

PUBLIC MEETING
June 2, 2009

Chairman Dominic A. Pileggi called to order the public meeting of the Concord Township Board of Supervisors at 7:00 p.m. on June 2, 2009 at the Township building, Concord Township. In attendance were the following: Colleen P. Morrone, Dominic J. Cappelli, Jr., John J. Gillespie, Kevin O'Donoghue, Robert J. Willert, Brenda L. Lamanna, Nathan Cline, and Hugh A. Donaghue.

BOARD OF SUPERVISORS APPROVAL

The Board's May 5, 2009 public meeting minutes were approved unanimously on a motion by D. Cappelli, seconded by K. O'Donoghue.

D. Cappelli moved to approve total expenditures for May of \$942,011.14, including the May payroll of \$137,144.55 and current bills totaling \$804,866.59. The motion was seconded by C. Morrone and unanimously adopted by the Board.

RECOGNITION

Resolution No. 35-2009 was unanimously adopted on a motion by J. Gillespie, seconded by D. Cappelli. **Matthew Lista** was congratulated on being a recipient of the township's 2009 Scholarship Award.

On a motion by C. Morrone, seconded by K. O'Donoghue, the Board unanimously voted to adopt **Resolution No. 36-2009** recognizing **Justin J. Sigda** for being a recipient of the township's 2009 Scholarship Award.

MONTHLY ACTIVITY REPORTS

The following presented their monthly reports for May:

T. Greene	Pennsylvania State Police
Mary Ann Chew*	Sewer Authority
Manos Kavadias*	Code Enforcement Officer/Zoning Officer
Hugh Donaghue	Solicitor
Steve Miller*	Planning Commission
Silva Small/John Gillespie	Senior Citizens
Nate Cline	Township Engineer
Bob Willert	Township Manager

All asterisked reports have been made a part of the minutes.

T. Greene presented the PSP report for the month. K. O'Donoghue mentioned that at the May meeting the question came up about the false alarms and repeat offenders. T. Greene advised that there is now a law which the PSP enforces.

Fred Field was not in attendance to present the Fire Company/Fire Marshal/Emergency Management report; however, his report is attached as part of these minutes.

H. Donaghue advised that the dedication of (south) Evergreen Drive was in the process according to Brandolini attorney, John Jaros. Mr. Jaros has asked that the setbacks be modified. Mr. Donaghue strongly recommends that the Board consider this. Due to the problems with speeding along the loop road, he advised that we may want to consider doing the same with Brinton Land Development. Chairman Pileggi explained that since the roadways are private, the PSP cannot enforce traffic violations. He noted that although the road would be dedicated to the township, landscaping and lighting maintenance would be the responsibility of the property owner.

With respect to the proposed **traffic calming ordinance**, Mr. Donaghue suggested that it be amended to require 90% of residents to sign off and the requirement for analysis by the traffic engineer be deleted. On a motion by C. Morrone, and seconded by K. O'Donoghue, the Board unanimously voted to **authorize advertisement** of the ordinance. The Board also authorized Hugh to proceed with the dedication of (south) Evergreen Drive.

In Allison's absence, B. Willert reported on the upcoming June 11 Movie "Hotel for Dogs".

S. Small reported that the Seniors had also awarded a scholarship; however, she was not going to reveal the name. J. Gillespie announced a web site to report lost dogs, flu shots would be available at the October 12 Senior Citizen Expo, and that the Senior Games will be held June 15 -19.

N. Cline reported that the 2009 Road Program contract documents are ready for signature. It is anticipated that work will begin within two weeks on traffic calming on Temple Road and re-paving of Trimble Road. He has prepared a sketch of access from Clayton Park Drive to Featherbed Road and will be available after the meeting to discuss with interested residents.

D. Pileggi advised that Concord, Bethel and Upper Chichester townships have written support letters to Congressman Sestak regarding the addition of the Route 322 improvement to the stimulus package and suggested that anyone interested contact Sestak's office.

