Kirkner made a motion to approve the minutes as presented.

Chairman Voltz seconded the motion, with both voting Aye.

Treasurer's Report

Mrs. Smedley read the account balances as of April 16, 2008. After review of the Treasurer's Report/Financial Statement, Vice-Chairman Kirkner made a motion to approve the Treasurer's report and payment of the bills. Chairman Voltz seconded the motion, with both voting Aye.

Mr. George Holmes asked if the Township was close to acquiring additional easements or property through the Open Space Program. Mr. Piersol stated that the Township continues to have discussions with the Whittaker family and he has a meeting scheduled for next week with West Brandywine Township officials regarding the Thornbury property to discuss easements and a trail linkage. Chairman Voltz reported that the County recently conducted their yearly inspection of the Tischler property and it is in full compliance with their regulations for maintaining open space.

Report: Township Manager's Report

Rettew & Associates is preparing an application to DCNR for creation of a Master Plan for the Bondsville Mill Park. DCNR will provide funding up to 50% of the cost of creation of the plan for the use of this property. The plans will focus on creation of passive recreation such as walking trails to interconnect with adjacent developments, nature areas within the park, including birding areas, and trails around the portion of the buildings to interpret the historical aspects of the mill when it was an active industry in the early days of the Township. The Mill Committee will review a draft at their meeting next Wednesday morning with representatives of Rettew & Associates present, in preparation for the April 25th submission deadline.

We were recently notified that the Federal Energy Regulatory Commission will be hosting a public meeting for the AES – Sparrow's Point LNG project at the East Brandywine Fire Company on Wednesday evening, June 11th at 7:00 PM. AES Corporation has proposed to construct a large liquid natural gas import and storage facility along the Maryland shoreline, and construct an 87-mile pipeline generally following the existing Columbia Gas Pipeline to interconnect with three other pipelines which merge at the Columbia Gas facility in Upper Uwchlan Township. The meeting is primarily for the property owners across whose properties the pipeline traverses, and other stakeholders, although any interested party may attend.

The Board of Supervisors authorized the submission of the Guthriesville Master Plan for its initial review to the County Planning Commission. The base plan is the first step in creating design standards for uses within an expanded Village of Guthriesville. Township Officials met with representatives of the County Planning Commission March 25th to discuss their support in contacting PennDOT to discuss the proposed extension of East Reeceville Road as one major component of this project, and received a favorable reaction. The Master Plan will be part of the Township's revisions to its Comprehensive Plan, which has been in progress for two years.

Mr. Piersol received an e-mail from Dr. James Boyer from the US Army Corps of Engineers this morning on the Wawa project and its involvement with the Guthriesville General Store building. The Army Corps has worked with Wawa trying to make the Township Historical Commission's alternative into a workable solution. Wawa's engineer has analyzed the grading issues and determined that alternative 5A could work with the inclusion of a retaining wall and additional fill behind the general store. The current proposal is to market the entire building. The Corps, Advisory Council on Historic Preservation, and the Pennsylvania Historic and Museum Commission feel that this current proposal and the latest agreement developed by Wawa is our best option at this time for moving this process forward. The new proposal to market the entire building is a positive development. Mr. Piersol advised Dr. Boyer we would review the latest agreement to fully understand the terms of this latest proposal.

Karen Marshall, the County's Historic Preservation Officer and Mr. Piersol have been discussing potential funding opportunities which may be available with the Guthriesville Master Plan and the General Store / Wawa project. Ms. Marshall, at the suggestion of Ann Safely from the PHMC, is researching several funding sources from a variety of economic development groups, first to try to match the right person or group to purchase the General Store building. Another link is to hopefully create affordable housing within our community, which is certainly a possibility with what could be proposed within the Guthriesville Master Plan. There are a variety of County, State and Federally-funded programs which may be available to the Township.

The Supervisors met with InterMedia Group earlier this month to discuss a proposal for an audio-visual equipment system for this meeting room. The Board authorized creating bid specifications for three separate components of this system, with the audio system being the most critical component. It will still take some time to create and refine the bid specifications and documents, and advertise for bids for the equipment and installation. As they did in Uwchlan Township, who referred InterMedia Group to us, they will also work to obtain rental equipment on a temporary basis as part of their work, since it could take until the late summer for this to all fall into place. The Township is also looking at alternate methods of financing the costs associated with this type of AV system.

