



Pocopson Township

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Board of Supervisors Meeting Minutes Monday, March 12, 2012, 7:30 P.M.

In attendance: Supervisors – Stephen R. Conary, Georgia F. Brutscher, Ricki Stumpo; Mark Knightly, Director, Public Works; Richard Jensen, Zoning and Code Enforcement Officer; Gary Summers, Chair and Suzy Breiseth, Vice Chair, Planning Commission; Alta Hoffman, Township Representative to Bayard Taylor Memorial Library.

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

2. Announcements: Board met with Melton Architects regarding preparation of the Barnard House bid packages. Conary and Secretary Susan Simone attended the Chester County Association of Township Officials Seminars on communication and finance on March 8th. Closing on the BVA Open Space was completed on March 8th. A Special Meeting of the Board of Supervisors will be held on March 15th to open sealed bids for the Locust Grove Schoolhouse Project. Agricultural Security Area Public Hearing will be held on March 26th. Lindvig Conditional Use Hearing was continued on the record to April 9th at 7:00 P.M.

3. Public Comment: Jerry Kreider of **503 Corinne Road** submitted photographs of standing water/puddling issues on his property adjacent to Corinne Road. Secretary is directed to forward the photos to the Township Engineer.

4. Public Works Report: Board reviewed and accepted the Public Works Report dated March 12, 2012 as submitted. Board noted that Vandemark & Lynch proposes a joint meeting with Birmingham and East Marlborough Townships regarding updated MS4 requirements to be adopted County-wide by September 14th. An amendment will be required for the Stormwater Management Ordinance. Knightly presented a revision to Southern Chester County Municipal Co-Op (“Co-Op”) bid for fuel.

Motion: Conary moved, Brutscher seconded, to accept Resolution 2012-15 authorizing the purchase in 2012 of fuel and heating oil from Superior Plus Energy, recognized as the low bidder identified in the February 24, 2012 Co-Op bid opening; motion unanimously approved.

5. Zoning/Code Enforcement Officer Report: No action required. Jensen reported that in his capacity as Emergency Management Coordinator, he met with a representative from the County Office of Emergency Management to learn the steps necessary to bring the Township’s Emergency Management Plan up to date.

6. Old Business:

a. Board Recommendation for Zoning Hearing Board Appeal 2012-1 – Summers submitted a Memorandum Opinion (“Memo”) dated March 12, 2012, to supplement the

Planning Commission Letter of Recommendation for Appeal 2012-1, dated February 23, 2012. The Memo includes data submitted by a number of animal experts and clarifies certain aspects of the keeping of alpacas on a parcel which is approximately 2.2 acres in size. Pertinent points are as follows: (1) contribution of the density of the herd to stormwater management conditions; (2) viability of planting a species of pasture grass that rapidly regenerates; (3) lack of adequate land for pasture rotation; (4) recommendation that breeding of alpacas be prohibited; and (5) a requirement for annual inspection of the property by the Township. Jensen suggested that if the Zoning Hearing Board grants the variance request that the variance should not run with the land. Stumpo suggested that given the response from the Applicant's veterinarian and lack of public complaints that the number of alpacas permitted on the property be 6. Summers and Breiseth noted that alpaca experts find 6 animals to be overly generous and that more than 5 would negatively impact the psychology of the herd.

Motion: Conary moved, Brutscher seconded, to recommend to the Zoning Hearing Board that no more than 4 or 5 alpacas be kept on the property, that breeding of alpacas is prohibited on the parcel, variances granted by the Zoning Hearing Board shall not run with the land, and an agreement be signed for manure management and annual inspections by the Township for compliance; motion unanimously approved.

b. Road Dedication for Osborne Circle – Board reviewed Resolution 2012-16 authorizing the acceptance of dedication of Overlook Circle. The Resolution is presented in accordance with PennDOT requirements for addition to the liquid fuels road inventory.

Motion: Conary moved, Brutscher seconded, to approve the adoption of Resolution 2012-16 authorizing the acceptance of dedication of certain roadways, rights-of-way and improvements in accordance with the Approved Subdivision Plan entitled Overlook Circle Cluster Development; motion unanimously approved.

