



Pocopson Township
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Board of Supervisors Meeting Minutes
7:30 P.M., Monday, January 10, 2011

In attendance: Stephen R. Conary, Georgia F. Brutscher. Absent: Laurressa J. McNemar, P.E.

1. Call to Order: Conary called the meeting to order at 7:30 P.M. and led the Pledge of Allegiance.

2. Announcements: Township officials and consultants met with a representative of the Gorman Estate and a representative of Rouse Chamberlin regarding the Township Engineer Road Dedication Report dated May 2009. McNemar and Conary met with representatives of Gannett Fleming and PennDOT on January 6th regarding the roundabout project. A meeting was held on January 7th with Dennis Melton, Architect, regarding steps needed to identify and put out to bid certain critical repairs to the Barnard House.

3. Public Comment: John Conklin, Chairman, Birmingham Township Board of Supervisors, suggested a joint meeting with PennDOT to discuss the Design Field View Plans for the **Route 926 Bridge** submitted December 2010. Of immediate concern is the elimination of culverts which were intended to reduce road closures due to flooding. The Board agreed to schedule a meeting with the PennDOT project leader so that concerns could be addressed. Ken Schenfelt, President, Brinton's Wood Homeowners Association, and resident Woody Sinson appeared before the Board to request assistance with **snow plowing of Brinton's Wood Road**, a private road. Board agreed that the Public Works Department will review the request.

5. Lot 3/Berlin Subdivision/Parcel 63-3-89.1B/Corinne Road: Joseph DelGrippo (landowner) and Scott Slavin and Yersson Valle of Forever Green Landscaping, Inc., appeared before the Board regarding inspection of plant material in accordance with the Landscape Concept Plan dated October 29, 2010. DelGrippo submitted and the Board accepted the three-year landscape material warranty dated December 24, 2010 which provides for plant health monitoring and maintenance. Secretary is directed to submit the warranty to Township Landscape Architect for review and to request that inspections be scheduled accordingly to confirm location of plant material and the condition of plant material in the spring.

6. County of Chester Data Services Building/Parcel 63-3-39/Amended Final Land Development Plan ("Plan"): Township Planning Commission (PC) recommends the Board of Supervisors approve the Amended Final Land Development Plan prepared by Regester Associates dated March 3, 2010 and last revised November 11, 2010 for a single-story data services building located on the northeast side of South Wawaset Road on land owned by the County. James Fritsch, P.E., Regester Associates, and Applicant John Dargay for County of Chester, appeared before the Board to respond to Township Engineer Amended Plan Review Summary and Comment Letter dated December 13, 2010. The revised Plan increases the size of

the building footprint which in turn requires revision to the grading plan, location of the driveway, stormwater management facilities, and increases the limit of disturbance. Applicant has obtained an NPDES Permit and notes no technical objections by the Township Engineer. **Motion:** Conary moved, Brutscher seconded, to approve the Amended Final Plan of the County of Chester dated March 3, 2010 and last revised November 11, 2010, as prepared by Regester Associates, Inc., to construct a data services building.

8. Subdivision/East Side Pocopson Road/Parcel 63-4-148 and 63-4-148.1: Township PC recommends approval of the Plan conditioned upon Applicant meeting the requirements set forth in the December 9 and December 10, 2010 Township Engineer Review Letters. Barry Stingel, RLA, Vice President, Hillcrest Associates and Jack Becker, Applicant, were present to discuss the Plan. PennDOT is now requiring local government maintenance of stormwater management facilities within the PennDOT right-of-way. The Board agreed that conditional approval of the Plan must include a mechanism to collect and maintain adequate funds to defray the cost of stormwater management repairs. Applicant indicated that the project will be organized under condominium association law with fees collected for the purpose of upkeep of the common area and the stormwater management facilities. Stingel indicated that the condo documents would be made available as part of the first building permit application.

Motion: Brutscher moved, Conary seconded, to grant approval of the Final Land Development Plan for the Becker Property on Pocopson Road dated October 13, 2010, and last revised December 8, 2010, contingent upon completion of the provisions of the Township Engineer Review letters dated December 9, 2010 and December 10, 2010, and the following conditions: (1) satisfaction of any and all deficiencies of the escrow account established by the Township to cover engineering and legal review fees incurred by the Township; (2) condominium association community documents approved by the Township and recorded in the County of Chester Office of Recorder of Deeds prior to issuance of a building permit; (3) Township Solicitor agreement that the proposal for the condominium association to assume responsibility for the maintenance of the stormwater is acceptable.

8. The Preserve/Toll Brothers Subdivision/Parcel #63-3-84; Amended Final Land Development Plan ("Plan"): Mike Klein reviewed the Plan regarding location of the retaining wall and the wall particulars discussed during the December 15, 2010 regular meeting of the Township Planning Commission. Klein noted that a number of factors will be considered with regard to selection of retaining wall material, including but not limited to cost. Board tabled a decision regarding the wall until such time that the Township Engineer completes the review of the Plan. Locust Grove Road resident Sean Kennedy requested clarification regarding wall location in relation to Locust Grove Road. Conary noted that, if the wall is approved, an amended Declaration of Covenants and Restrictions must be recorded to include language governing the maintenance responsibilities for the retaining wall. He also noted that previous recommended changes from February 2010 should be incorporated in the revised Declaration. Board asked Klein to re-evaluate the location and size of signage for the development as it is not in compliance with the Sign Ordinance.

9. Public Works: Public Works Director submitted and the Board accepted as written a Public Works Report dated January 10, 2011. Sean Kennedy asked if the Township would consider installation of a snow fence to alleviate drifting snow at the intersection of Locust Grove and Corinne Roads. Board requested Public Works contact PennDOT about patching large pot holes on Routes 926 and 52 that have opened up in the wheel lanes.

10. Old Business: Conary reported that installation of a historic registry marker at the Barnard House site is targeted for the end of April.

11. New Business: Board approved the Secretary's request to implement an application process for use of the Township meeting room. Board was advised of resignations of Auditors and First Alternate Delegate to the Chester County Tax Collection Committee.

Motion: Conary moved, Brutscher seconded, to accept the resignations of William D. Lane and Robert Delaney as Auditors.

Motion: Conary moved, Brutscher seconded, to accept the resignation of Hal Hoffman as First Alternate Delegate to the Chester County Tax Collection Committee.

Board reviewed a request from the Chester County Planning Commission and Chester County Parks and Recreation Department to support the American Battlefield Protection Program in their efforts to obtain a grant to maintain the Brandywine Battlefield.

Motion: Brutscher moved, Conary seconded to support the American Battlefield Protection Program full funding request and to recommend that the Pennsylvania Historic and Museum Commission fund a grant for this project through the Pennsylvania History and Museum Grant Program.

12. Treasurer's Warrants: Conary moved, Brutscher seconded, to approve the Bill Payment Lists for January 4 – 10, 2011 recommended for payment by the Treasurer. **General Fund:** 19 bills paid totaling \$19,211.84; 4 debit card purchases totaling \$377.82. **Highway Aid:** 7 bills paid totaling \$7,442.67. **Open Space Loan:** 1 bill for \$1,172.50.

13. Correspondence: none.

14. Approval of Minutes of January 3, 2011: Brutscher moved, Conary seconded, to approve the Minutes as revised.

15. Adjournment: At 8:45 P.M. Conary moved, Brutscher seconded to adjourn the meeting.

Susan E. Simone, Administrative Secretary

Stephen R. Conary, Chair