B. Willert reported on

- Chester-Ridley-Crum Watersheds Rain Garden seminars on June 3 and June 7
- Recycling grant received in the amount of \$21,704 and thanked Barbara Buchanan and Brenda for the great job they do with the recycling program.

PUBLIC FORUM

Rufus Miley of 22 Leopard Run asked for the Board's support for keeping the Brandywine Battlefield open. It is historically significant to the area. John Gillespie made a motion, seconded by C. Morrone, to write a letter of support for future funding for the battlefield.

Mr. Miley also commented on the unsightly corners at Spring Valley and South Brinton Lake Road. N. Cline concurred and indicated that some remediation may be done to treat the edges better.

Erin Bradley (86 Colonial Circle) had comments relating to the Costco and was asked to hold them until "New Business"

Richard McCloskey (802 Concord Road) thanked the Board of Supervisors for the good job on cleaning up 804 Concord Road (Aiello).

Ed Nolan (24 Green Creek) reported that the demolition of 5 Green Creek went fairly well, but noted that 11 Green Creek is getting stripped.

Patricia Tuggle (72 Schoolhouse Lane) read her May 17 e-mail to the township manager regarding a safety incident. David Cleary of the same address inquired as to the driveway expansion and sidewalk extension. They are concerned as to this big safety issue. R. Willert stated that the stop work order applied to construction only. M. Kavadias noted that the extension of the drive had not taken place yet. The Solicitor advised that while the Cleary's have counsel, any questions to the township should come through their attorney. Steve Sherer (One Christopher Drive) inquired as to why the stop work order was lifted. The Solicitor advised that there was no longer a violation; a survey was performed by G. D. Houtman Inc. and any questions were answered. Mr. Sherer asked if there would be changes to the code. Mr. Cappelli advised that an ordinance was pending; however, it does not change this situation. Dave Montgomery (7 Mary Court) asked if there was a pending decision for a zoning change for operation of a commercial business. The Chairman advised, and the Secretary concurred, that there was nothing of that nature pending before the township. If a request were to be made, it would be subject to public comment; spot zoning is not permitted.

Vince Citarelli (3 High Hill Lane) had to leave but on behalf of the HOA, his neighbors were opposed to the big box store, Costco, and a petition would be submitted.

OLD BUSINESS

No old business was reviewed or discussed.

NEW BUSINESS

On a motion by J. Gillespie, seconded by K. O'Donoghue, the Board unanimously voted to **authorize advertisement of an accessory building ordinance**. A draft is available for review at the township.

D. Cappelli motioned, and C. Morrone seconded, and the Board unanimously voted to accept the **extension** for review of the **demolition application at 711 Concord Road**. A Historic Resource Study is to be submitted.

On a motion by J. Gillespie, seconded by D. Cappelli, the Board unanimously voted to **approve** the following **Progress Draw Applications**:

No. 14: Pancoast & Clifford, Inc. (GC-9)	\$95,736.47
No. 15: Lenni Electric (E-9)	\$44,262.45
Cook's Service Company (M-6)	\$12,150.00

Resolution No. 37-2009 **Brinton Lake VII-A Preliminary** Land Development: Fred Weitzmann and Jeff Haas of Wynnewood Development and W. Reardon of Bohler Engineering were in attendance. J. Borden presented the Planning Commission's review and recommendation for approval. Mr. Haas had reviewed a draft of the resolution and noted that item 6 relating to dedication of Evergreen and Franklin was not a condition of the Planning Commission recommendation and was brought up at a plan review

meeting by Mr. Pileggi, to be addressed at a future time. The applicant is willing to discuss potential, but objects to giving blanket approval within the resolution. Mr. Weitzman didn't feel it appropriate to be included in the resolution, citing counsel representation and mortgage rights. Mr. Donaghue noted the issues with enforcement, and the Board feels it is important to public safety and welfare to have the State Police have the ability to enforce travel on these roadways. After much discussion, and a five-minute recess, the Solicitor suggested that the Board would approve the plan as preliminary without granting a waiver from Section 160-9-H. It was his recommendation that the waiver be denied and item 6 be re-worded.

