

**THORNBURY TOWNSHIP, CHESTER COUNTY  
BOARD OF SUPERVISORS  
REGULAR MEETING  
MINUTES – December 21, 2010**

**I. CALL TO ORDER**

The regularly scheduled meeting of the Thornbury Township Board of Supervisors was called to order by Mike Gast at 7:11 P.M. in Thornbury Township's meeting room. In attendance were Supervisors Mike Gast, Chairman; Bob Miller, Vice Chairman, and Ed Travis, Bob Anthony and Percy Neall Board Members; Brody Bovero, Township Manager; Kathy Labrum, Esq., Solicitor; and Teresa DeStefano, Township Secretary. An executive session was held before the regularly scheduled meeting to discuss real estate and personnel matters. There were 16 signed guests.

**II. WESTTOWN EAST GOSHEN POLICE REPORT – Sergeant Gorman**

Sergeant Gorman presented the October police report. There were 165 calls for service in Thornbury Township which constituted 14 % of the total calls for the three Townships.

Sergeant Gorman reminded everyone to lock their car doors.

Jim Oliveria inquired about the police patrolling in his neighborhood.

**III. MANAGERS REPORT**

**Boards & Commissions**

The Board of Supervisors is currently accepting applications for seats on the Planning Commission, Zoning Hearing Board, Historic Preservation Commission, and the Parks & Recreation Commission. Details can be found on the Township's website under the volunteer tab.

**Land Development and Subdivisions**

Brinton Village – Construction of the center landscape island on Caleb Drive is complete. The developer's goal was to finish the project before the end of the year. It appears they will be in the project throughout the winter.

Lisa Eller noted that island is not landscaped, nor lighted.

Sage Hill – The Township received a request for final escrow release. Yerkes has review it and presented a recommendation to the Board. Sage Hill Lane and Spring Meadow Drive have been paved. There are approximately four lots undeveloped.

Cheyney University – Final land development approval for the Carver Science Center is on the agenda for December 21<sup>st</sup>. The University also received zoning relief from the Zoning Hearing Board to place a three name signs on the building.

The Preserve at Squire Cheyney – The developer has extended construction into the cul-de-sac near Cheyney Road. Initial paving and curbing for that segment is moving forward.

On December 16<sup>th</sup>, a snowstorm created potentially dangerous conditions on roadways. Township roads were salted by the Groundskeeper. There were no weather-related accidents on Township roads.

### **Grants & Financial Relief**

The H2O Grant announcements, scheduled for December 16<sup>th</sup>, were postponed until further notice. We have two applications in for Sewer Grants.

### **Town Center**

Construction of the parking expansion is substantially complete. The new park sign has been placed, and the vegetation will be monitored throughout the winter. Final work will be conducted in the spring.

### **Parks & Open Space**

On December 5<sup>th</sup>, the Parks & Recreation Commission, with the assistance of Teresa DeStefano organized another successful Train Ride with Santa event. A larger than expected crowd attended, filling all three train cars.

### **Stormwater Management**

On December 15<sup>th</sup> the Brandywine Valley Association hosted the kick-off meeting for the Christina Watershed TMDL Implementation Plan.

### **Administrative Items**

The winter edition of the Gander was completed and sent out to residents. We are now offering the more environmentally and tax dollar-friendly way of receiving the Gander via email. You can sign up for this option through the Township's website.

## **IV. APPROVAL OF MINUTES**

### **A. November 9 2010 BOS Work Session**

**Bob Miller made a motion to approve the minutes with the administrative changes. The motion was seconded by Ed Travis. Mike Gast, Ed Travis, Bob Anthony and Bob Miller were in favor. Percy Neall abstained. Motion carried.**

### **B. November 16 BOS Meeting**

**Bob Miller made a motion to approve the minutes with the administrative changes. The motion was seconded by Ed Travis. Bob Miller, Mike Gast and Ed Travis were in favor. Percy Neall and Bob Anthony abstained. Motion carried.**

**V. AGENDA BUSINESS**

**1. Resolution 2010 -28: Final Land Development Approval: Cheyney University Carver Science Center**

Brody Bovero noted that this approval is for final land development for the Cheyney Carver Science Center. It had been reviewed by the Chester County and Township planning commissions, and by Yerkes Associates, and the Township Fire Marshal.

