

## MINUTES FROM APRIL 4, 2017

The regular monthly meeting of the Valley Township Board of Supervisors was held on Tuesday, April 4, 2017, at 7:30 p.m. at the Township Building, 890 West Lincoln Highway, Coatesville, PA.

The meeting was called to order by Chairwoman Patrice Proctor at 7:59 p.m. Those in attendance were Supervisors Christopher Lehenky, Kathy O'Doherty, and Patrice Proctor. Supervisor Joe Sciandra was absent. Also in attendance were Ed Rasiul of Pennoni Associates, Inc. (Township Engineer) and Alan J. Jarvis (Township Solicitor). An executive session was held at 6:30 p.m. prior to the meeting to discuss personnel issues and items on the agenda. Ms. Proctor stated that there was a Special Meeting of the Vacancy Board at 7:00 p.m. where the Vacancy Board recommended that the Vacancy Board Chair petition the Court of Common Pleas to appoint Eric Lama to the vacant supervisor seat. The Board returned to Executive Session following the Special Meeting.

### **CITIZEN COMMENTS ON AGENDA ITEMS:**

None

### **BOARD GENERAL COMMENTS:**

Ms. Proctor announced that the annual Easter Egg Hunt would be held on April 14<sup>th</sup> at 3:00 p.m. at Rainbow Elementary School. Volunteers are welcome around noon to hide the 3,000 eggs. The annual Shredding and eWaste event will be held on Saturday, April 8 from 9:00 a.m. to noon at the Kmart Shopping Center. Ms. Proctor also advised that the Spring Newsletter had just been mailed.

Ms. Proctor wished to acknowledge the Board of Supervisors' appreciation to Abby Garzia in her role as Vacancy Board Chair.

### **APPROVAL OF MINUTES:**

**Ms. O'Doherty made a motion to accept the minutes of the March 22, 2017 meeting as presented. Mr. Lehenky seconded the motion.** Question: Mr. Lehenky – yes; Ms. O'Doherty – yes; Ms. Proctor – yes.

### **CITIZEN COMMENTS:**

None

### **SOLICITOR'S REPORT:**

- Mr. Jarvis reported that he forwarded correspondence to Alyson Zarro regarding the anticipation of dedication from Orleans for Hillview as well as a summary of the

outstanding professional fees. He hand-delivered the backup documents relative to the professional fees to her office on March 23, 2017.

- Mr. Jarvis reported that he recorded the Brownback and Morresi grinder pump agreements.
- Mr. Jarvis reported that he drafted an ordinance amending the Solid Waste Ordinance. He noted a successful meeting with Kris Lenhart. There was a provision added to the ordinance amendment stating that containers need to be set out no later than 5:00 am the day of collection. He asked the Board if they wished to establish provisions as to the earliest the containers could be set out and what time they would need to be taken back in. The Board agreed that containers should not be set out prior to 2:00 p.m. the day prior to collection and should be taken back in by 7:00 p.m. the day of collection. Mr. Jarvis stated that he would advertise for the Board's consideration at their April 18, 2017 meeting.

**ENGINEER'S REPORT:**

Mr. Rasiul read and submitted the engineer's report which is on file at the Township Office.

**PLANNING COMMISSION REPORT:**

Dave Porter, Planning Commission Chairman, reported on the Planning Commission's meeting of March 22, which had been rescheduled from March 14, 2017, due to weather.

Mr. Porter stated that the Commission reviewed the Valley Township Municipal Building Land Development Plan submission. The Planning Commission recommended approval of waivers as requested. There was discussion regarding the sidewalk along Route 30 and stated that they believed the Township could wait to install these when the Valley Suburban development would be built. The Planning Commission recommended two additional light standards – one at the entrance to the complex off Route 30 and one near the Stoltzfus House. The Planning Commission recommended that the Plan conform to Valley Township's stormwater ordinance and approval by the Board of Supervisors be contingent upon receiving all third-party approvals, remaining issues addressed in Pennoni's review letter of January 10, 2017, and impervious surface at the West access.

Mr. Porter reported that the Commission reviewed the Lynn McKalvey subdivision and recommended approval of all waivers and reverse subdivision approval. He stated that the Commission was requested to review the sewer module for DaVita but the module and appropriate forms were not submitted and therefore no action was taken.

Mr. Porter advised the Board of Supervisors that he has a contingent offer on a house and that his family could be moving by the end of May if all goes through and therefore would no longer be a resident of Valley Township. He would need to resign from the Planning Commission and Environmental Advisory Council. He thanked the Board of Supervisors for their support over the years and for allowing him to attend the annual PSATS conference. He stated that he would suggest that the Planning Commission Vice Chair take his place this year.

