

# Pocopson Township

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## Board of Supervisors Meeting Minutes

Monday, 7:30 P.M., June 10, 2013

In attendance: Supervisors – Stephen R. Conary, Georgia F. Brutscher, Ricki Stumpo; Mark Knightly, Public Works Director; Richard Jensen, Zoning/Code Enforcement Official; Matt Read, Chairman, and Colleen McKinney, Co-Chairman, Founders Day Committee.

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

**2. Announcements:** On May 22<sup>nd</sup> the Board interviewed and recommended two potential candidates to serve as Pocopson representatives on the Bayard Taylor Memorial Library Board. An executive session was held on May 24<sup>th</sup> to discuss personnel/staffing. Stumpo will meet with Mike McGann and Sheila Fleming on June 12<sup>th</sup> regarding the Brandywine Greenway Project. Comment from Conary that the Sunshine Act requires the Board to take all official actions and deliberations during a legally advertised public meeting.

**3. Public Comment:** none.

**4. Zoning Hearing Board Appeal No. 3-2013 – 13 Cabin Club Lane; Appeal No. 4-2013 – 14 Cabin Club:** Arthur Sulzer (Applicant) and Herman L. Woolfrey, Jr., appeared regarding #13 Cabin Club; Jonathan Shalvey (Applicant) appeared regarding #14 Cabin Club; Brett Hand, AIA, Brett Hand Architect, P.C., attended as the architect for both projects. Sulzer submitted documents dated June 10, 2013 regarding the FEMA Increase Cost Compliance for foundation requirements, letter from an excavator describing an update for the septic system for Cabin #13, and a response to the Township Engineer Review and Comment Letter dated June 6, 2013.

Board discussed issues regarding Cabin #13 contemporaneously with issues regarding Cabin #14 because both Applicants desire to raze an existing residence and to reconstruct a new dwelling in its place. Board agreed that FEMA regulations must be met in order for #13 to be moved to realign it with the flow of the Brandywine Creek. Jensen pointed out that certification has not been submitted that will show that there is no increase in flood level during flood discharge created as a result of the reconstruction of the cabins. Septage management is a significant issue for both projects. Applicants propose installation of holding tanks and to enter into a pump and haul agreement if that is the recommendation from the Chester County Sewage Enforcement Officer. Board members voiced concern that seasonal cabin though it may be, Cabin #13 must meet all agency septic system requirements given their desire to expand the dwelling to include a second floor bedroom. Further review of the township ordinance requirements for holding tanks is necessary.

**Motion:** Canary moved, Stumpo seconded, to not object to the requested variances as described in Appeal No. 3-2013 and as shown on the Survey Plan dated March 13, 2013, prepared by Gerald E. Wizon, Professional Land Surveyor and the Architectural Plan prepared by Brett Hand Architect dated March 11, 2013, subject to verification that all FEMA regulations are met and provisions for sewer and water, including but not limited to installation of a holding tank and execution of a pump and haul agreement if permitted by township ordinances, are approved by local and state agencies; motion unanimously approved.

**Motion:** Stumpo moved, Brutscher seconded, to not object to the variances requested as described in Appeal No. 4-2013 and as shown on the Survey Plan dated March 13, 2013, prepared by Gerald E. Wizon, Professional Land Surveyor and the Architectural Plan prepared by Brett Hand Architect dated August 20, 2012, subject to verification that all FEMA regulations are met and provisions for sewer and water, including but not limited to installation of a holding tank and execution of a pump and haul agreement if permitted by township ordinances, are approved by local and state agencies; motion unanimously approved.

**5. Zoning/Code Enforcement Officer Report:** Jensen discussed the follow-up letter dated May 29, 2013 regarding **1425 Lenape Road**. Residents in attendance urged the Board to proceed with the remedy necessary to repair or remove the uninhabitable structure. Canary will contact the Township Solicitor to discuss legal action. An enforcement notice was sent to the property owner of **Lot 2, east side of Locust Grove Road** for Nuisance Ordinance issues. Jensen will meet with the owners of **1331 Lenape Road** to discuss demolition of the structure.