Mike Conrad noted that Cheyney has complied with his review letter from October 10, 2010

Tysen Miller, Civil Engineer from Hunt Engineering Company gave a brief description of the Carver Science Center Project. Tysen Miller noted that they have completed all the reviews. They also received a variance from the Zoning Hearing Board for the signs. He noted that the NPDES permit is still outstanding.

Percy Neall questioned if a 37' x 7' lighted sign on a 40+' high tower was appropriate for a historic residential area in Thornbury Township.

There was a discussion on the size and the back lightening of the sign. A number of residents objected to the lighting of the sign in a historic area.

Tim Kearney noted that the sign is not a commercial sign and it is in the center of the campus, and not visible from the street.

Bob Anthony noted that he doesn't like the look of the sign.

Percy Neall also agreed that he doesn't like the look of the sign and by approving it, the Township is setting a precedent.

Kathy Labrum noted that in the approval, the Township can limit the time that the sign is illuminated.

George Stasen, resident, inquired who requested the sign and what the Board's role is in approving the sign.

John Rendemonti, resident, noted that the sign violates the Township's sign ordinance that is the reason the applicant was required to ask for a variance from the Zoning Hearing Board.

Ann Connolly, resident, agreed with John Rendemonti and wanted the Board to appeal the Zoning Hearing Board's decision.

Tom Spackman resident voiced his opposition to the sign since the area is historic.

Mike Gast clarified that the Board can give conditional approval for the building without the signage. The Township can take steps to appeal the signage.

Kathy Labrum noted that land development approval never includes the sign.

Bob Miller had a concern about the sign being an integral part of the building itself.

**Percy Neall entered a motion that the Board appeal the Zoning Hearing Board decision for the variance granted for the Cheyney Carver Science Center signage. Bob Anthony seconded. Percy Neall, Ed Travis, Bob Anthony and Bob Miller were in favor. Mike Gast abstained. Motion carried.**

Kathy Labrum noted that the Township will need an extension from Cheyney University if there is not going to be a vote tonight.

Bob Anthony noted that he had not seen the project before tonight and doesn't feel comfortable approving it.

Bob Miller would like to discuss it further at a work session and have more time to work through the issue of the sign.

John Rendemonti a resident noted that the applicant can just amend their application to eliminate the sign in order to move forward.

Molly Morrison, resident, suggested that the Township maintain its ability to keep its options open regarding the sign.

Bob Miller noted that the University went through all the necessary steps for approval. Therefore, a vote on the resolution should be taken.

**Ed Travis motioned to approve resolution 2010-28: With the conditions from Mike Conrad's letter and a condition of no illumination of any sign. The motion was seconded by Mike Gast.**

**Kathy Labrum clarified the motion: To approve Resolution 2010-28 Final Land Development approval of the Cheyney University carver Science Center with the following conditions:**

- 1. Prior to the commencement of any site work, the plans shall be revised and approved by the Township Engineer to address each of the comments contained in the October 27, 2010 Yerkes letter.**
  - 2. Prior to the commencement of any site work, the applicant shall execute Development and Improvement Security Agreements with the Township.**
  - 3. Prior to the commencement of any site work, all final grading adjustments must be placed on the plan and approved by the Township Engineer.**
  - 4. Prior to the commencement of any site work, the applicant shall obtain an NPDES permit from the Chester County Conservation District.**
  - 5. Illumination of the building signs is not permitted.**
- Bob Miller, Ed Travis and Mike Gast were in favor. Percy Neall and Bob Anthony were opposed. Motion carried.**

**2. South Concord Road Study: Scope of Work Approval & Authorization to proceed**

Mike Gast noted that there has been significant discussion on this matter, however there didn't seem to be any consensus amongst the Board of Supervisors. He suggested that the Board table this issue and discuss it further at a work session.