Meeting to Discuss All-Terrain Vehicle Ordinance

Chairman Voltz reported that on April 10th he and Mr. Piersol met with members of the Planning Commission, concerned citizens, and residents who use ATV's to discuss the proposed Ordinance regulating the operation of all-terrain Vehicles. The group hopes to have a revised Ordinance for consideration within the next 90 days. If interested residents have additional input they are encouraged to provide it to the Township. Chairman Voltz stated that the Township remains concerned about noise and disturbance to the environment.

Report: Building Inspector/Zoning Officer – Report for March 2008

Mr. Piersol read the Building Inspector/Zoning Officer's Report for March 2008. There were nineteen building permits issued, twelve use and occupancy permits issued, and one hundred and two inspections conducted during the month. The total fees collected were \$22,914.20.

Report: Roadmaster Report

Osborne Road Improvements Update

Mr. VanLew reported that a letter was sent to the owner of the property at 1153 Osborne Road in reference to removal of an evergreen tree along the roadway. Although the tree is located within the Township right-of-way, it is still on the homeowner's property. The property owner has agreed to allow the Township to remove the tree. The large arrow and additional chevron sign is scheduled for installation tomorrow.

Hedgerow Homeowners' Association April 4, 2008 Letter

A letter was sent to the Board of Supervisors dated April 4th in reference to the condition of Hawthorne Drive and drainage issues along Horseshoe Pike.

The pothole on Hawthorne Drive near Hastings Court has been temporarily filled with cold patch. This section of roadway, along with other small sections will be cut out and repaired. A date has not been scheduled at this time for the repairs.

The drainage issue mentioned in their letter from Horseshoe Pike is a PennDOT issue. A letter to the Homeowners' Association will be sent explaining this.

McCausland Hall Repairs

As time permits, Township staff have been making minor repairs to McCausland Hall. One major repair needed is for the roof to be replaced. There is currently a wood shingle roof which was installed in the early 1980's. Mr. VanLew is preparing to produce bid specification and asked the Supervisors for direction for the type of roof to replace the existing wood roof. The Supervisors suggested that Mr. VanLew provide them with costs before they make a final decision.

Community Park

The toilets have been replaced with commercial grade toilets at the Community Park. In addition, the bathrooms have been repainted. Chairman Voltz thanked Mr. VanLew and said that the Park looks great.

Report: Brandywine Regional Police Commission

Vice-Chairman Kirkner reviewed the Brandywine Regional Police Commission minutes for February of 2008.

Vice-Chairman Kirkner reported that Wallace Township provided notice to East Brandywine Township that they intend to withdraw from the Brandywine Regional Police Department effective March 25, 2009. East Brandywine Township and Wallace Township Officials will meet in Executive Session on April 28th to discuss the dissolution of the Regional Police Department.

The next Brandywine Regional Police meeting will be held Wednesday, April 23, 2008 at 8:00 A.M. at the East Brandywine Township Municipal Complex.

Report: Police Chief - Police Activity Report for March 2008

Police Activity Report – March 2008

Investigations	168
Traffic Citations	228
Traffic Warnings	45
Traffic Accidents	9
Criminal Arrests	4
Summary Arrests	10

Criminal Investigations – January 2008

Burglary/Criminal Trespass	2
All Assaults	2
Theft/Fraud	3
Disorderly Conduct/ Harassment	3
Disturbances	9
Suspicious Activity/ Persons	12
Domestics	4
Criminal Mischief	5
Juvenile Complaints	4
Missing Persons/ Runaways	3
Driving Under the Influence	1
Fugitive Warrants	3
Drugs	1
Other	0

Report: Fire Company's Activity Report for March 2008

Mr. Piersol read the Activity Report for the month of March, 2008, as submitted by Fire Chief Robert Zynn, Jr. There were sixty-one total incidents. In East Brandywine Township there were ten fire calls and seventeen QRS calls. In West Brandywine Township there were five fire calls and twenty-two QRS calls. The Fire Company provided assistance in Valley Township and the City of Coatesville. Estimated fire damage for the month was \$435,000.00 for a garage fire in West Brandywine Township and a chimney fire on Tarrytown Lane. Mr. Piersol reported that the fire on Tarrytown Lane may have been caused by a construction defect. Rouse/Chamberlin Homes is investigating this.

