

**THORNBURY TOWNSHIP, CHESTER COUNTY
BOARD OF SUPERVISORS
REGULAR MEETING
MINUTES – August 26, 2008**

I. CALL TO ORDER

The regularly scheduled meeting of the Thornbury Township Board of Supervisors was called to order by Ed Travis at 7:12 P.M. in Thornbury Township's meeting room. In attendance were Supervisors Ed Travis, Chairman; Michael Gast, Vice-Chairman; Percy Neall, Robert Miller, Board Members; Kathy Labrum, Esq., Solicitor; and Cary Vargo, Township Manager. There were 10 signed guests. An executive session was held prior to the regularly scheduled meeting to discuss personnel and real estate.

II. WESTTOWN EAST GOSHEN POLICE REPORT – Sergeant Gorman

Sergeant Gorman presented the April 2008 Police Report. There were 133 calls for service which constituted 10% of the total calls for the three Townships.

III. PUBLIC COMMENT PERIOD

Ann Connolly read a letter addressed to the Board of Supervisors expressing her disappointment in the appointment of Barbara Iacovelli to the Planning Commission.

IV. APPROVAL OF MINUTES

Approval of the June 16, 2008 Minutes.

Mike Gast made a motion to approve the minutes. Bob Miller seconded the motion. All were in favor. Motion carried.

Approval of the July 8, 2008 Work Session.

Bob Miller requested that we add documentation of a discussion held on the language to the amendment to Zoning Ordinance, Section 155-65, Notice.

Mike Gast motioned to approve the minutes with Bob Miller's changes. Bob Miller seconded the motion. Mike Gast, Ed Travis and Bob Miller were in favor. Percy Neall abstained. Motion carried.

Approval of the July 15, 2008 Minutes.

Mike Gast made a motion to table the July 15, 2008 minutes. Bob Miller seconded the motion. All were in favor. Motion carried.

V. **AGENDA BUSINESS**

A. **Meadowcroft Presbyterian Church- Preliminary/Final Approval**

Charles Proctor presented the preliminary/final plans dated August 13, 2008 for the Meadowcroft Presbyterian Church and requested preliminary/final approval from the Board of Supervisors. See attached resolution for conditions of approval.

Bob Miller motioned to approve the Preliminary/Final plan for the Meadowcroft Presbyterian Church. Percy Neall seconded the motion. All were in favor. Motion carried.

B. **Penn Dot 5 Year Winter Traffic Services Agreement (Westtown-Thornton Road)**

Percy Neall motioned to approve the Penn Dot 5 Year Winter Traffic Service Agreement. Ed Travis seconded the motion. All were in favor. Motion carried.

C. **Hick's Brothers Lease Agreement (New Street)**

Percy Neall motioned to approve the Hick's Brothers New Street lease agreement. Ed Travis seconded the motion. All were in favor. Motion carried.

D. **Managers Report – Cary Vargo**

- The 2008 Road Paving project has been completed with no problems;
- Roadway line painting has been completed;
- The traffic counter has been repaired and will be deployed on New Street South New Street;
- Planning continues for the Fall Festival, date being October 11, 2008;
- The Township Shredding event is scheduled for Saturday, September 6, 2008 from 10:00 a.m.-1:00 p.m.;
- The 1st Annual Cheyney Challenge Bicycle Race will be held on Sunday, September 7, 2008;
- The Citizen Police Academy is set for October 8th 2008;
- The next meeting of the West Chester Area Council of Governments is scheduled for Thursday, September 25, 2008.

E. **Supervisors Roundtable**

Percy Neall expressed concern about a Township wide recycling program and its possible affects on individual property owners and any beneficial arrangements that they may have with their individual haulers.

Percy Neall inquired about the Traffic Calming policy and its origins.

Mike Gast inquired about the Fire Service agreement.

Cary Vargo stated that a meeting is scheduled to review the received information and address any issues that the involved parties may have.

VI. COMMISSION REPORTS

A. Planning Commission – Ed Travis

Ed Travis stated that the Planning Commission reviewed two ordinances, a Riparian Buffer ordinance and a Scenic Roadways ordinance. Jim Jordan has been working on the Riparian Buffer ordinance and Ann Connolly and Arnie Maguire have been working on the Scenic Roadways ordinance.

Percy Neall noted that these ordinances may affect certain residents within the Township and, as a result, these residents should attend the Planning Commission meetings so their input can be heard.

Ed reported that the August Planning Commission meeting was the first meeting that Barbara Iacovelli attended and he believed that she made a valuable contribution.

B. Historic Preservation Commission – Chris Lang

No report

C. Parks and Recreation- Cary Vargo

See Manager's Report

D. Council of Government – Mike Gast

No report. The next scheduled meeting is Thursday, September 25, 2008 at 7:00 p.m. at the Westtown Township municipal building.

E. Cheyney Liaison – Mike Gast

No report

F. Dallet Property

No report

VII. OPERATION REPORTS

A. Road Master Report - Mike Aiello

See Manager's Report.

B. Approval of Bill List - Bob Miller

Bob Miller presented the August bill list for \$273,808.70 and reviewed the major expenditures.

Ed Travis motioned to approve the bill list as presented. Percy Neall seconded the motion. All were in favor. Motion carried.

VIII. OTHER MATTERS

Percy Neall noted that an AED appeared in the Long Range Planning process. Percy inquired about the liability and expressed concern with having an AED in the Township building.

Mike Gast advised that AED's are common in public areas and users are covered under the State's Good Samaritan Law.