Percy Neall noted that there is a consensus among residents in the room against doing a study on South Concord Road. He stated that the residents feel safe on South Concord Road the way it is, and that it should be left alone.

Bill Reilly, resident, voiced opposition to the study, indicating that it is a waste of money.

David Pohl, resident, suggested the study would be a waste of money, bring more traffic, dead animals and trash. The only benefit would be to the out of town drivers. He quoted the Township's mission statement and suggested the Board abide by it.

Joe Pyle, resident, asked how he will know when the next discussion will be.

Bob Anthony noted that this item was first introduced under Other Matters.

Ann Connelly, resident, read a letter from Jim Jordan.

John Rendemonti a resident noted that he had to find out about the meeting and road study by submitting a Right to Know request, and had to pay for it.

Mike Gallagher, resident, voiced his opposition to the traffic study.

Steve Chen, resident, voiced his opposition to the study, indicating that the residents would like to preserve the scenic roadways in the Township.

Steve Ernie a resident noted that this topic continually appears, even though the residents are against it.

Molly Morrison a resident noted that nobody wants South Concord Road to be widened, and suggested that if widening isn't the issue then the Township didn't need a study because the road is safe.

The item was tabled for further discussion.

Lisa Eller, resident, submitted a letter to request help from the Board regarding current practices of the Benson Companies at Brinton Village. She expressed concern that Benson may not have enough money in escrow to finish the project.

Mike Gast indicated that the Township will check into this again and will check with the Solicitor to see if we can increase the escrow.

Brody Bovero noted that he has called Benson and received confirmation that they will be removing the dumpster and dead trees. He also sent an email and a certified letter to remove the items within 5 days or a citation will be issued.

Kathy Labrum noted that the Township must release escrow monies when the work is completed.

**3. Resolution 2010 – 27: Acceptance of Dedication of Sage Hill Lane, Spring Meadow Drive, Right-of-Way of South Westbourne Road**

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Brody Bovero noted that Moser has received a confirmation from Yerkes on the completion of the road in the Sage Hill development. The following is a summary of the dedication agreement for the road in Sage Hill:

- Per the development approval, the Township agreed to take dedication of the roads in the Sage Hill development.
- Upon completion of the roadway improvements Moser can offer dedication to the Township.
- The agreement includes an 18-month maintenance bond to ensure that Moser will repair any failures or damage to the road throughout the duration of the bond term.
- Typically, the Township would receive Liquid Fuels funding from the state for 2011 for the new roads, but the deadline for inclusion has passed. In lieu of Liquid Fuels Funds, Moser will pay the amount that the Township would have received, had the dedication taken place earlier in the year. The total amount is \$1,226.65.
- After dedication, the Township would own the roads, curbing, signage, and storm sewer system within the right-of-way. After the 18-month bond period, the Township will assume all maintenance and repair of these facilities. The sanitary sewer system and any street trees within the right-of-way would be owned and maintained by the homeowners.

Mike Conrad suggested the street trees that straddle the roadway be added to the maintenance agreement.

Mr. Moser noted that there are 4 homes left to build.

**Percy Neall motioned to approve resolution 2010-27: Acceptance of Dedication of Sage Hill Lane, Spring Meadow Drive, Right of way of South Westbourne Road. The motion was seconded by Ed Travis. All were in favor. Motion carried.**

#### **4. Moser Builders Escrow Release #11 : \$156,389.34**

Mike Conrad reviewed his letter of December 3, 2010 for escrow release #11 for Moser builders for \$156,389.34.

**Percy Neall motioned to approve Moser Builders Escrow Release # 11 for \$156,389.34. The motion was seconded by Bob Miller. All were in favor. Motion carried**

**5. Adoption of 2011 Budget Resolution 2010-29**

Mike Gast noted that several meetings, including work sessions and public meetings were held whereby the Board discussed the upcoming year's budget.

Bob Anthony thanked the staff and the Board for the hard work involved in drafting the budget, but there are parts of it he does not agree with.

