



**Pocopson Township**  
Pocopson, Pennsylvania 19366  
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Board of Supervisors Meeting Minutes  
7:30 P.M., Monday, January 24, 2011

In attendance: Supervisors – Stephen R. Conary, Georgia F. Brutscher, Laressa J. McNemar, P.E.; Mark Knightly, Director, Public Works Department; James W. Hatfield, P.E., Township Engineer; Gary Summers, Chair, Planning Commission (PC); Township Committee Chairmen – Ezekiel Hubbard, Parks, Recreation and Trails (PRT); Sarah Mims, Historical.

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

**2. Announcements:** An editorial review of the Township Ordinances is underway to identify typographical errors and inconsistencies. The Board received a letter from Red Bridge Farms Homeowners Association acknowledging the exemplary work of the Public Works Department to clear Township Roads during the recent winter storms. McNemar and Knightly attended a workshop on January 14<sup>th</sup> sponsored by the Chester County Water Resources Authority on the topic of state mandated stormwater management regulations. The Township Engineer's Office will draft a six-month action plan for the Township to address the stormwater deadlines discussed during the workshop. McNemar officially announced that she will not seek re-election.

**3. Public Comment:** none.

**4. Locust Grove Schoolhouse ("Schoolhouse") Site Development Plan:** Dale Frens, AIA, Frens & Frens Restoration Architects, LLC and Kirk Horstman, P.E., Horstman Engineering along with Mims appeared before the Board to present a preliminary final schematic and site plan for restoration of the Schoolhouse. Discussion ensued regarding setback requirements for certain features and elevations proposed for construction including but not limited to a landing at the basement door, accessible gravel path to restroom facilities, front stoop, and parking areas. Frens noted a number of factors driving the design including practicality and compliance with the Americans with Disabilities Act (ADA). Exterior plan elements must be completed prior to interior design work as the Building Inspector will not be able to issue permits without ADA compliance. Horstman provided an engineering perspective noting that the site plan allows the Township to table decisions regarding water and sewer connections. Given the constraints of the site, he offered four options to achieve stormwater management. Mims noted that option #1 – parking lot with pervious paving/deep open gravel with geogrid – is the most cost effective; Board agreed that it is an effective option for final planning purposes. Parking lot traffic will be minimal and limited to a modest number of vehicles for visitors and tour groups. Board members expressed concern that the parking design should maintain the rustic character of the Schoolhouse and the rural setting by including adequate landscaping and fencing and appropriate location of parking spaces. Summers noted that the PC recommended approval of the preliminary plan condition upon minimizing the view of the parking lot. Discussion ensued regarding the parking area entrance and exit, ADA requirements for parking

spaces, and phasing for the exterior site development with one stormwater management system. Mims will request Board authorization to proceed with advertising for bids in March condition upon final approval of the site plan and zoning reviews.

**5. Parks, Recreation & Trails Committee:** Hubbard introduced **Chris Hartsky from Troop 31 who presented an Eagle Scout Project** recommended for approval by the PRT Committee. The Project calls for installation of mile markers and four historical fact markers along the Barnard House trail. Hartsky noted that mile marker installation every  $\frac{1}{10}$ <sup>th</sup> of a mile is customary and allows trail users to monitor progress along the 1.3 mile trail loop.

**Motion:** Conary moved, McNemar seconded, to approve the Eagle Scout Barnard House Trail Marker Project to be completed in 2011 submitted by Chris Hartsky with historical marker text changes as provided and with a total materials budget expense of \$576.00; motion unanimously approved.

Hubbard will attend Red Bridge Farms Homeowners Association meeting to seek **additional PRT Committee members**. Conary suggested the Township post a notice on the web site regarding PRT land planning opportunities. The Secretary will work with Hubbard to contact other homeowner associations to recruit interested volunteers.

**6. Public Works Report:** Knightly reported 400 tons of salt used to date for the 2010-2011 winter season. Heating system for the Garage was repaired today. Secretary will work with Knightly to draft an agreement for snow plowing Brinton's Wood Road cul-de-sac. Knightly will meet with two vendors to obtain general information on pre-cast concrete salt sheds before proceeding with a request for authorization to advertise for bids.

