

EAST BRANDYWINE TOWNSHIP MUNICIPAL AUTHORITY

Tuesday, June 13, 2006

7:30 AM

Those in Attendance:

David Summers, Treasurer and Acting Chairman
Joseph Anthony, Secretary
Sandra Moser, Member

Absent:

Michael Corbin, Chairman
Gerald Kirkpatrick, Vice-Chairman

Also in Attendance:

Matthew VanLew, Roadmaster
Joseph Boldaz, Municipal Authority Engineer
Mary Beth Smedley, Secretary/Treasurer

The Municipal Authority met on Tuesday, June 13, 2006 at the East Brandywine Fire Company. There were ten visitors present. Mr. Summers called the meeting to order at 7:30 AM.

Minutes: April 11, 2006 and May 9, 2006

Mr. Summers asked if there were any additions or corrections to the above minutes. There were none. Mrs. Moser made a motion to approve the April 11, 2006 and May 9, 2006 minutes as presented. Mr. Anthony seconded the motion, with all voting Aye.

Treasurer's Report

Mrs. Smedley read the Treasurer's Report for May/June 2006. The Municipal Authority account balance as of May 9, 2006 was \$33,871.74. Mr. Anthony 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

Mr. Piersol had previously provided correspondence to the Municipal Authority regarding Mr. Lalit Verma's request to postpone payment of his sewer tapping fees until September 15th. Mr. Verma owns two apartment buildings in the Village of Guthriesville. He was provided with a

Notice to Connect on July 7, 2005, but has not made these connections. In a conversation with Mr. Piersol, Mr. Verma stated he never received the notice. Mr. Verma has stated that he does not have the funds to connect and would be attempting to sell his property. He has agreed to pay the \$4,000 tapping fees by September 15th, and also submit an application to construct the lateral connections by that date. Mr. Summers stated that he was not in favor of granting this extension. Mr. Verma has been aware that he needed to connect for some time, but has failed to do so. Mrs. Smedley stated that Mr. Corbin, who was unable to attend the meeting, is also not in favor of granting the extension. Mr. Anthony stated that Mr. Verma has been uncooperative with other Township matters, so he would not be inclined to allow the extension. After this discussion, Mr. Anthony made a motion to deny Mr. Verma's request for an extension and have Mr. Piersol inform him that the Municipal Authority expected him to pay his tapping fees and connect to the sewer system immediately. Mrs. Moser seconded the motion, with all voting Aye.

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, Fred Ebert, John Curtin, and Theresa Lemley, Esq. attended the meeting on behalf of Pulte Homes.

Utility Plan Review

Mr. Grochowski stated that they would comply with Mr. Boldaz's May 22, 2006 letter, but would like Mr. Boldaz and Mr. Madaras to discuss the following items:

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1. The typical utility layout for 36'/30' townhouses does not maintain the required 20-feet of separation between the adjacent sanitary sewer laterals (at the connection to the main). It also indicates only 4-foot separation between the sanitary lateral to unit 2 and the water service to unit 3. The designer should verify that 18-inches of horizontal clearance exists between adjacent water and sanitary laterals. The separation distance may place the laterals under the garage slabs, which would be a maintenance issue. Mr. Boldaz agrees and will discuss this with the applicant's engineer.

Guthriesville Flows – Additional Drip Areas

Mr. Boldaz provided a map of East Brandywine Township showing subdivisions in progress, existing subsurface disposal areas, proposed subsurface disposal areas, potential additional disposal areas and unsuitable soil areas. This plan was prepared in order to look at what lots might provide sufficient size to be considered for additional areas of disposal.

There are several lots that are east of Bondsville Road, the closest being Lot N, which is part of the McCausland Tract. These lots are some distance from the sewage treatment plant, which may make them impractical to be used for disposal. Mr. Grochowski stated that Pulte will have a road system near the McCausland Farm, so this area could be considered. Mr. Summers commented that there may be issues with maintaining lines if they were constructed under the road.

There are additional lots in the vicinity of Hadfield Road and Zynn Road which may have potential, although it appears that those lots are small and residential. Mr. Grochowski stated that there may be an easement for maintaining beds near Zynn Road.