**OLD BUSINESS:**

Discussion/Consideration to approve waivers for the Valley Township Building Land Development Plan – The Board reviewed the latest review letter issued by Pennoni Associates for the Valley Township Municipal Complex dated April 4, 2017. Also in attendance was Adam Brower, P.E., of E.B. Walsh Associates, the design engineer assigned to the project. It was noted that approval has been obtained by the Chester County Conservation District for erosion and sediment and it is anticipated that the NPDES permit and the PennDOT Highway Occupancy Permit should be obtained within the next two weeks.

Mr. Brower added that the sidewalk along Business Route 30 has been added to the drawings. Ms. O’Doherty stated that her eMail to add the sidewalks following the March 2, 2017 meeting was for the sidewalks within the complex. After discussion, **Ms. O’Doherty made a motion to not include the sidewalk along Business Route 30 during construction, but that this sidewalk be constructed by the Township when it can tie in to an adjoining sidewalk. Mr. Lehenky seconded the motion.** Question: Mr. Lehenky – yes; Ms. O’Doherty – yes; Ms. Proctor – no.

The Board reviewed the waivers being presented as follows:

**Ms. O’Doherty made a motion to waive §306.2 of the Valley Township Subdivision and Land Development Plan (VT SLDO) to allow submission of the Preliminary and Final Plans concurrently. Mr. Lehenky seconded the motion.** Question: Mr. Lehenky – yes; Ms. O’Doherty – yes; Ms. Proctor – yes.

**Ms. O’Doherty made a motion to waive §604.11 of the VT SLDO requiring curbing be provided on all new access drives and public streets located within the land development. Mr. Lehenky seconded the motion.** Question: Mr. Lehenky – yes; Ms. O’Doherty – yes; Ms. Proctor – yes.

**Ms. O’Doherty made a motion to waive §604.11 of the VT SLDO requiring curbing be provided on all parking lot compounds located within the land development. Mr. Lehenky seconded the motion.** Question: Mr. Lehenky – yes; Ms. O’Doherty – yes; Ms. Proctor – yes.

**Ms. O’Doherty made a motion to waive §604.18(A) of the VT SLDO requiring access drive minimum cart way width shall be 24 feet with regards to the one-way road. Mr. Lehenky seconded the motion.** Question: Mr. Lehenky – yes; Ms. O’Doherty – yes; Ms. Proctor – yes.

**Ms. O’Doherty made a motion to waive §602.9(C) of the VT SLDO requiring the minimum horizontal curve radius for collector streets shall be 300 feet and for all other streets shall be 150 feet. Mr. Lehenky seconded the motion.** Question: Mr. Lehenky – yes; Ms. O’Doherty – yes; Ms. Proctor – yes.

**Ms. O’Doherty made a motion to waive §608.1 of the VT SLDO waiving the requirement that permanent monuments are required on the property lines**

**of the parent tract. Mr. Lehenky seconded the motion.** Question: Mr. Lehenky – yes; Ms. O’Doherty – yes; Ms. Proctor – yes.

The Board reviewed comments in Pennoni Associates’ April 4, 2017 review letter regarding §309.B of the Stormwater Management Ordinance. It notes that the two-year rainfall intensity of 3.2 inches is not consistent with NOAA Atlas 14 partial duration series estimates of 3.25 inches. The Board took no action on this item and asked that Pennoni representatives meet with Mr. Brower to review this item.

**Ms. O’Doherty made a motion to waive §308.A of the Valley Township Stormwater Ordinance waiving the two-year post development storm discharge rate to be less than the one-year pre-development storm discharge rate. Mr. Lehenky seconded the motion.** Question: Mr. Lehenky – yes; Ms. O’Doherty – yes; Ms. Proctor – yes.

**Ms. O’Doherty made a motion to waive §308.D.1.a of the Valley Township Stormwater Ordinance that all regulated activities involving new development, pre-development calculations for all areas other than woods shall assume ground cover of “meadow”. Mr. Lehenky seconded the motion.** Question: Mr. Lehenky – yes; Ms. O’Doherty – yes; Ms. Proctor – yes.

**Ms. O’Doherty made a motion to waive §311.C.1 of the Valley Township Stormwater Ordinance that all basins shall be designed for the 100-year frequency storm event with a minimum of 1 foot of freeboard between the 100-year storm design water surface elevation and the bottom of the emergency spillway. Mr. Lehenky seconded the motion.** Question: Mr. Lehenky – yes; Ms. O’Doherty – yes; Ms. Proctor – yes. It was noted that the proposed detention basin only has 0.12 inches of freeboard.

**Ms. O’Doherty made a motion to waive §306.J.2 of the Valley Township Stormwater Ordinance which requires an infiltration rate sufficient to accept the additional stormwater volume and drain completely as determined by field tests conducted by the applicant. Mr. Lehenky seconded the motion.** Question: Mr. Lehenky – yes; Ms. O’Doherty – yes; Ms. Proctor – yes. It was noted in Pennoni Associates’ review letter of April 4, 2017, that there was no infiltration test performed within the vegetated swales. Within the infiltration volume and dewatering calculations for the vegetative swales, the infiltration rate used was 0.33 in/hr. This infiltration rate is the best design infiltration rate from the infiltration testing, but it is only found in one isolated area of the site.