Percy Neall noted that he was glad the budget was reduced by 4%.

Mike Gast thanked Dee Ann Manley for her work on the budget.

Tom Spackman thanked the Township and would like to see a press release showing no tax increases.

**Ed Travis motioned to approve Resolution 2010-29, the adoption of the 2011 Budget. The motion was seconded by Percy Neall. Ed Travis, Bob Miller and Mike Gast were in favor. Percy Neall and Bob Anthony were opposed. Motion carried.**

**6. Resolution 2010 - 24: Dallet Tract Lease**

Ed Travis confirmed that no structure or fence will be built on the property prior to receiving permission from the Township.

**Bob Miller motioned to approve resolution 2010-24: Dallet Tract Lease. The motion was seconded by Ed Travis. Bob Miller, Ed Travis, Bob Anthony and Mike Gast were in favor. Percy Neall opposed. Motion carried.**

**7. Resolution 2010 - 25: Ann's Parcel Lease**

Ed Travis asked if the lease states that the Township will build a trail on Ann's Parcel.

Brody noted that there is an amendment in paragraph 7, which indicates the Township plans to allow a trail to be built.

**Bob Miller motioned to approve resolution 2010-25: Ann's Parcel Lease. The motion was seconded by Percy Neall. Bob Miller, Ed Travis and Mike Gast were in favor. Percy Neall opposed. Motion carried.**

**8. Authorization to construct salt storage bins at Cheyney University**

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Mike Gast explained that the Board's decision on this matter is whether to authorize the Township Manager to construct the salt storage bins, and to place a spending cap.

Brody Bovero presented two updated designs and estimates. The design consisted of two bins, with one estimate of \$8,300 and the other being \$3,300. He indicated that additional labor costs may be necessary.

**Percy Neall motioned to authorization Brody to contract with Main Line Concrete & Supply not to exceed \$6,000 to construct the salt storage bins at Cheyney University. The motion was seconded by Bob Miller. All were in favor. Motion carried.**

**9. 2010 Donations:**

- a. Glen Mills Historic Society \$250**
- b. Chester-Ridley-Crum Watershed Association \$250**
- c. West Chester Area Senior Center \$1,000**
- d. Visiting Nurses \$1,100**
- e. Good Fellowship Company \$1,500**

Mike Gast noted that these donations are in the same amounts as last year.

**Bob Miller motioned to approve the 2010 donations. The motion was seconded by Mike Gast. Ed Travis, Bob Miller and Mike Gast were in favor. Percy Neall opposed. Motion carried.**

**VI. PUBLIC COMMENTS**

Tom Spackman noted that his family is trying to place 60 acres on a conservation easement and in order to accomplish that; they would have to change the zoning.

Mike Gast noted that more discussion would be needed on this topic.

Bob Miller stated that the Township would benefit from preserving the land.

Brody indicated that a zoning amendment requires a hearing with the Planning Commission.

Percy Neall noted that this would be in the Township's best interest so the land would not be developed.

**VII. OTHER MATTERS**

Brody Bovero presented a draft letter of support for the Brandywine task force to apply for grant money.

**Percy Neall motion to approve Mike Gast to sign the letter of support to the Brandywine task force. The motion was seconded by Mike Gast. All were in favor. Motion carried.**

Brody presented a request from a gentleman that asked if he could hunt on the Squire Cheyney Farm property.

The Board denied the request.

## **VIII. COMMISSION REPORTS**

### **A. Historic Preservation Commission – Tom Spackman**

Tom Spackman submitted an invoice for the Oral Histories project.

## **IX. APPROVAL OF BILL LIST, \$290,848.19 – Bob Miller**

Bob Miller presented the November bill list for \$290,848.19

**Mike Gast motioned to approve the bill list. Ed Travis seconded the motion. Mike Gast, Ed Travis and Bob Miller were in favor. Percy Neall opposed. Motion carried.**

## **X. ADJOURNMENT**

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

Respectfully Submitted,

Brody Bovero  
Township Manager