Mr. Ebert said that a satellite pump station or drip skid might be needed. There is a supply line feeding a lagoon near Lots C, D, G. and E so the discharge could be backwashed into the lagoon. Mr. Grochowski stated that soil testing has been done in the area of Lots B, D, and E. He will provide that information to Mr. Boldaz.

Mr. John Shelton asked for clarification of the disposal areas shown on the Hillendale property. Mr. Boldaz stated these areas were for the Hillendale development only and would not be used as disposal areas for any other property.

Mr. Grochowski stated there would be additional testing under the driving range in the Applecross Development in July. He will let Mr. Boldaz know when that will be so that a representative from Schoor DePalma can be present.

K. Hovnanian

The applicant is proposing to build 287 dwelling units on a 140.458 acre lot located at the southeast corner of Bollinger Road and Horseshoe Pike. The lot is being developed under the R-3 Zoning District requirements per a settlement agreement that has not been finalized. The net tract acreage is 130.258 acres. The lots will be served by public water and sewer. Michael Macaninch, Esq. and Michael Stadulis from K. Hovnanian and Bill Palkovics represented the applicant.

Sewage Facilities Planning Module

On May 30, 2006 Mr. Boldaz received a copy of the Sewage Facilities Planning Module, dated November 10, 2005, revised May 24, 2006 for the K. Hovnanian project. The planning module and accompanying information was reviewed with respect to the Administrative Completeness. A technical review of the information has not been performed. Mr. Boldaz provided comments to the applicant and considers it administratively incomplete. Mr. Macaninch discussed forwarding the Planning Module to DEP to review. Mr. Boldaz considers this premature, particularly since the plan shows nine less lots than on previous submissions. He would like the Planning Module revised in response to his June 9th letter. He will review that information and then determine whether the Planning Module is then complete and ready to be forwarded to other agencies. In addition, Mrs. Smedley stated that the Planning Module hasn't been sent to the Chester County Health Department or the Chester County Planning Commission for their review. On the day the Planning Module was received, Mrs. Smedley asked Jamie Sundermeier from DelVal Soils about submitting it to those agencies. To date, Ms. Sundermeier hasn't given a response. In addition, Mr. Macaninch was also made aware that the Planning Module hasn't been submitted to these agencies. DEP would consider any submission of the Planning Module incomplete without these agencies comments and would not conduct a technical review. Mr. Boldaz and Mr. Macaninch will discuss this. Mrs. Smedley wanted to make sure that when the Sewage Facilities Planning Module was submitted to the Chester County Health Department and the Chester County Planning Commission, the applicant knew that this did not constitute the Township's acceptance of the plan, nor will it start any time-clock for review of the plan. Mr. Macaninch agreed to this and offered to provide this agreement in writing.

Sewer Design Review

Mr. Boldaz provided a Sanitary Sewer Design Review letter dated May 8th. Mr. Macaninch and Dr. Palkovics didn't recall seeing the review, but will respond once they have the opportunity to do so.

Replacement Drip Area

Dr. Palkovics has continued to look for areas that can be used as a replacement drip area for the development. In order to meet the Municipal Authorities requirement for a 50% backup area nine lots in the southwestern portion of the property near Bollinger Road have been eliminated. The nine lots border the proposed primary drip area. Although additional testing of this 2.9 acre area is needed, Dr. Palkovics feels that this area is viable to be used for disposal. Testing should be completed by the end of the summer.

Mr. Ebert stated that the drip areas is well situated since a feed line for dose and return is suitably located to connect to the Watters/Spence property. Rather, than considering a portion of the area as primary and another as secondary, since the areas are contiguous, it was recommended that the entire area be considered "township capacity". This will allow the Township to utilize a larger bed area, provide some flexibility in hydraulic loading, allow the beds to rest more often and allow the Township operational flexibility in regards to when and how to use beds. Essentially, the primary bed will be oversized by 50%. Mr. Boldaz agreed that the area should be considered as one.

Preliminary Drip Zone Layout

Mr. Ebert showed a plan of the drip design. He stated that the primary drip area was used to determine how much area would be needed in order to achieve the required 50% backup area. Mr. Ebert hopes that 80% of the additional 2.9 acres can be used for drip irrigation. The amount of additional disposal capacity will be determined through a mounding analysis. Again, the Municipal Authority feels these additional areas are needed in order to avoid discharge to the stream.

