

# EAST MARLBOROUGH TOWNSHIP BOARD OF SUPERVISORS

## **Meeting of the Board – March 5, 2007**

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Chairman Cuyler H. Walker called the public meeting to order at 7:30 p.m. in the Township Building with a pledge of allegiance. Board members Robert F. Weer, Eddie G. Caudill, and Richard E. Hicks were also present, as were engineers James A. Hatfield of VanDemark and Lynch and Mark Prouty of URS Corporation.

### **Public Comment Period.**

**Dianne Therry**, this year's chair of the American Cancer Society's Relay for Life spoke about the event, scheduled for May 11-12, 2007 at Unionville High School. She invites participation.

**Robert F. Weer** spoke about: a) the need for a painted crosswalk and signage on Route 82 at the URA ballfields. Mr. Caudill said that the implementation could be complete prior to the opening of the spring season, b) the status for the third voting district for East Marlborough; he said it should be accomplished prior to the presidential election of 2008, and c) the proposal from the school district for a referendum on an earned income tax.

**Crosswalk:** By unanimous vote (4-0), the Board agreed to install the crosswalk on Route 82 near the URA ballfields and requisite signage as soon as possible.

**St. Michael Lutheran Church – Request for Delay in Installing Sidewalks.** Mr. Langer, representing the church, requested that the sidewalks be installed within six months of the time that the Township gives written notice of the need. By unanimous vote (4-0), the Board agreed to the delay.

### **Escrow Releases.**

- A) Stengel Welding.** By unanimous vote (4-0), the Board approved the release of \$11,827.05 of escrowed funds.
- B) Beiler-Campbell –** By unanimous vote (4-0), the Board approved the release of \$64,500 of escrowed funds.

**Certificate of Appropriateness.** By unanimous vote (4-0), the Board accepted the recommendation of the HARB and granted the Certificate for John Provinski of 35 Buffington Street, for an addition to his barn.

**URA Ballfields –** Jeff Fries spoke about proposed improvements for this season. 1) Eagle Scout candidate Kasey Steward proposes to install walkway and viewing patio of paving stones for handicap accessibility. 2) The URA Board proposes to provide a 20x25 pavilion for picnic tables, new scoreboards, two new equipment storage sheds ( 6X8 and 14X20). 3) Mr. Fries then requested a) regulations/enforcement of controls for dog

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waste. The Township will consult with legal counsel for need for legislation for controlling dog waste, and b) more receptacles for trash disposal.

**Gemmill need for Sewer Lines – Pennock Avenue.** The sanitary line associated with the Wawa project does not have a definite installation date at this time.

**Act 537 – Sewage Facilities Plan.** Mark Prouty of URS talked about the DEP approval of the amended plan, providing for public sewer facilities in the L.I. District and in the area of Route 82 South (Marlbrooke, Cedarcroft, Ridgecote, Willowgreen). The DEP approval is contingent on a Township-wide Sewage Management Ordinance, requiring periodic pumping of all on-site systems. URS is currently working on the design of the system, while continuing to monitor infiltration and inflow problems as well as high flows coming from the school district. Supervisor Caudill suggested that we look for additional land to protect from any possible overflow problems in the future.

**Kennett Chevrolet.** Bryan Kulakowsky of D.L. Howell represented the request for waiver from the shadow analysis and approval of the building design and materials. John Penny, the architect for the plan, showed drawings of the proposed design. Board members expressed concern about the amount of glass and requested that there be a masonry base of 18” – 2’ to break up the expanse of glass. Supervisors decided to look at the building behind the Hilton Hotel to get an idea of the amount of masonry preferred. By unanimous vote (4-0), the Board approved the waiver for the shadow analysis and deferred action on the architectural until the April 2, 2007 Board meeting. Action on the Preliminary Plan was deferred, pending Kennett Township response to the plan.

**Glenelg – Lot Consolidation Plan.** Rob Pearson represented the request for a modification to the Subdivision Plan, showing lots 22 and 24 conjoined, with a request for a variance for the side-yard setback distance for the existing barn on lot 22. It was agreed that the landscaping buffer, which is a part of the Agreement of Sale, be incorporated into the notes on the Subdivision Plan. Additionally, the applicant will seek review and approval from the Township Solicitor for amendments to the Homeowners’ Documents. The Supervisors agreed to support the request for a variance before the Zoning Hearing Board for a reduced side-yard set back for the existing barn. The plan will be reviewed again on April 2, 2007, following the Hearing before the Zoning Board on March 14, 2007.

**Barnsley- Auman Veterinary Center on Mill Road.** Jim Fritch of Register Associates represented the land development plan. By unanimous vote (3-0, with Mr. Hicks abstaining) the Board approved the Final plan, subject to all of the conditions cited in the VanDemark & Lynch review letter of February 26, 2007. Mr. Caudill agreed to video Mill Road, to show existing conditions, in the event that there is a question of whether any damage results from hauling soil from the site during construction.

**Complaints about Two Properties in Unionville.** Ms. Beers wrote, requesting Township intervention in correcting two blights in the Township:

- a) Property owned by Lievens Estate. The Township will contact the representatives of the Estate to request that the clutter be removed and the property cleaned up.
- b) Property owned by Unionville Land, former hotel on Rt. 82 at Wollaston. The exterior of the building has been torn off in an apparent renovation project, but has been left in an incomplete and exposed state. The Supervisors agreed to get the Township Solicitor involved in notifying the property owner of obligations under the Zoning Ordinance to preserve the building, because it is on the National Register of Historic Places. Terms of the Zoning Ordinance, Section 2413.E may be invoked to prohibit demolition by neglect.

**Properties on Pennock Avenue.** Supervisor Rich Hicks asked about buildings on Pennock, purchased by Phillips Mushroom, which are in a deteriorated state. It was understood that those buildings will be demolished after Longwood Fire Company has used them for training purposes.

**Resolution 07-03- Membership on the Zoning Hearing Board.** By unanimous vote (4-0), the Board approved the resolution confirming the membership of the Zoning Hearing Board.

**Resolution 07-09 – Amending the Sewer Tap Fee.** By unanimous vote (4-0), the Board approved the resolution establishing the tap fee at \$8,000, an increase of \$2,000 above the earlier rate.

**Bills.** By unanimous vote (4-0), the Board approved the attached list of invoices for payment, with each supervisors abstaining on any single item with a perceived conflict of interest. The totals are:

General Fund	\$95,583.29
Payroll	\$57,341.85
Sewer District	\$27,292.82
Development Fund	\$15,959.79

**Treasurer’s Report.** By unanimous vote (4-0), the Board accepted the attached report.

The public meeting was adjourned at 9:21, at which point the supervisors went into executive session to discuss legal issues and land acquisition.

EAST MARLBOROUGH TOWNSHIP

Jane R. Laslo, Manager/Secretary

