

EAST BRANDYWINE TOWNSHIP MUNICIPAL AUTHORITY
Tuesday, September 13, 2005
7:30 AM

Those in Attendance:

Michael Corbin, Chairman
Gerald Kirkpatrick, Vice-Chairman
David Summers, Treasurer
Joseph Anthony, Secretary
Sandra Moser, Member

Also in Attendance:

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

Absent:

The Municipal Authority met on Tuesday, September 13, 2005, in the East Brandywine Fire Company Hall. Chairman, Mr. Corbin called the meeting to order at 7:30 AM.

The Municipal Authority and Board of Supervisors met with Municipal Authority Solicitor John Spangler and Township Solicitor Stacey Fuller in Executive Session on September 2, 2005 at 8:00 A.M. to discuss the Overlook Road Farm Sewage Agreement

Minutes: August 9, 2005

Mr. Corbin asked if there were any corrections or additions to the above minutes. There were none. Mr. Anthony made a motion to approve the August 9, 2005 minutes as presented. Mr. Kirkpatrick seconded the motion, with all voting Aye.

Treasurer's Report

Mrs. Smedley read the Treasurer's Report for September 2005. The Municipal Authority account balance as of July 8, 2005 was \$47,128.11. 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.

The Municipal Authority asked about several delinquent accounts in the Keats Glen subdivision. Mrs. Smedley reported that Mr. and Mrs. James Ortlieb have only made sporadic payments toward the portion of the bill incurred prior to the Municipal Authority accepting dedication of the Keats Glen Sewer Treatment Plant. Mr. and Mrs. Thomas Mazza have not paid anything towards their pre-dedication fees.

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 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 part of a settlement agreement that concluded in April of 2004. The applicant submitted a subdivision plan for the south side of East Reeceville Road based on the requirements of the R-2 Zoning District and 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, John Curtin, Fred Ebert and Theresa Lemley, Esq. attended the meeting on behalf of Pulte Homes. Mr. Grochowski stated that he wanted to update the Authority on four major issues, those being the Sewage Facilities Planning Module, the treatment plant design, the sewer service agreement and the collection conveyance system design.

Sewage Facilities Planning Module - Mr. Grochowski stated that the Sewage Facilities Planning Module has been sent to PADEP for their review, comments, and approval. He expects to hear from them in the next several months on the status of the Planning Module.

Treatment Plant Design – Mr. Grochowski stated that the first goal of the design is to complete the Part II permit so that it can be sent to PADEP. Mr. Boldaz and Mr. Ebert continue to work on completing this permit.

Sewer Operations Agreement – Then Municipal Authority and Board of Supervisors met in Executive Session to discuss this Agreement. Mr. Spangler and Mr. Boldaz are revising the

Agreement and expect to have a revised draft sent to the applicant prior to the next Municipal Authority meeting.

Collection and Conveyance System – Mr. Grochowski stated that this issue is currently a lower priority. He would like to complete and submit the Highway Occupancy Permit first; Mr. Boldaz will work on this with Mr. Grochowski.

Sewage Treatment/West Brandywine Township – Mr. Grochowski would like to pursue an intermunicipal agreement between East Brandywine Township and West Brandywine Township

for treatment of the sewage for a proposed active adult community located in West Brandywine Township. He stated that although West Brandywine Township says they have reserved capacity at a treatment plant in Coatesville, it appears that the capacity is not available. With both Pulte Homes and Bentley Homes proposing development in West Brandywine Township it is likely that PADEP will encourage or mandate the Townships to work cooperatively, rather than having several small treatment plants in close proximity to each other. The wastewater from the West Brandywine development would be treated at the East Brandywine plant and the treated effluent would be disposed in West Brandywine. This would require a revision to the East Brandywine Township Planning Module, or possibly a special study of the area.

The Municipal Authority would like to quantify the capacity needed for the treatment plant. Mr. Grochowski was asked to provide Mr. Boldaz with a breakdown of build-out for the Pulte properties in both East and West Brandywine Township.

Treatment Plant Tour – On August 15, 2005, Messrs, Kirkpatrick, Anthony, and Boldaz met with representatives from Aqua Aerobics and the contract operator of the Hollow Creek Wastewater Treatment Plant located in Springfield Township, York County. The purpose of this visit was to observe the aesthetic appearance of the structures, review technical aspects of the wastewater treatment process, and discuss the plant's operation and maintenance as they potentially relate to the proposed Overlook Wastewater Treatment Plant. The equipment, physical layout, noise, odor and overall appearance of the facility were observed.