A drip skid will be needed, but Mr. Ebert stated that where it will be placed depends upon which development begins construction first, K. Hovnanian or Gambone. Mr. Ebert stated that the K. Hovnanian development and the Gambone development can't be looked at as stand-alone developments, but have to be considered as part of a larger project. The sizing of the lines isn't certain at this time. The drip zones need to be flushed after fifty cycles. Mr. Ebert discussed how this could be accomplished.

Mr. Ebert will schedule a meeting to discuss all of the above issues with DEP at the appropriate time.

Watters/Spence Property

Ross Unruh, Esq., attorney for the applicant, Development Company, Ted Kochen from Gambone Development Company, Bill Palkovics from DelVal Soils and John Mahoney, Esq. 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 to be temporary. They would like to eventually see the 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.

The treatment plant is currently treating approximately 8,000 gpd although it can treat 12,000 gpd. Mr. Unruh would like the planning module to reflect that the existing treatment plant will treat 12,000 gpd, at least on a temporary basis.

Existing Commercial Septic System Inspection

DelVal Soil and Environmental Consultants performed a site inspection on the Watters property on May 11, 2006. The purpose of the inspection was to determine the installation depth of the existing sewage beds that serve the adjacent shopping center.

A hand-held 5/8 inch diameter tile probe was used to probe through the soil cover of the two active septic beds. Approximately twelve inches of soil cover was measured before the aggregate was encountered on both beds. The aggregate extended down to a maximum of approximately three feet below grade on both beds. By definition these beds are not considered "deep beds". Mr. Boldaz stated that the depth of these existing beds was critical if the Applecross WWTP were tributary to the beds (if the beds were deeper than three feet the proposed Applecross WWTP would have to treat the effluent to a higher level).

Dr. Palkovics stated that soil testing and hydrogeological evaluations indicate good soils and a good location for the primary drip beds. They expect to use 175 gpd per townhouses for flows, as was used by Pulte for submission on their sewage facility planning module.

Currently, the applicant can provide 15% to 20% replacement area. As with other developers, the Municipal Authority is requiring 50% backup area. Mr. Unruh feels that this may be difficult because of the road layout. Originally, the applicant had proposed one long cul-de-sac off of Rt.

322 to enter the development. This plan did not meet the Township ordinance and the applicant was told that a second entrance would need to be constructed to North Guthriesville Road. The applicant continues to do hydrogeologic and soil testing to see what areas are available for disposal. Hopefully, the applicant will be able to provide additional backup area and may also be able to use the commercial beds already on the property.

The Municipal Authority would like to see the existing treatment plant that served the Brandywine Village Shopping Center decommissioned. At an earlier meeting Mr. Unruh stated that the applicant is willing to consider decommissioning the treatment plant with the following conditions:

1. The treatment plant will be used for the commercial portion of the property until construction begins on the townhouses.
2. Once the treatment plant is decommissioned the disposal bed can still be used.
3. The Municipal Authority will approve flows for the townhouses at 175 gpd.

A determination needs to be made as to whether backup disposal beds can count towards the open space requirements. Mr. Unruh hopes that the Board of Supervisors will allow for some flexibility in calculating open space for the tract. The Municipal Authority was asked if the sewage disposal area had to be netted out of the open space. The ordinance does not speak to using open space as a replacement area for sanitary sewer discharge. This issue is currently being explored. It is possible that some areas of open space could be used as reserved capacity, but the applicant should check to see what the ordinances say regarding this. Mr. Unruh will contact Mr. Piersol next week to discuss this.

Pulte Homes and Gambone Development Company continue to have discussions with Mr. Joseph Aamon regarding purchasing all or a portion of his property in order to have the entrance to the Gambone development align with Bollinger Road. There may be a possibility of using a portion of that property for a backup disposal area although this property appears to be much lower in elevation than the Watters property.

The applicant was asked if there was a grease interceptor. Mr. Kochen thinks there is, but will need to verify this. He has agreed to install one if there isn't one already on-site. Mr. VanLew thinks there are grease interceptors in all of the units at the Brandywine Village Shopping Center.

