

**EAST BRANDYWINE TOWNSHIP BOARD OF SUPERVISORS  
WORK SESSION  
Thursday, April 1, 2010**

**Those in Attendance:**

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

**Absent:**

Hudson L. Voltz, Member

The East Brandywine Township Board of Supervisors meeting of Thursday, April 1, 2010 was called to order by Chairman Kirkner at 7:30 A.M. at the East Brandywine Township Municipal Complex. Also in attendance was George Holmes, the Milemarker Editor, Lt. Ronald Marshman, Sgt. Gene Babetski, Corporal Mark Twaddell, Officer Daniel Orris, John Black and James Buczala from the Historical Commission and two visitors.

**Public Comment for Non-Agenda Items**

Chairman Kirkner asked if there were comments on non-agenda items. There were no comments.

**Letters from Downingtown West High School and Bishop Shanahan High School requesting financial support for their respective post-prom parties**

Mr. Piersol provided letters from both schools for the Supervisors to consider. Regretfully, the Supervisors felt they couldn't provide support this year because of Township budget constraints.

**Historic Preservation Award**

Mr. Black and Mr. Buczala recommended two recipients for the Board to consider for the Township's first Historic Award. Chairman Kirkner said he thought there would only be one recipient a year. Mr. Black and Mr. Buczala explained that the Historical Commission wants to recognize individuals who have invested in maintaining and restoring their historic property. Some years they may recommend more than one recipient, others they may make no recommendations. Chairman Kirkner said that the Historical Commission has a \$1,000 budget for 2010, so the cost of award would need to come out of those funds.

Vice-Chairman Fischer made a motion to create the East Brandywine Township Historic Preservation Award that will recognize individuals for their historic efforts. Chairman Kirkner seconded the motion, with both voting Aye.

Vice-Chairman Fischer made a motion to present the first Historic Preservation award to Thomas and Sarah Riddle for the preservation and renovation of their Bank Barn (circa 1803) on Reeds Road. Chairman Kirkner seconded the motion, with both voting Aye.

### **Pulte Homes Walking Trail Issue**

Mr. Jim Buczala, who owns a property adjacent to the Applecross Development on Rt. 322, discussed his concerns about the location of the trail near his property. Mr. Buczala currently maintains a strip of lawn that runs to the east side of dogwood trees on his property and a garden that is on the Pulte property. Several years ago Mr. Buczala met with Tony Sabatini from Pulte Homes and the Township engineer to discuss this. Mr. Sabatini indicated it would not be a problem for Mr. Buczala to continue maintaining that property. At that time Mr. Buczala was provided with a copy of the plan showing a buffer between the proposed trail and his property. Since that time, the plans have changed and the trail is proposed to run the length of his side yard, with no buffer, in part because of the placement of several basins near the trail. Mr. Buczala has made numerous attempts to discuss this with Bill Creeger and Sam Carlo from Pulte Homes, but isn't satisfied with how this is being resolved. He provided photographs of his property, along with a copy of the plan given to him by Pulte for the Board to review. He is asking the Supervisors for their assistance.

Vice-Chairman Fischer said that the plan showing the trail system directly on Mr. Buczala's property line has already been approved by the Board. Unfortunately, the Board wasn't aware of Mr. Buczala's concerns before approval was given. They also discussed if one of the basins might be moved so that the trail can be relocated. Vice-Chairman Fischer said that may be difficult since it appears there is a spillway between the two closest basins and it may be prohibitively expensive to make any changes to the plan. Also, the location of the basins has been approved by the Chester County Conservation District.

In a recent meeting Mr. Piersol asked Pulte representatives to look at alternatives for the location of the trail. Mr. Buczala is supposed to meet with someone from Pulte to discuss this. Mr. Piersol said that he would try to attend the meeting as well.

### **Swearing In Ceremony – Lt. Gene Babetski**

Sgt. Gene Babetski was sworn in as a Lieutenant for the East Brandywine Township Police Department by District Justice Jeffrey Valocchi. Lt. Ronald Marshman, who is retiring from the Police Force after over 28 years of service, presented Lt. Babetski with his badge. The Board of Supervisors, Mr. Piersol and Chief Kocsi congratulated Lt. Babetski on his promotion.

**At 8:25 A.M. Chairman Kirkner closed the work session to hold a public hearing.**

### **Public Hearing – Ordinance 06 of 2010 – Amending Chapter 399, Zoning, of the Land Use Code of the Township of East Brandywine, Article IV, Off-Street Parking and Loading, Subsection 105, Standards**

Chairman Kirkner opened the hearing and entered the following exhibits into the record.