N. Cline noted that stormwater issues had been resolved with some modifications. A traffic study had just been received on Friday and is within the general scope of the master plan. This will be relooked at when future phases are reviewed.

Many area residents, including Erin Bradley (86 Colonial Circle), Bette Popiel (7 Patriot Lane), Jeremy Gate, and Pat Watson of Brinton Lake and Fox Lair, Denny Waldman (93 Thornton Road), Susan Parks (35 Colonial Circle), Joe Sgro, Thornbury Township Supervisor, Barbara Pleibel (130 Mill Rd), and Mike McHugh (64 Mill Road) expressed concerns regarding the initial submission which included plans for a Costco. Mr. Pileggi noted that the plan had been phased, and the plan currently on the table was Phase VIIA which included only an office and medical building. The resolution called for removal of Phase VIIB from the final Phase VIIA plan. The concerns discussed were traffic, possibility of implied approval of Phase B, firefighter response time, light pollution, and noise. There being no further discussion by either the Board or the public, **Resolution 37-2009** granted preliminary plan **approval** to Phase VIIA only, was unanimously approved on a motion by J. Gillespie, seconded by C. Morrone.

Resolution No. 38-2009 **Advantage - 58 Lacrue Prel/Final** Land Development plan: Jamie Panetta (applicant) and Chuck Dobson of InLand Design LLC, were in attendance. The Planning Commission project manager, John Heyburn, gave an overview of the Commission's review and recommendation. A letter had been received today from Thomas Comitta reviewing architectural elevations. Mr. Panetta's engineer questioned condition #5. It was his understanding that no tractor trailers were to be parked at the front of the property; however, some may have to remain overnight for off loading. He indicated that overnight parking would be at the loading dock or in the small area indicated in the plan. Mr. Heyburn indicated that this was brought up at the Planning Commission meeting; there are 11 loading docks. In response to Bette Popiel's question regarding the type of recycling plant, Mr. Panetta responded that it was not waste hauling, no post consumer recycling. For example, they would purchase scraps from a manufacturer of plastic utensils and repackaging. Ms. Popiel indicated that only Conchester Road should be used, and the Board added this as an item to the resolution. Ms. Pleibel asked about noise at night - processing and unloading trucks. Mr. Panetta responded that his facility is presently located in a residential area and there have been no noise issues. There being no further discussion by either the Board or the public, **Resolution No. 38-2009** was unanimously **approved** on a motion by K. O'Donoghue, seconded by D. Cappelli.

Resolution No. 39-2009 **Bank of America Prel/Final** Land Development: William Clinger (applicant) and Mark Damico, Esquire were in attendance. J. Heyburn presented the Planning Commission's review and recommendation. It was noted that barn materials were being stored for use in Mr. Clinger's restaurant Pace One. Item 9 of the resolution was discussed. Northbound Brinton Lake will become two left-turn lanes with appropriate striping, signage and signal head. Mr. Damico noted that a sketch delineating the crosswalks will be submitted and the design finalized with the township engineer. There being no further discussion by either the Board or the public, **Resolution 39-2009** was unanimously **approved** on a motion by D. Cappelli, seconded by C. Morrone.

No new subdivision/land development applications were received for review.

OTHER BOARD MATTERS

The Chairman announced that the board would hold its first outdoor meeting in August at the courtyard in the Concordville Town Centre.

ADJOURNMENT

With no additional business to conduct, C. Morrone made a motion that the June 2, 2009 public meeting be adjourned at 8:55 p.m. The motion was seconded by D. Cappelli and approved by unanimous vote of the Board.

Respectfully submitted,

Brenda L. Lamanna, Township Secretary



Matthew Lista 2009 Scholarship Award