

**EAST BRANDYWINE TOWNSHIP MUNICIPAL AUTHORITY**

**Tuesday, July 11, 2006**

**7:30 AM**

**Those in Attendance:**

Gerald Kirkpatrick, Vice-Chairman  
David Summers, Treasurer  
Sandra Moser, Member

**Absent:**

Michael Corbin, Chairman  
Joseph Anthony, Secretary

**Also in Attendance:**

Scott T. Piersol, Township Manager  
Matthew VanLew, Roadmaster  
Joseph Boldaz, Municipal Authority Engineer  
Mary Beth Smedley, Secretary/Treasurer

The Municipal Authority met on Tuesday, July 11, 2006 at the East Brandywine Fire Company. There were nine visitors present. Mr. Kirkpatrick called the meeting to order at 7:30 AM.

**Minutes: June 13, 2006**

Mr. Kirkpatrick asked if there were any additions or corrections to the above minutes. There were none. Mrs. Moser made a motion to approve the June 13, 2006 minutes as presented. Mr. Summers seconded the motion, with all voting Aye.

**Treasurer's Report**

Mrs. Smedley read the Treasurer's Report for June/July 2006. The Municipal Authority account balance as of July 10, 2006 was \$28,425.87. Mr. Summers made a motion to approve the Treasurer's Report and authorize payment of the bills. Mrs. Moser seconded the motion, and the motion was approved by unanimous vote.

**Request to Postpone Payment of Sewer Tapping Fees – 1193 Horseshoe Pike**

At last month's Municipal Authority meeting, the Authority denied Mr. Verma's request for an extension and asked Mr. Piersol to inform him that the Municipal Authority expected him to pay

his tapping fees and connect to the sewer system immediately. Mr. Piersol stated that he has not communicated this to Mr. Verma yet. The rules and regulations for connection to the sewer system delineate a specific procedure that must be followed. Prior to sending a letter to Mr. Verma notifying him of the Municipal Authority's decision, Mr. Piersol will speak to the Township Solicitor to make sure this notice is done in accordance with the applicable and appropriate rules and regulations.

### **Applecross Development (AKA Overlook Road Farm)**

The applicant is proposing to build a combination of single family homes, carriage homes, and townhouses for a total of 655 units on both the north and south side of East Reeceville Road. The plan also shows an 18-hole Jack Nicholas-designed golf course with a clubhouse. The property encompasses approximately 621.74 acres of land, comprised of 307.58 acres north of East Reeceville Road and 314.16 acres south of East Reeceville Road. The southern portion of the proposed development is a 310 acre tract located in the R-2 Zoning district and proposes single family homes on individual lots and approximately half of the golf course. The portion of the property north of East Reeceville Road was granted preliminary plan approval in March of 2004.

The "North Tract" is being reviewed under the "Clustered Residential Development" regulations of the R-3 Residential Zoning District in conjunction with the Settlement Agreement dated April 1, 2004. The "South Tract" is being reviewed under the "Clustered Residential Development" regulations of the R-2 Residential Zoning District. The project is proposed to be constructed in five phases.

Ray Grochowski, Tony Sabatini, and Theresa Lemley, Esq. attended the meeting on behalf of Pulte Homes.

### Draft Sewage Service Connection Agreement

Ms. Lemley reported that Mr. Spangler sent her comments on the Agreement. She will contact Mr. Spangler to clarify some of his comments when he returns from vacation next week. It was Ms. Lemley's opinion that the comments were not significant and shouldn't pose a problem with moving this agreement forward.

### Intermunicipal Agreement

Mr. Grochowski stated that this Agreement will be discussed with the West Brandywine Municipal Authority at their meeting this Thursday. He went on to say the West Brandywine Township Manager has been involved with discussions and conceptually does not have a problem with the Agreement. After the Municipal Authority meeting, a joint public meeting with the West Brandywine Township Board of Supervisors and the West Brandywine Township

Municipal Authority will be held to discuss the Agreement. Ms. Lemley will let the East Brandywine Township Municipal Authority know when the meeting will take place so that a representative can attend.