B-1 A copy of the Board of Supervisors minutes dated March 4, 2010 in which the Board authorized the Ordinance to be advertised.

- B-2 A copy of the letter dated February 5, 2010 from Scott T. Piersol to the Chester County Planning Commission requesting the Act 247 review.
- B-3 A copy of the letter dated March 12, 2010 from the Chester County Planning Commission to Scott T. Piersol with their comments.
- B-4 A letter dated March 4, 2010 from Patrick McKenna, Esq., to the Chester County Law Library.
- B-5 The Public Notice and Proof of Publication from the Daily Local News.
- B-6 A copy of the proposed Ordinance.

The proposed Ordinance has been available for public review since March 5, 2010.

Chairman Kirkner explained that the depth of a parking row will be changed from 18 feet to 20 feet and the width from 9 feet to 10 feet. He then asked if there were any additional comments from the Board or the audience. There were no comments.

**The public hearing closed at 8:30 A.M. and the Work Session reconvened.**

**Ordinance 06 of 2010 – Amending Chapter 399, Zoning, of the Land Use Code of the Township of East Brandywine, Article IV, Off-Street Parking and Loading, Subsection 105, Standards**

Vice-Chairman Fischer made a motion to adopt Ordinance 06 of 2010. Chairman Kirkner seconded the motion, with both voting Aye.

**Southdown Homes – Offer to transfer 7 acre parcel**

Mr. Tim Townes from Southdown homes has asked whether the Township would be interested in acquiring the parcel known as the “old water plant” prior to their commencing construction. The Board said they would be interested, but asked that Mr. Piersol and Mr. VanLew visit the property first to determine whether work needs to be done prior to the Township taking dedication. The site may need to be cleaned up and secured before that takes place. The Board will wait for their recommendation.

**Roadmaster Report**

New Truck – Mr. VanLew said that the new Ford F-350 truck that was ordered in December will be ready for delivery within the next few days.

Leaf Collection – The spring leaf collection is scheduled for the weeks of April 5<sup>th</sup> and 19<sup>th</sup>. Residents are reminded to have their leaves at curbside on Monday morning. The Township no longer schedules particular pick-up days for leaves.

Chipping – Chipping has begun again due to the nice spring weather. Residents should contact the Township to schedule chipping at their residence.

Winter Maintenance Plan – Due to concerns and questions about our snow removal procedures from residents this year, Mr. VanLew produced a draft Winter Maintenance Plan. When completed he will have it posted on the web site to help residents understand how the Township handles snow and ice storms and when to expect streets to be plowed after the end of the storm. The plan also explains the expectations of the Township from our residents. This plan is modeled after other Township's plans.

The Supervisors thanked Mr. VanLew for his work on the plan. They asked if the Township received many complaints during the snow storms. Mrs. Smedley said that very few complaints were received during the first few storms. However, during the last storm when drifting occurred on Bollinger Road and Zynn Road there were numerous calls. One suggestion was that the Township considers purchasing a snow blower to mount to the John Deere tractor. Chief Kocsi suggested adding a line to the plan that says the Township doesn't maintain State Roads. Mr. VanLew will have it posted on the web site in the autumn, prior to the start of snow season.

### **Bondsville Mill Committee**

Mrs. Sandra Moser has asked about the Townships 501(c)3 designation. She asked that the Bondsville Mill Park be identified as a specific non-profit sub-group of the park and recreation umbrella. Chairman Kirkner said that the 501(c)3 organization is a Township foundation although it may be able to have restricted accounts within the funds. Chairman Kirkner will discuss this with Mr. Voltz.

### **Comments from the Audience**

Chairman Kirkner asked if there were questions or comments from the audience. There were none.

### **Announcements**

#### Caspar Zoning Hearing

The Caspar Zoning Hearing, originally scheduled for Tuesday, March 2<sup>nd</sup> has been postponed to allow the applicant time to have a stormwater management plan prepared.

#### DVRPC Meeting

The DVRPC will conduct a final meeting to discuss their project "Guiding Transportation Investments and Land Use Decisions Along US 322" on Friday, April 23, 2010 from 9 A.M. to 11 A.M. here in the Township meeting Room. Township Officials and Board members are encouraged to attend.

**Adjournment**

There being no further business, Vice-Chairman Fischer made a motion to adjourn the meeting at 8:40 A.M. Chairman Kirkner seconded the motion, with all voting Aye.

Respectfully submitted,

A handwritten signature in cursive script that reads "Mary Beth Smedley".

Mary Beth Smedley  
Secretary/Treasurer