Subdivision Extensions

The Dilworth Tract - Planning Commission is recommending the Board accept an extension to review this subdivision application until August 1, 2008. Vice-Chairman Kirkner made a motion to accept this extension. Chairman Voltz seconded the motion, with all voting Aye.

Brain Zoning Hearing

The East Brandywine Township Zoning Hearing Board will meet on Thursday, May 8, 2008 at 7:30 P.M. to hear the application of Simon and Rebecca Brain. The applicants are requesting a special exception to increase the noncompliance of a nonconforming lot by increasing the amount of impervious coverage in connection with a proposed addition to an existing residential dwelling. The property is located at 30 Kristin Circle in the R-2 Zoning District. Mr. and Mrs. Brain and their contractor Bob Bracchio discussed the application.

The applicants proposed to add an entrance hall to the rear of the property and construct a sunroom, laundry room, bathroom and patio at the rear of the property. The percent of the lot area occupied by existing buildings and other impervious surfaces is 14.3%. The addition planned by Mr. and Mrs. Brain would increase the impervious coverage to 16.5% of the lot area.

The exterior of the proposed addition will be made of the same materials and look architecturally similar to the exiting home. The applicants provided documentation that the adjoining property owners have no objection to the plan.

Mr Bracchio stated that the applicant is working with Commonwealth Engineers on a plan to minimize water runoff; the details will be determined later. They are considering either constructing a subsurface basin or a berm.

The Planning Commission offered the following recommendations for the Zoning Hearing Board to consider:

1. The applicant should provide a stormwater management system that is acceptable to the Township Engineer prior to the commencement of any construction or permits approved.
2. The applicant should sign a "Memorandum of Zoning Hearing Board Decision" not to add any future additional impervious cover to the property above the requested relief. The Memorandum should be recorded against the deed of the property at the Chester County Recorder of Deeds. In addition, a note should be added to the plans that will be submitted with the building permit application.

After review of the plan Mr. Voltz made a motion to recommend the Zoning Hearing Board support the special exception request with the two recommendations made by the Planning Commission. Vice-Chairman Kirkner seconded the motion, with all voting Aye.

Resolution 06 of 2008 – DCNR Grant Application – Bondsville Mill

Mr. Piersol explained that this Resolution is required in order to submit a grant application to the Department of Conservation and Natural Resources for the Bondsville Mill. Chairman Voltz asked if there were questions or comments. There were none. Chairman Voltz made a motion to adopt Resolution 06 of 2008. Vice-Chairman Kirkner seconded the motion, with all voting Aye.

Additional Public Comment

Chairman Voltz asked if there were additional public comments. Mr. Richard Reale stated that he was concerned about the location where police officers sit on Firethorne Drive, during traffic details. He said that motorists have to go around the police vehicles and is creating a dangerous situation. Chief Kocsi stated that he would investigate this.

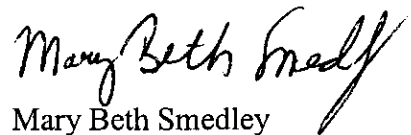
Mrs. Rebecca Corbin stated that Representative Schroder would provide the Township with a letter of support for the DCNR grant application.

Chief Kocsi stated that he had some concerns about provision #9 in the proposed ATV Ordinance. He asked how the \$50 payments for towing an ATV would be collected. It was suggested that rather than towing the vehicle to the Township municipal complex it would be more efficient and pose less liability to have a towing service remove the ATV and simply have the person in violation of the Ordinance pay the fee to the towing service.

Adjournment

There being no further business, Chairman Voltz made a motion to adjourn the meeting. Vice-Chairman Kirkner seconded the motion, with both voting Aye. The meeting was adjourned at 8:25 P.M.

Respectfully submitted,



Mary Beth Smedley
Secretary/Treasurer