#### Sewage Facilities Planning Module

Mr. Grochowski reported that he has received a verbal approval from PADEP for the Sewage Facilities Planning Module and is just waiting for formal notice of approval. He said that the PNDI survey was completed, and indicated that American Holly was on the property. Because American Holly was found on the site, DCNR requested information about it. The golf course was moved slightly to make sure that the American Holly was preserved and there are also plans to plant additional Holly on the site.

#### Water Availability

Mr. Grochowski received a letter from William Ross, Vice President of Engineering at Aqua Pennsylvania in response to his request for Aqua Pennsylvania to provide water to the Applecross Country Club. Mr. Ross stated that Aqua is capable of providing water as outlined in a table titled "Golf Course Irrigation Water Availability". Mr. Grochowski stated that Aqua has agreed to provide water, if it is needed for the golf course's "green-in period". The model used for the table assumes there will be a very dry year. Mr. Grochowski stated that Pulte does not want to have to purchase water, as such a purchase would be quite uneconomical. Prior to purchasing water, the water in the lagoons would be used, and then possibly water in the stormwater basins or water from the proposed man-made pond. This would need to be discussed with the golf course operator. Although the table indicates that the golf course operator might purchase a great deal of water, Mr. Grochowski reminded the Authority that the golf course would have to be flushed on a periodic basis. It will take approximately 600,000 gallons of water to flush the golf course. The lagoons store 20,000,000 gallons of water. Mr. Grochowski was asked if the water to be purchased will be potable. He said he wasn't sure. Mr. Boldaz stated that unless it was trucked in it would likely be potable. Mrs. Moser noted that in the past Aqua has trucked water into the Township. The Authority doesn't think they have trucked in water since the interconnection with Downingtown Municipal Water Authority was complete. At this point he isn't sure where the connection would be, but the connection to provide water to the Applecross Development is near Bollinger Road. Mr. Kirkpatrick noted that at present, water demands for Applecross have been projected on the basis of very wet years for disposal, and very dry years for water consumption. While he may have been presented the figures in the past, Mr. Kirkpatrick was curious to see what the total water "budget" would look like if a hypothetical "normal" or "average year" were shown on the consumption/disposal charts. Mr. Kirkpatrick asked Mr. Grochowski if he could provide a realistic projection of the amount of water he might expect to buy from Aqua on such an "average" or "most-likely" basis. Mr. Grochowski stated that he would provide that information to Mr. Boldaz to review.

#### Guthriesville Flows – Additional Drip Areas

This item will be discussed at Executive Session, directly following this meeting.

#### Tapping Fee for Applecross Treatment Plant

This item will be discussed at the August Municipal Authority meeting. Mr. Boldaz asked Mr. Grochowski if he could give him information on the capital costs for the treatment plant. Mr. Grochowski expects those costs to be between \$5.5 and \$6 million. Mr. Boldaz does have some comments on the headworks portion of the treatment plant. A meeting will be scheduled within the next several weeks so he can discuss his comments with Pulte's engineers. These comments may change the bids somewhat, but Mr. Boldaz does not expect the bids to change dramatically.

#### **Watters/Spence Property**

Mr. Ted Kochen from Gambone Development Company discussed the plan for 51 acres of the Watters farm. The applicant is proposing 115 town homes and development of a 10 acre commercial area.

There is open space and a trail system shown on the plan. Since the applicant is proposing to develop the commercial area first, the land development plan for the commercial area will be submitted to the Planning Commission prior to submission of the proposed town home community.

The Municipal Authority's preference is for the sewage to be treated at the Applecross treatment plant and disposed of on the Watters/Spence properties. Although the applicant would like to initially treat the sewage from the commercial portion of the property at the existing treatment plant serving Brandywine Village, the Township and Municipal Authority would like this use to be temporary. They would like to eventually see the existing community treatment plant decommissioned and the sewage from the Watters property and the Brandywine Village Shopping Center treated exclusively at the Applecross treatment plant and effluent disposed of on the Watters/Spence property.

In a letter dated June 23, 2006, Ross Unruh, attorney for Gambone Development Co. requested that the Board of Supervisors make a decision that allows the reserve area for the sanitary sewer drip system to be included in the calculation of the minimum amount of common open space required by the Ordinance.