The operator indicated that ventilation fans have not been used since 1998, but if operated, are very loud. It was observed by tour participants that noise from the treatment facility without ventilation could be heard from more than 400 feet away. Mr. Boldaz feels it would be beneficial if the developer has an independent firm perform an acoustical analysis of the plant using all of the proposed equipment. Mr. Grochowski stated that an acoustical study will be done to estimate the decibel levels in the plant once the plant is built and operating. Mr. Ebert stated that the proposed plant will use diffused air, not surface aeration such as the system visited by the Authority. Mr. Ebert stated that there is less noise associated with a diffused air process. He also pointed out that the building ventilation units are designed to have acoustical hoods and lower fan speed to minimize noise levels. In order to minimize noise, the applicant plans to install an upgraded blower system with a sound enclosure. Another change from the Hollow Creek plant is that the Overlook Road Farm plant will be discharging influent water under the water surface, rather than from the top of the tank. There will be considerable landscaping, not only for aesthetic purposes, but also to absorb noise.

Mr. Boldaz stated he was impressed with the lack of noise coming from the generator room during the site visit. Mr. Ebert and Mr. Boldaz will discuss what information needs to be included in the acoustical study.

A musty odor was noted upon arrival at the Hollow Creek facility, but once accustomed to the smell it was less noticeable. However, some odor (musty) is normally associated with wastewater treatment facilities and will likely be present at the proposed treatment plant. Mr. Boldaz cautioned that an "upset" condition at the plant could cause significant odors. He stressed that the treatment plant operator would need to ensure this didn't happen, particularly since there are several proposed homes in very close proximity to the plant. Mr. Ebert stated that

one of the keys to minimizing odors is the timely removal of waste sludge. He feels confident that the operator will be removing sludge at a rate that odors should not be a problem for homeowners in the vicinity.

Monthly sludge removal from the Hollow Creek facility is accomplished by using a 4,000 gallon truck a total of 20 to 25 trips per month. Mr. Boldaz stated that it is likely that the proposed treatment plant will require sludge removal with 15 to 20 trips per month. Mr. Ebert stated that the plan is to use 6,000 gallon trucks instead of 4,000 gallon trucks to reduce truck traffic. There should be approximately 10 trucks entering the site every month and these could be scheduled during daylight/working hours (9 A.M. – 5 P.M.) when they would be less noticeable. It may also be possible to use campaign hauling of the sludge and schedule it for two days a month. Trucks will enter the site from E. Reeceville Road.

The maximum holding time for biosolids stored within the sludge storage tank was reported to be in the range of 10 to 14 days. The plant operator stated that the total solids concentration can be increased above 3%, but at this concentration odors become an issue. Mr. Boldaz stated that in order to keep odors at a minimum, a fresh, low concentration of sludge must be maintained. This may result in a greater frequency of sludge hauling and higher operating costs. Mr. Ebert stated that the plan is to process solids to 2%, but at this point doesn't want to make a firm commitment on that number.

The ability to decant the sludge within the proposed treatment plant could increase the total solids concentration; however, the potential phosphorous limit may limit sludge decanting to avoid phosphorous loads and breakthrough. Mr. Boldaz questioned whether PADEP would require the treatment plant to meet phosphorous requirements for the receiving stream on a full-time basis. Phosphorous limits are more stringent in the summer. Even though the treatment plant will only be discharging to the stream on an emergency/seasonal basis, DEP may require the treatment plant to be in compliance with phosphorous limits continuously. Mr. Ebert stated that this was explicitly discussed with PADEP and that Paul Grella from PADEP thought this wasn't likely. To meet the phosphorous limit there may be a chemical addition required. The chemical addition (alum) would add to the sludge production and plant operating cost. The addition of alum should not cause any other problems.

The Municipal Authority remains very concerned that seven (7) of the proposed homes are too close to the treatment plant due to odor and noise issues. PADEP recommended that a treatment plants be at least 250 feet from occupied dwellings or recreation areas. Mr. Grochowski is also concerned about the aesthetic issues of locating homes this close to a sewage treatment plant and will try to relocate the seven affected homes farther away to maintain a minimum 250 ft. separation distance.

