

EAST MARLBOROUGH TOWNSHIP

BOARD OF SUPERVISORS

Meeting of the Board – February 6, 2012

Chairman Walker called the public meeting to order at 7 p.m. in the Township Building by leading the group in the Pledge of Allegiance. Board members Richard P.S. Hannum, Robert F. Weer, and Richard E. Hicks were also present, as were Solicitor Fronefield Crawford, Jr., and Engineer James A. Hatfield.

Public Comment Period.

Paul Dittmer had some questions about the Conditional Use Order for his property on Route One. Specifically, he asked: a) whether ADA compliance must be achieved prior to his opening his office, b) would a future expansion require re-opening of the Conditional Use hearing, and c) what costs did he owe the Township for hearing expenses?

Minutes of January 3, 2012. By unanimous vote (4-0), the Board approved the minutes as prepared.

Report of the Bayard Taylor Library Board. Bill Landmesser, East Marlborough Representative and Donna Murray, Librarian, were present to discuss the annual report for the library. The Supervisors thanked Mr. Landmesser and Ms. Ramsey, the other East Marlborough representative, for their dedication to Library service.

Mr. Dambro's Request to Stockpile Soil on his six-plus acre site in WMU. Jake Diem of Register Associates spoke on behalf of Mr. Dambro. The Board had last month questioned the composition of the materials to be used as the base for the proposed temporary access drive for delivering soil from Route 82 adjacent to the southern border of Mr. Dambro's property. Mr. Dambro agreed that he would not use slag, but would use 2A modified stone. Mr. Fenza, a property owner in Unionville, spoke about the need to protect the local streams, sensitivity of the site, and preservation of trees, buffers, and view sheds. Mr. Weer questioned the sight distance to the North for vehicles exiting the access drive.

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The possibility of using the temporary access drive as a permanent emergency access to Mr. Dambro's property was discussed. While Mr. Diem said this would be feasible, it was acknowledged that this would require the approval of both the landowner (Mr. Pratt) and the Board of Supervisors, and that no such approval was being requested or granted at this meeting. By unanimous vote (4-0), the Supervisors conditioned any approval of the stockpiling of soil on Mr. Dambro's property on the condition that no slag be used for the construction of the access road. In a second vote of 3-1, with Mr. Hicks opposed, the Board granted approval for the stockpiling of soil on Mr. Dambro's property, provided that: a) the Township engineer, at Mr. Dambro's expense, monitor the site for compliance with the erosion and storm water management plan, b) the stockpiled materials include nothing other than clean fill, c) no trees be removed and there be protection of the integrity of the existing trees, including , without limitation, by leaving the drip lines of the trees undisturbed and free of any fill, and d) the temporary access road to Mr. Dambro's property be removed if requested by the Supervisors of East Marlborough.

Mr. Sinclair, the neighbor to the East of the Dambro site, expressed concern that development of Mr. Dambro's property could result in additional runoff into and erosion of the stream which crosses his property. He invited Board members to visit the site.

Weisbrod Property on Mill Road. The sketch plan was represented by Ed Weisbrod and Planner, Wayne Grafton. The three-hundred acre farm is located between Mill and Byrd Roads, and is in the Agriculture Preservation District, which provides for minimum lot sizes of 20 acres. Because of site constraints and sensitive environmental and historic resources —rookery, abandoned quarry, steep slopes, and streams; the applicant requested that the Supervisors consider a plan for the property that would be less intense than a by-right plan but would require an adaptation of the AP Zoning, to permit that the minimum lot size be 10 acres, with an average of 20 or more acres per lot. This would allow for larger lots to preserve the sensitive areas. Their proposal for the average lot size would apply only to parcels of 250-plus acres. Messrs. Grafton and Weisbrod agreed to supply additional copies of the sketch plan for the supervisors to review.

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Longwood Fireworks. By unanimous vote (4-0), the Board approved fireworks displays at Longwood Gardens on the following dates, with rain dates in parenthesis:

Saturday, May 26 at 9:15 p.m. (May 27, May 28)
Tuesday, July 3 at 9:15 p.m. (July 4, July 5)
Saturday, July 21 at 9:15 p.m. (July 22, July 23)
Saturday, August 11 at 9:15 p.m. (August 12, August 13)
Saturday September 1 at 8:15 p.m. (September 2, and September 3)
Saturday September 29 at 7:15 p.m. (September 30. October 1)
Saturday, December 31 (New Year’s Eve) at 6 p.m. – no rain date

Resolution 2012-07 – Building Fee Schedule. By unanimous vote (4-0), the Board approved the resolution revising the fee schedule for building permits.

Road Equipment Needs. Mr. Weer had met with the new Roadmaster, Dennis Mellinger, who requested that we purchase a used power-angle plow from Kennett Township for \$1,000, with an additional allocation of \$500 to retrofit the plow. By unanimous vote (4-0), the Board approved the purchase.

New Vehicles. Mr. Mellinger had also requested the purchase/replacement of two trucks, one for the road crew, for approximately \$40,845, and the other for the Sewer Department for approximately \$43,000, including a utility box. By unanimous vote (4-0), the Board approved the request.

Bills. By unanimous vote (4-0), with each supervisor abstaining on a single item with a perceived conflict of interest, the Board approved the payment of the attached list of invoices, with the following totals:

General Fund	\$229,938.60
Payroll	\$ 44,343.82
Sewer Fund	\$ 46,252.75
Development Fund	\$ 13,765.88

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

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Sears Hardware. The proposed buyer of the center containing the Sears Hardware has requested approval to change the retail store, in the future, should he want to do so. The Supervisors noted that the testimony in the original Conditional Use hearing was quite specific to a hardware store; they suggest that changes in the nature of the retail center be brought to the Board in a hearing format.

The public meeting was adjourned at 9:27 p.m. at which point the supervisors went into executive session to discuss personnel matters.

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Jane R. Laslo, Manager/Secretary