**6. Public Works Report:** Board accepted Public Works Report dated June 10, 2013 as submitted. Board discussed installation of signage for the tennis court parking lot.

#### **7. Old Business:**

**a. Founders Day Update** – Read reviewed the 2013 Founders Day Budget noting that the dunk tank was removed as an entertainment line item and an adjustment will be made by AAnchor for the portable toilet expense. Sponsor letters were submitted for mailing on June 11<sup>th</sup>. Board will sign invitation letters to elected officials on June 24<sup>th</sup>. A different entrance location will be identified for Radnor Hunt. Read will contact the Kennett Underground Railroad about a display table in the park. Brutscher will meet with Barnard House Steering Committee in July to discuss opening the Barnard House. Hayride transportation is confirmed but the stops for the hayride have not been confirmed. Board requested a Founders Day Committee update for the July and August agendas.

**Motion:** Canary moved, Brutscher seconded, to approve the 2013 Pocopson Founders Day Budget submitted by the Treasurer dated June 5, 2013, as revised; motion unanimously approved.

**b. Riverside/Toll Maintenance Bond** – Board approved Toll Brothers, Inc., request for an additional 30-day extension of the Riverside Maintenance Bond. The 30-day extension is provided to accommodate the replacement of landscape material and the resolution of the dewatering problem with the inlet that feeds infiltration bed 3C. Celeste Scozzafava, Riverside HOA President, clarified that Toll should contact the HOA before proceeding with

remediation work for Basin #1 as the Chester County Health Department and the HOA Engineer continue to monitor the dewatering issue.

**c. Bragg Hill Road** – Jensen will inspect area around the gates for potential violations of the Nuisance Ordinance. Public Works will tend to damage to signage.

**8. New Business:**

**a. Grant application for traffic light** – Board approved proceeding with the Automated Red Light Enforcement Transportation Grant Program application as a potential funding opportunity for a signal at the Route 52 and Pocopson Road intersection.

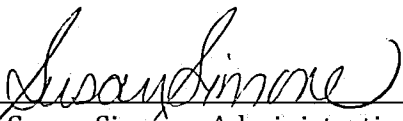
**b. Wawaset grade crossing** – Secretary directed to contact PennDOT for clarification regarding review of the plans for the grading crossing for North Wawaset Road.

**9. Correspondence: Motion:** Conary moved, Brutscher seconded, to approve signing the Stormwater Best Management Practices Operation and Maintenance Agreement for Parcel 63-4-1.8/Photopoulos as reviewed and recommended by the Township Engineer; motion unanimously approved.

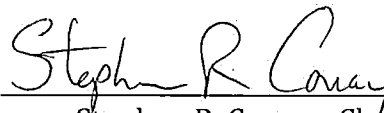
**10. Treasurer's Warrants:** Conary moved, Stumpo seconded, to approve the Bill Payment Lists for May 21 – June 10, 2013 recommended for payment by the Treasurer; **General Fund:** 20 bills paid totaling \$37,258.97; 8 debit card charges totaling \$497.39; **Escrow:** 1 bill paid for \$1,723.16; **Highway Aid:** 1 bill paid totaling \$26.60; **Parks, Recreation & Trails:** 1 bill paid for \$102.05; **Route 52 Intersections:** 1 bill paid for \$1,075.50; **Township Facilities:** 1 bill paid for \$627.59; motion unanimously approved.

**11. Approval of Meeting Minutes:** Brutscher moved, Stumpo seconded, to approve the Meeting Minutes dated May 20, 2013; motion unanimously approved.

**12. Adjournment:** At 9:00 P.M., Conary moved, Brutscher seconded, to adjourn the meeting; motion unanimously approved.



Susan Simone, Administrative Secretary



Stephen R. Conary, Chair