Mr. Unruh said that if the reserve area needs to be used, the primary area will be decommissioned, so there would be a land "swap" meeting their open space obligation. Secondly, Township Ordinance 04-20 amends Section 399-58C(5)(g) to permit community wastewater systems to be eligible for calculation in the minimum required open space where the

Board determines that such a wastewater system will not interfere, in whole or in part, with the functions and purposes of the common open space, and will not make the affected open space unsuitable or ineligible for other open space uses provided in subsection (f) of the Ordinance. The applicant believes that the proposed wastewater system will be compatible with several of the open space uses permitted by subsection (f). One of the open space uses permitted by subsection (f) is a community subsurface land application wastewater system. Although the sewer system may not technically be a community system under PA DEP regulations, Mr. Unruh believes it is reasonable to interpret the Zoning Ordinance so that the proposed sanitary sewage drip field will be a community system.

Mr. Kochen stated that DelVal Soils is completing testing and they are waiting for a decision by the Board of Supervisors regarding the open space issue. The Municipal Authority discussed whether the Township would own the open space or if the Township would have an easement and the beds would be owned by the Homeowner's Association. In any event, the Municipal Authority would like routine maintenance, such as mowing, handled by the Homeowner's Association. This issue will need to be clarified. The Municipal Authority will require that Gambone install the beds and equipment for the primary and reserve areas at the beginning of construction. This will allow the Municipal Authority the flexibility of periodically resting beds if appropriate and will ensure that the piping and pumps remain in better condition and will be functional when they are needed. The use of open space will need to be limited to passive type activities so that the beds aren't damaged.

The Municipal Authority unanimously recommended that the Supervisors approve the applicant's request as outlined in Mr. Unruh's June 23, 2006 letter as they find the description of bed uses and construction consistent with the intent of the ordinance, but did say that there are still details to be worked out, such as ownership and easements associated with the open space.

## **Hillendale**

### Fire Flow Requirements/Water

Mr. Boldaz met with Mr. Joseph Thurwanger and other representatives from Aqua Pennsylvania in early June to discuss the public water delivery capabilities and how those capabilities apply to the needs of the Hillendale development. If water is provided to this development by Aqua Pennsylvania, the plan is to supply water from a connection point along Shelmire Road.

Mr. Piersol provided information on the International Fire Code for Mr. Thurwanger to consider since this is used to calculate fire flow requirements. Appendix B, Section B 105 provided guidance for Fire Flow Requirements for Buildings. One and two-family dwellings of less than 3,600 square feet require a fire flow of 1,000 gallons-per-minute for a period of two hours, unless the buildings are provided with an automatic sprinkler system. If the buildings exceed

3,600 square feet, without sprinklers for automatic fire suppression, the flow requirements are 1,500 gallons-per-minute and greater.

At the meeting with Mr. Thurwanger, Mr. Boldaz stated that Aqua indicated that 135,000 gallons per day would be needed to supply the Hillendale development. It appears that (using the model supplied by Aqua), peak demand would require a 12" pipe be installed, but peaking factors will be provided that will allow Aqua America to determine the proposed pipe diameters and other system components. Mr. Boldaz needs to discuss this further with Mr. Thurwanger.

There are no plans to use mechanical devices such as pumps or a booster pumping station to help with potential fire flow demands. Mr. Boldaz was asked if hypothetically an 8" line could be installed, along with some equipment that would also meet the fire flow demands for the development. Mr. Boldaz stated that this is a possibility, but that the diameter of the delivery pipe is predicated on the fire flow needs of the development.

Mrs. Moser stated that she would not support more than an 8" line. She wondered whether another alternative to a 12" line was to install a water storage tank on the property. Mr. Boldaz will discuss this with Aqua and also see what their representatives say about using a booster pump station. The Authority's preference is to aggressively pursue using an 8" line for the development.