Mr. Ebert will continue to work with Mr. Boldaz on the Part II Permit. He stated he would be looking to the Municipal Authority for help to sign the Permit so that it can be submitted to PADEP.

Mr. Alfred Wright from the Chester County Water Resources Authority has provided Scott Towler from Schoor DePalma with recommendations related to the wastewater and sewer infrastructure issues. Mr. Grochowski asked that in the future he be copied on this

correspondence so that he can respond to any outstanding issues or concerns. One of Mr. Wright's concerns was about the Water Resources Authority access to the east side of the dam. There were no plans to limit access to the dam.

In Trevor Smith's (Horizon Engineering) August 23rd letter to Mr. Boldaz he stated "We have revised our response to this comment made by the County to more thoroughly address the original comment. Bottom line, the course will not accommodate the effluent flows generated on a daily basis as irrigation demands fluctuate throughout the year. However, the overall projected irrigation demands demonstrate that even in the worst case year of high rainfall, the effluent generated by the project will not be enough to irrigate the golf course and supplemental irrigation will be necessary." This issue needs to be clarified since we did not think supplemental water would be needed for golf course irrigation. Mr. Sabatini stated he thought this comment applied only during the grow-in period since the golf course will initially need a lot of irrigation water and the treatment plant will not be at full flow.

K. Hovnanian – Weaver Tract

The Municipal Authority invited representatives from K. Hovnanian to attend this meeting in order to encourage them to increase their involvement in issues regarding the Overlook Road Farm sewage treatment plant. K. Hovnanian is proposing to construct a 296 home age restricted community. K. Hovnanian's engineers have spent a considerable amount of time resolving outstanding stormwater management issues related to the property and have only recently approached the Township about reopening settlement talks. The Overlook Road Farm treatment plant will treat the effluent from the Weaver Tract. Ms. Elizabeth Hurtibise and Mr. Michael Stadulis from K. Hovnanian and Neal Camens from Taylor Wiseman Taylor attended the meeting on behalf of K. Hovnanian. Mr. Stadulis stated that they are ready to start the planning process for this property.

It was pointed out to K. Hovnanian by the Authority members that the Pulte project is proceeding rapidly. It was also commented by the Authority that it is important that the two developers begin having a dialogue about their respective projects so that the engineers from Pulte understand the flows for which they are designing the treatment plant. Capacity may not be available to K. Hovnanian, at least initially if Pulte capacity commitments are made to the Authority for projects in West Brandywine Township or for existing or other new developments in East Brandywine Township. Both developers have been asked to keep the Township and Municipal Authority up-to-date on any discussions they might have. They were asked to copy Mr. Piersol on any correspondence, meetings, etc. that might impact these projects.

The draft settlement agreement between East Brandywine Township and K. Hovnanian has not been finalized or signed; the latest draft is being reviewed by East Brandywine Township's settlement group and attorneys.

Both Township and Municipal Authority officials would like the developers to begin discussing issues related to flows, maintenance, agreements, etc. that might need to be agreed upon in addition to rights and responsibilities of the developers. The Municipal Authority is concerned that delays from K. Hovnanian might impact the treatment plant construction in terms of budget, schedule, and capacity and they would like to make it clear that financing the portion of the

plant that will treat the projected and/or agreed upon effluent from K. Hovnanian is solely K. Hovnanian's responsibility, not the responsibility of the Township or Municipal Authority. It is up to K. Hovnanian to work out these arrangements with Pulte.

Mr. Stadulis asked if a copy of Pulte's Sewage Facilities Planning Module could be provided to him. Mr. Grochowski stated he would make the Planning Module available.

Ms. Hurtibise stated K. Hovnanian was waiting for Pulte to move ahead with the design of the treatment plant before proceeding with development. It was clearly explained that Pulte has been working with the Municipal Authority and Township for some time on their project. Until recently, K. Hovnanian has not been in contact with the Township for quite a while.

As explained to both developers, the Township doesn't want to be in the middle of private party negotiations between K. Hovnanian and Pulte, and therefore, based on the discussion held during this meeting, it is hoped that a direct dialogue is now opened between the two firms.

Adjournment

There being no further business, Mr. Kirkpatrick moved to adjourn the meeting at 8:35 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