The Municipal Authority remains committed to requiring disposal areas to be oversized in order to avoid future problems where disposal beds might fail. The bed sizing allows for flexibility in where to dispose of effluent and will allow the Municipal Authority to periodically rest beds.

Sewer Odor Issues

Mrs. Smedley reported that there are still complaints about odors in the vicinity of the Little Washington Wastewater treatment Plant. Mr. Boldaz has placed a phone call to Mr. Alan Roth to discuss this, but to date, hasn't heard from him.

In February Mr. Piersol, Mr. VanLew and Mr. Boldaz met with Alan Roth of Aqua Pennsylvania to discuss the tributary sewer system and the Little Washington Wastewater Treatment Plant. The sewer system from Guthriesville and the Hopewell development, as well as the sewer system from the Timbers and Pinebrooke developments are tributary to the Little Washington Wastewater Treatment Plant. It appears that the odors are most noticeable from 6:00 A.M. to 8:00 A.M. and 6:00 P.M. to 8:00 P.M. when it is most likely that septic wastewater is moving through the pipes toward the treatment plant.

The Guthriesville and Hopewell flows are conveyed via gravity sewers to the Guthriesville Pumping Station and pumped through a force main approximately 10,600 feet to the headworks of the Little Washington Wastewater Treatment Plant. Flow from the Timbers and Pinebrooke developments are conveyed by a combination of gravity sewers and the force main from the Timbers Pump Station to these same headworks.

During the treatment plant visit, an occasional and faint "rotten egg" odor (indicative of hydrogen sulfide and septic conditions) was noticed at the headworks or influent vault of the treatment plant. This odor could be associated with septic wastewater, and can be caused by the bacterial reduction of sulfate to sulfide, and the subsequent release to hydrogen sulfide gas into the atmosphere.

Mr. Roth indicated the influent equalization basin was aerated to prevent the wastewater from becoming septic. Currently, an operator needs to do this manually. Mr. Boldaz said it would be more efficient if the times for aeration could be controlled by a timer. 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 force main.

Mr. Boldaz would also like to speak 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.

The Municipal Authority stated that residents in the area have been very patient while this problem is being investigated, but they are anxious for it to be 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.

Former Guthriesville Service Center – Sketch Plan for a Car Wash

Mr. Dennis Whitely, owner of the property in question, approached the Planning Commission at their last meeting to discuss the possibility of opening a car wash at the intersection of Rt. 322 and Hopewell Road. The parcel is .6 acres and contains the former Guthriesville Service Center, which moved to West Brandywine Township five years ago. There were underground gas tanks on the property that were removed by Mr. Whitely. Although Mr. Whitely has not pursued it, the property can be connected to public water and sewer. The parcel is a non-conforming lot in the Village Commercial District. This historic status of the building is not known.

Mr. Whitely stated he would like to demolish the existing building and construct a car wash, using architectural details from the 1930's or 1940's. Trying to keep in mind the historic nature of the Village of Guthriesville, he thought this style would blend well with the existing buildings. He also mentioned that other businesses had done this successfully, namely the Wawa building in Chadds Ford and the Wawa in Wildwood, New Jersey. The car wash would not be staffed, but would be operated using computers.

There is only a limited capacity in the Guthriesville Sewer District. Mr. Whitely stated that the system he plans to use normally discharges no more than five gallons of water per car to the sewer system. The property has probably been allocated 1 edu, which is equal to discharging 275 gallons per day into the sewer system. It is likely that Mr. Whitely would need more than 1 edu for the car wash. Without further information, the Municipal Authority would oppose the construction of a car wash at that site.

Other Business

Mr. Boldaz stated that the Pennsylvania Municipal Authorities Association's 64th Annual Conference & Trade Shows will be held from September 10th to 13th at the Hershey Lodge and Convention Center in Hershey, Pa. He stated that there are a lot of good conferences and information at these meetings and would recommend that someone from the Authority consider attending.

Adjournment

There being no further business, Mrs. Moser moved to adjourn the meeting at 9:15 A.M. Mr. Anthony seconded the motion, and the motion was approved by unanimous vote.

Respectfully submitted,

Mary Beth Smedley
Secretary/Treasurer
East Brandywine Township