**7. The Preserve/Toll Brothers Subdivision/Parcel #63-3-84; Amended Final Land Development Plan ("Plan"):** Louis Colagreco, Esquire, attorney for Toll Brothers and Mike Klein and Daryl Schuler, Project Managers, appeared before the Board to discuss Amended Final Land Development Plan ("Plan") dated February 12, 2004, last revised January 5, 2011, and received by the Township Engineer on January 6, 2011. Board noted receipt of the Township Engineer Review and Comment Letter dated January 24, 2011. Colagreco acknowledged that Toll is working with the Township Solicitor regarding an amended Declaration of Covenants and Restrictions ("Declaration") which will be completed prior to a request of the Board to sign the Plan. Hatfield will review the Declaration for specific language that addresses stabilization and erosion issues for lot owners and for the homeowners association particularly where steep slopes appear on the Plan. Klein noted that the PC recommended approval of the Plan subject to satisfactory completion of issues raised by the Township Engineer, approval of community documents, and technical specifications of the retaining wall made a part of the Plan when recorded. PC suggested traditional stone color (AB Europa Palermo Malvern Blend) with landscaping. Klein requested and the Board agreed to Toll Brothers retaining Burcham Associates to design the landscaping for the retaining wall and to include the work as a revision to the landscape plan sheets that are part of the Plan. Klein spoke to the Building Inspector regarding code requirements for the fence which will be a wood post-and-rail fence embedded in sleeves behind the wall. Hatfield clarified the height and location of all walls shown on the Plan noting four to five feet as maximum wall heights. A lively discussion ensued comparing the changes in steep slopes as a result of the selection of elevations for "Corinne Village" with those offered by Toll for "The Preserve." Brutscher voiced concern that the lot size as previously approved cannot accommodate the increased square footage for the elevations offered by Toll. Board was informed that the retaining wall will be constructed in stages as part of development of individual homesites.

**Discussion prior to Motion:** Canary noted that the Declaration must include the 2010 edits and corrections omitted from the recorded document. The Declaration must include firm reference to responsibilities for snow removal from community sidewalks and clearly provide easements for access points for maintenance of the retaining wall. Brutscher voiced concern that the request for retaining walls is outside the scope of what was approved for “Corinne Village” in 2004. She is disappointed with the significant changes in the natural features and the overall height of the fence/retaining wall combination. McNemar indicated that additional requests for amendments will be considered significant. She is reluctant to grant approval for the retaining wall but recognizes no legal remedy exists to deny it.

**Motion:** Canary moved, McNemar seconded, to approve the Amended Final Land Development Plan for The Preserve dated February 12, 2004, last revised January 5, 2011, condition upon satisfactory completion of issues raised in the Township Engineer Review and Comment Letter dated January 24, 2011 and a revised Declaration approved by the Township; motion approved with Brutscher casting a dissenting vote.

**8. Planning Commission Report:** Summers submitted a report from the January 19, 2011 meeting. Board asks that the PC review ordinances for inconsistencies and maintenance revisions by mid-February so that a public hearing of proposed amendments can be scheduled for March.

**9. Old Business:** Secretary is directed to contact Birmingham Township regarding a joint meeting to discuss the design plans for the Route 926 Bridge. Board discussed Brandywine-Struble Greenway Initiative and agreed to table appointment of a liaison.

**Motion:** Canary moved, Brutscher seconded, to adopt Resolution 2011-5 endorsing the Brandywine-Struble Greenway Initiative and to appoint one representative to act as liaison between the Brandywine Conservancy and the Township Board of Supervisors; motion unanimously approved.

**Motion:** Canary moved, Brutscher seconded, to approve signing the Amended Final Land Development Plan for County of Chester dated March 3, 2010 and last revised November 11, 2010, prepared by Register Associates for Tax Parcel 63-3-39; motion unanimously approved.

**Motion:** Canary moved, McNemar seconded, to approve signing the Final Land Development Plan for the Becker Property on Pocopson Road dated October 13, 2010, and last revised December 8, 2010, prepared by Hillcrest Associates, Inc.; motion unanimously approved.

**10. New Business:** Canary suggested letter to elected officials regarding changes to the recent PennDOT policy regarding local government responsibility to continually maintain or replace stormwater management facilities within PennDOT right-of-way.

**Motion:** Canary moved, McNemar seconded, to adopt Resolution 2011-6 appointing Margaret Lennon as first alternate delegate to the Chester County Tax Collection Committee; motion unanimously approved.

**11. Treasurer’s Warrants:** Canary moved, McNemar seconded, to approve the Bill Payment Lists for January 11 – 24, 2011 recommended for payment by the Treasurer. **General Fund:** 16 bills paid totaling \$27,367.89; 1 debit card purchase of \$119.14. **Highway Aid:** 3 bills paid totaling \$5,763.43. **Historical Committee:** 1 bill for \$2,099.92. **Open Space Loan:** 1 bill for \$613.00.

**12. Correspondence:** none.

**13. Approval of Minutes of January 10, 2011:** Brutscher moved, Conary seconded, to approve the January 10, 2011 Minutes as revised.

**14. Adjournment:** At 9:45 P.M. Conary moved, McNemar seconded to adjourn the meeting.

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Susan Simone, Administrative Secretary

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Stephen R. Conary, Chair