

EAST MARLBOROUGH TOWNSHIP BOARD OF SUPERVISORS

Meeting of the Board – August 6, 2007

Ordinance 07-04 – Authorizing the Demolition of an Unsafe Structure. Chairman Cuyler H. Walker called the public hearing to order at 7:15 p.m. to consider Ordinance 07-4. Mr. and Mrs. Baruch, spoke in favor of the ordinance. By unanimous vote (5-0), the Supervisors adopted Ordinance 07-04.

Public Meeting. Chairman Cuyler H. Walker called the meeting to order at 7:30 p.m. in the Township Building, following a brief executive session with Solicitor Fronefield Crawford to discuss a legal matter. Mr. Walker invited the audience to join in the Pledge of allegiance. Board members Richard P.S. Hannum, Robert F. Weer, Eddie G. Caudill, and Richard E. Hicks were also present.

Mr. Walker announced that the Board would be holding a public meeting at 7:30 p.m. on August 20, 2007 to receive input on sewer needs for that area on Street and Doe Run Roads, near the intersection of Northbrook, Street, and Doe Run Roads.

Minutes of July 2, 2007. Mr. Weer noted that the entry on the Stabley deck in Traditions should be corrected to reflect that the Board granted approval for deck footers to be placed 9.5 feet from the house. By unanimous vote (4-0, with Mr. Caudill abstaining) the minutes were approved as corrected.

Public Comment Period.

Allan Crittenden, a property owner on Wollaston Road, asked about the possibility of completing a subdivision of a 13-acre tract that was introduced years ago and never completed. He was told that intervening zoning would prohibit the subdivision of his parcel.

Belrose Escrow Release – Phase I. Doug Knox was present, requesting the releases. By unanimous vote (5-0), the Supervisors agreed to release #6 totaling \$71,603.19, subject to confirmation from Jim Hatfield that the landscaping release was not a duplicate of the Phase II landscape release.

Belrose – Phase II. By unanimous vote (5-0), the Supervisors approved the release of \$8,600.

Wawa Escrow Release. Sue Bratton was present for Wawa, requesting a reduction in the Performance Bond, in the amount of \$586,754. Ms. Bratton also requested that escrow in the amount of \$156,875, posted for the five single-family dwellings, be released, since Wawa posted the funds in error. Ms. Bratton gave Mr. Crawford a copy of a Memorandum of Agreement, providing that the escrow for the five lots be posted prior to the sale of the lots. By unanimous vote (5-0), the Board approved reduction

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(release) of \$656,985 for Wawa, as well as the release/reduction of \$156,875, pending Mr. Crawford's review of the details of the Memorandum of Agreement.

Bruster's Ice Cream Land Development. Mark Mullin represented the request for release #1 in the amount of \$124,593. The release was approved by unanimous (5-0) vote.

Kennett Country Club. By a vote of 3-2, (with Messrs. Weer and Caudill opposed) the Board approved the release of \$297,620.

Deer Creek Crossing – Request to re-draw Property Line. Mr. DeSaro requested interpretation of a plan notation prohibiting subdivision of a lot in Deer Creek Crossing. Mr. DeSaro's son wants to purchase a portion of land from his neighbor, whose property is prohibited from further subdivision. Since the portion of land will be subtracted from one property and added to the other, no new lots will be created. Mr. DeSaro was told that the notation would not prohibit the lot re-alignment he is seeking.

Grace Fellowship Church – Conditional Use Order. Chairman Walker read each of the ten conditions of the prepared order and each, except #6, was approved by unanimous vote (4-0, with Mr. Hannum abstaining) :

- #1- Providing for a maximum of 9,000 square feet of building space on a single floor was approved,
- #2 – providing that the site plan would be in accordance with the plans submitted by DL Howell,
- #3 – requiring a total of 69 parking spaces,
- #4 – providing for acquisition of 50' strip of land accessing onto Rt. 842,
- #5 – requiring compliance with all subdivision and land development standards, including detailed landscaping and lighting plans,
- #6 requiring assignable right-of-way to access the property owned by the Unionville-Chadds Ford School District, approved by vote of 5-0,
- #7 – requiring relocation, in accordance with ethical standards, of any human remains that may exist on the property, since the site was once a cemetery,
- #8 – providing for posting of financial guarantee for on-site improvements,
- #9 - providing for modifications to the order that are mutually acceptable to both parties, without the need to re-open the proceedings, and
- #10 – requiring reimbursement of Township Consultants' review fees.

In a separate vote, the Board unanimously (4-0, with Mr. Hannum abstaining) approved the full Order, as amended.

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Cellular Tower Proposed for URA Fields in Unionville. Brian Laslo, representing SBA Network Services, showed photos of proposed tower location and view from other sites in the surrounding area. Mr. Laslo said that in similar locations elsewhere in the State, the Historical Commission has required something other than a standard tower within Historic Districts; he proposed either a flag pole or a tree pole. The Supervisors suggested that he meet with the Unionville HARB Board to determine their preference.

Bills. By unanimous vote (5-0), with each supervisors abstaining on any item with a perceived conflict, the Board approved payment of the attached list of invoices, with the following totals:

General Fund	\$46,429.43
Payroll	\$50,921.60
Sewer Fund	\$16,553.40

Treasurer's Report. By unanimous vote (5-0), the Board accepted the attached report, as prepared.

The Board went into executive session to discuss a pending legal matter before the Zoning Hearing Board.

Willowdale Chapel Stipulation. The Board voted (4-1, with Mr. Weer opposed) to the proposed stipulation for driveway access to Willowdale Chapel.

The meeting was adjourned at 9:15 p.m.

EAST MARLBOROUGH TOWNSHIP

Jane R. Laslo, Manager/Secretary