#### Sewage Facilities Planning Module

In a letter dated July 10, 2006 Mr. Boldaz discussed several housekeeping items that need to be resolved, but stated that the Sewage Facilities Planning Module could be forwarded to PADEP for their review. He stated that his review considers the design component to be used, location and the footprint size of the treatment plant, the quality of the effluent and electric needs. Aesthetic issues are addressed at a later date.

#### **Hide-A-Way Farms – Update on Construction**

The disposal beds are complete in the back section of Phase I. Construction of the control building will begin in August; Mr. Earl Cooke from Southdown Homes indicated that it should be complete within two months. Mr. Boldaz stated construction inspections conducted by School DePalma are going very well. It was noted that the triple culvert worked very well during the recent heavy rains. Mr. Piersol stated that water was running through all three culverts.

#### **Guthriesville Pump Station**

The flows from the pump station were very high during the recent heavy rains. Although some of the increased flows can be attributed to this, it also appears that there may also still be

infiltration problems somewhere in the system. Mr. VanLew will send his daily log numbers to Mr. Boldaz and the Municipal Authority to review. If there are problems with infiltration, Mr. Piersol will speak to Mr. Michael Honan at Rouse/Chamberlin about rectifying this problem.

### **Sewer Odor Issues**

Mrs. Smedley stated that she has not heard from any residents complaining about the odor problems during the past month. Mr. Summers will contact Mrs. Paula Noebes, who has made most of the complaints, to determine if there are still issues.

Mr. Roth from Aqua Pennsylvania had indicated the influent equalization basin was aerated to prevent the wastewater from becoming septic. Currently, an operator needs to do this manually. Mr. Boldaz also stated that Mr. Roth was to lay a burlap odor control blanket across the gate to try and resolve this problem. As far as he knows this hasn't been done, but he will ask Mr. Roth to do this immediately. Hopefully, once all of the homes in the Guthriesville Sewer District connect to the treatment plant it will solve this problem if it is attributable to the Guthriesville force main.

Mr. Boldaz placed a phone call to Mr. Roth about putting a hydrogen sulfide meter at the headworks to help determine if the odor problem can be eliminated by turning or shutting down aerating the equalization basin or by additional chemicals. To date he hasn't heard back from him.

The Municipal Authority would like to make sure that this issue is resolved. Mr. Boldaz will craft a letter for the Municipal Authority to be sent to Mr. Roth in order to outline the above discussions and to solve the odor problem.

### **Sewage Management Program Proposal**

Mr. Boldaz stated that Schoor DePalma submitted a draft Sewage Management Program for Mr. Piersol to review. Mr. Piersol has the document and also has a proposal from Yerkes Associates. PADEP is requiring all municipalities to address Septage Management as part of the Official Sewage Facilities Act 537 plan. East Brandywine Township enacted an ordinance in 2003, but the Township is still working on implementation of the plan. Mr. Piersol noted that PADEP has a grant program that will reimburse 85% of the cost for reimbursing the program. The other 15% can be assessed to homeowners.

Part of the challenge of implementing the plan has been how to track septic tank pumping. To assist municipalities in tracing septic tank pumping, the Chester County Health Department has developed a web-based track system to collect data from liquid waste haulers. A meeting will be held at the Chester County Government Services Center on July 27<sup>th</sup> to discuss the system benefits for septage management reporting. Mr. Piersol and Mr. Summers plan to attend the

meeting. Of particular interest was establishing who will take responsibility for plan implementation – the Authority, or the Township. If the Township accepts responsibility, then Yerkes (The Township Engineer) is a logical choice for implementation. On the other hand, if the Authority accepts implementation responsibilities, then Schoor DePalma (the Authority Engineer) should take control of the program. At this point, the Authority has no preference, however, the Plan does need to be implemented in a timely fashion and an engineering firm to assist the township needs to be identified.

### **Adjournment**

There being no further business, Mr. Summers moved to adjourn the meeting at 9:00 A.M. Mrs. Moser seconded the motion, and the motion was approved by unanimous vote.

### **Executive Session**

The Municipal Authority adjourned to Executive Session to discuss disposal areas for the Guthriesville Sewer District.

Respectfully submitted,

Mary Beth Smedley  
Secretary/Treasurer  
East Brandywine Township