Ed Travis explained that the staff, Dee Ann Manley and Teresa DeSetefano, has not had a cost of living increase since June, 2007. Ed noted that an executive session was held prior to the meeting and it was decided to increase staff compensation by 4% and 3.5% respectively. Bob Miller noted that the increase would be retroactive to June 1, 2008.

Mike Gast motioned to increase compensation for Dee Ann Manley and Tersesa DeStefano 4% and 3.5% respectively. Bob Miller seconded the motion. All were in favor. Motion carried.

IX. ADJOURNMENT

Ed Travis motioned to adjourn the meeting. Percy Neall seconded the motion. All were in favor. Motion carried.

Respectfully Submitted,

Cary B. Vargo
Township Manager/Secretary

THORNBURY TOWNSHIP
CHESTER COUNTY

"MEADOWCROFT PRESBYTERIAN CHURCH"
FINAL APPROVAL

RESOLUTION NO. 2008 - 17

WHEREAS, a Preliminary land development application ("the Plan") of Meadowcroft Presbyterian Church, owner of certain real property consisting of a 10.9 acre tract with an existing barn and an apartment building and two single family detached dwellings, and a barn house located at 1255 Westtown Road, Thornbury Township, Chester County, Pennsylvania, which final plan was prepared by Chester Valley Engineers, Inc., dated February 8, 2006, was submitted for approval; and

WHEREAS, Applicant sought and received variances and a special exception from the Zoning Hearing Board of Thornbury Township as reflected in its Orders entered on December 3, 2001, and July 25, 2007, and Solicitor's Opinion of January 30, 2008; and

WHEREAS, Applicant has filed a revised Preliminary/Final Land Development Plan prepared by Chester County Engineers, consisting of thirteen (13) pages, dated February 8, 2006, and last revised August 11, 2008, for approval whereby Applicant proposes to develop the 10.9 acre tract by converting the existing historic barn to a church, constructing an addition to the rear of the existing barn to facilitate the use of the barn as a church, and improving the property with parking, landscaping and an on-site sewage system; and

WHEREAS, there are four residential structures currently existing on the property, three of which are currently rented to tenants; and

WHEREAS, the Zoning Hearing Board Orders of December 3, 2001 and July 25, 2007, imposed certain conditions in consideration of the grant of the special exception for the church use in the A- Agricultural/Residential District¹;

WHEREAS, the Preliminary/Final Land Development Application has been reviewed by the Thornbury Township Planning Commission, the Thornbury Township Historical Commission, the Chester County Planning Department and the Thornbury Township Consulting Engineer and Landscape Architect, and

¹ The Zoning Hearing Board Order of July 25, 2007, granted Applicant the right to continue the nonconforming use of three of the four residential houses on the property, (the fourth historic home being used as a parsonage) until December 3, 2011. Applicant will, by December 3, 2011, convert the buildings to church uses, remove them from the property or apply for further relief.

WHEREAS, said Preliminary/Final Land Development Application is generally in conformity with the Thornbury Township Subdivision/Land Development Ordinance and Zoning Code, provided that the following outstanding issues are resolved to the satisfaction of the Board of Supervisors:

1. Compliance with all conditions of approval imposed by the Thornbury Township Zoning Hearing Board in the Orders dated December 3, 2001 and July 25, 2007, and the Solicitor's Opinion letter dated January 30, 2008, which conditions shall be prominently listed on the recorded plans.
2. Compliance with all comments contained in the Yerkes review letters dated July 8, 2008 and August 19, 2008;
3. Compliance with all comments contained in the Simone-Collins Landscape Architects letter dated July 8, 2008;
4. Compliance with all terms of the Penn Dot HOP issued for the property;
5. Applicant should submit to the Township not less than every 6 months, pursuant to the terms of the Maintenance Agreement with the Township, the maintenance records for the on-site sewage system;
6. All revisions to or work on the facade of the barn shall be submitted to and approved by the Thornbury Township Historical Commission;
7. Payment of a fee-in-lieu of the off-site tree replacements required by the Zoning Hearing Board Order may be paid to the Township for placement in a tree fund at the option of the Applicant;
8. All plans and as-builts must be submitted in electronic format acceptable to the Township Engineer;
9. Applicant agrees to enter into Development and Improvement Security Agreements prior to release of the signed plans; and
10. Applicant will apply to the Township prior to any change in use, alteration of demolition of any of the four residential structures on the property.

The preliminary/final land development plan dated February 8, 2006, as last revised August 11, 2008, is finally approved this 26th day of August, 2008, subject to compliance with each of the foregoing conditions and pursuant to the following two waivers:

1. Section 115-37 Cartway width
2. Section 115-49.19d Fencing or vegetative screen around storm water basin.

NOW THEREFORE, BE IT RESOLVED, that the above cited plan be hereby finally approved, subject to and conditioned upon resolution of each of the above listed conditions and subject to the two waivers, all of which have been agreed to by the Applicant.

APPROVED AND RESOLVED this 26th day of August, 2008.

BOARD OF SUPERVISORS OF THE
TOWNSHIP OF THORNBURY


ATTEST:


CARY VARGO
TOWNSHIP MANAGER

BY: 
ED TRAVIS, CHAIRMAN

BY: 
MICHAEL GAST, VICE CHAIRMAN

BY: _____
LOUIS GAGLIARDI

BY: 
PERCY NEALL

BY: 
ROBERT MILLER

ACCEPTED BY APPLICANT:


APPLICANT SIGNATURE

8-26-08
DATE