Discussion/consideration to approve the Valley Township Municipal Building Land Development Plan – **Ms. O’Doherty made a motion, based on the recommendation of the Valley Township Planning Commission, to approve the Valley Township Municipal Building land development plan contingent upon obtaining third party approvals, adding a light at the main access drive entrance and at the internal access drive intersection in front**

of the “Stoltzfus House” and confirm future new impervious drives from Valley Suburban Center will be offset by Municipal Complex access drive removals to avoid stormwater design in the future. **Mr. Lehenky seconded the motion.** Question: Mr. Lehenky – yes; Ms. O’Doherty – yes; Ms. Proctor – yes.

At this time, Mr. Jarvis departed the meeting.

Discussion/consideration to approve waivers for McKalvey Subdivision – The following waivers were presented for consideration:

**Ms. O’Doherty made a motion to waive §303.1 of the Valley Township SLDO and approve the submission of preliminary and final concurrently. Mr. Lehenky seconded the motion.** Question: Mr. Lehenky – yes; Ms. O’Doherty – yes; Ms. Proctor – yes.

**Ms. O’Doherty made a motion to waive §402.C.(1) of the Valley Township SLDO requiring the plans include existing contour data for the subject property or beyond. Mr. Lehenky seconded the motion.** Question: Mr. Lehenky – yes; Ms. O’Doherty – yes; Ms. Proctor – yes.

**Ms. O’Doherty made a motion to waive §402.C.(3) from the Valley Township SLDO requiring the plans include existing features outside of the subject property. Mr. Lehenky seconded the motion.** Question: Mr. Lehenky – yes; Ms. O’Doherty – yes; Ms. Proctor – yes. It was noted that Pennoni recommends that a note be added indicating that the proposed septic system location shall meet the Chester County Health Department setback requirements from adjacent properties and features.

**Ms. O’Doherty made a motion to waive §402.E of the Valley Township SLDO requiring supporting documents do not include any report items. Mr. Lehenky seconded the motion.** Question: Mr. Lehenky – yes; Ms. O’Doherty – yes; Ms. Proctor – yes.

Discussion/consideration to approve the McKalvey Subdivision (12 Jefferson Avenue) – **Ms. O’Doherty made a motion to approve the McKalvey Subdivision contingent upon the owner signing the Affidavit and Certification prior to the Board of Supervisors. Mr. Lehenky seconded the motion.** Question: Mr. Lehenky – yes; Ms. O’Doherty – yes; Ms. Proctor – yes.

Discussion/consideration to accept extension granted by Valley Square Development – **Ms. O’Doherty made a motion to accept the extension granted by Valley Square Development for the Valley Suburban Land Development Plan to June 1, 2017. Mr. Lehenky seconded the motion.** Question: Mr. Lehenky – yes; Ms. O’Doherty – yes; Ms. Proctor – yes.

Discussion/consideration regarding the Floodplain Ordinance – A list of questions was developed by Pennoni Associates for the Board of Supervisors to answer to assist in the

preparation of the Floodplain Ordinance. Ms. O'Doherty suggested that the Board meet to review the questions on Tuesday, April 11, prior to the meeting with the architect.

Discussion/consideration regarding paving of Highland Avenue – The Board reviewed the recommendation from Pennoni relative to participating with West Caln Township for the paving of Highland Avenue. It was recommended to not participate with West Caln due to their proposed scope of work as well as their bidding process and to consider the paving of the portion of the road in Valley Township as part of the 2017 road program.

At this time, Mr. Rasiul departed the meeting.

Discussion/consideration to adopt a Resolution setting Stormwater Plan Application and Inspection Fees – A Resolution will be drafted for consideration at the next meeting.

Discussion/consideration regarding the borrowing amount for the new municipal building – After review of updated estimates by Kimmel Bogrette, **Ms. O'Doherty made a motion to authorize the borrowing of \$7.5 million for the purpose of funding the township building, costs associated with the debt borrowing, repayment of the outstanding maintenance building loan and any other additional capital projects. Mr. Lehenky seconded the motion.** Question: Mr. Lehenky – yes; Ms. O'Doherty – yes; Ms. Proctor – yes.

#### **NEW BUSINESS**

Discussion/consideration to request an extension for the 2016 audit – **Ms. O'Doherty made a motion to request an extension to September 2017 for the 2016 DCED Audit. Mr. Lehenky seconded the motion.** Question: Mr. Lehenky – yes; Ms. O'Doherty – yes; Ms. Proctor – yes.

#### **CITIZEN COMMENTS:**

None

#### **ADJOURNMENT:**

There being no further business to discuss, the meeting was properly adjourned at 10:10 p.m.

Janis A. Rambo  
Township Secretary