7. New Business:

a. Struble Private Driveway – Robert Struble appeared before the Board for approval to amend a Private Driveway Agreement dated June 15, 1992, part of a 3-lot Approved Subdivision Plan. Struble seeks Board approval as required by the Agreement to shorten the portion of the driveway that is shared. Board agreed that the request should be submitted to the Planning Commission for a recommendation. Secretary is directed to list the request on the March 21st Commission agenda.

b. West Chester Public (WCP) Library and Bayard Taylor Memorial (BTM) Library – Hoffman reported that the BTM Library Board amended the population count for calculating the fair share financial contribution in accordance with the 2010 U.S. Census Data. Hoffman suggested and the Board agreed to reporting twice a year on BTM Board activities. Library Director Donna Murray provided an update on the library relocation project. Township contributions to the BTM are used for operating costs and not for the relocation project. A lengthy discussion ensued regarding establishing a formula for financial contributions on a regional basis. A fair share computation is difficult because current data supports usage on a broad basis. Brutscher voiced support for keeping the BTM in Kennett Square.

WCP Director Victoria E. Dow and Board President Howard Sundwall provided information on activities, increases in circulation, ebook circulation, multimedia available, and the 125th anniversary of the Library that will be celebrated in 2013. Both libraries are grateful for the financial support provided by the Township.

c. Sewage Ordinance Amendment – Canary discussed proposed change to the Ordinance. **Motion:** Canary moved, Brutscher seconded, to approve the proposed change to the standard billing unit to 262.5 gallons per day for District One and to resolve actual usage disagreements by metering for at least one year when the commercial or industrial operation has been fully operational; motion unanimously approved.

d. Parks, Recreation and Trails Committee – Board agreed to allocate matching funds for the grant applications under review by the PRT Committee. Secretary is directed to seek assistance from local elected officials on behalf of the PRT.

e. Building Code Revisions – Board reviewed and agreed to proceed with the proposal submitted by Jensen to draft a new section of Chapter 53 of the Township Code for compliance with the Uniform Construction Code.

8. Correspondence: Board discussed request for support for the Strategic Action Plan for the Brandywine Creek Greenway C2P2 Grant Application. A Professional Services Authorization dated March 12, 2012 was submitted by Vandemark & Lynch for the Barnard House bid proposal work. Board discussed the requests for extension for Closings on certain open space preservation parcels approved December 19, 2011, as well as the subject matter for Resolution 2012-10. Board discussed the Plot Plan dated March 8, 2012, prepared by Concord Land Planners & Surveyors, Inc., for the Bittle Property, Tax Parcel 63-3-5. Canary noted that the Board will seek the assistance of a volunteer to organize an event recognizing volunteers.

Motion: Canary moved, Brutscher seconded, to express support and enthusiasm for the Brandywine Creek Greenway Strategic Action Plan project and the County's application to the Department of Conservation and Natural Resources for a Community Conservation Partnership Program Grant; motion unanimously approved.

Motion: Brutscher moved, Canary seconded, to approve Vandemark & Lynch, Inc., Professional Services Authorization dated March 12, 2012, for Barnard House Civil Engineering and Site Planning Services; motion unanimously approved.

Motion: Canary moved, Brutscher seconded, that in accordance with Section 10 of the Easement Purchase Agreement for the Baily and the Bittle Parcels signed December 19, 2011, an extension is granted for the Closing Date to April 13, 2012; motion unanimously approved.

Motion: Canary moved, Brutscher seconded, to approve submission of the Bittle Property Plot Plan as a potential subdivision condition upon compliance with the Township Code; Stumpo abstain; motion approved.

9. Treasurer's Warrants: Brutscher moved, Stumpo seconded, to approve the Bill Payment Lists for February 28 – March 12, 2012 recommended for payment by the

Treasurer; General Fund: 21 bills paid totaling \$26,525.83; 5 debit card charges totaling \$644.10; Highway Aid Fund: 1 bill paid for \$25.84; Open Space Loan: 5 bills paid for \$903,507.70; Road Improvement Fund: 1 bill paid for \$131.92; motion unanimously approved.

10. Approval of February 27, 2012 Minutes: Brutscher moved, Conary seconded, to approve the Meeting Minutes dated February 27, 2012 as reviewed; motion unanimously approved.

11. Adjournment: At 9:05 P.M., Conary moved, Brutscher seconded, to adjourn the meeting; motion unanimously approved.

Susan Simone, Administrative Secretary

Georgia F. Brutscher, Vice Chair