

**MINUTES FOR MAY 7, 2019**  
**VALLEY TOWNSHIP BOARD OF SUPERVISORS**

The regular monthly meeting of the Valley Township Board of Supervisors was held on Tuesday, May 7, 2019, at the Township Municipal Building, 890 West Lincoln Highway, Coatesville, PA.

At 7:00 p.m., as advertised, there was a public meeting to review the proposed Comprehensive Open Space, Recreation & Environmental Resources Plan ("Plan"). Chairwoman Patrice Proctor opened the public meeting at 7:10 p.m. and she turned the meeting over to Michael J. Ellis, P.E., of Pennoni Associates to review the Plan. Mr. Ellis noted that this meeting was the second public meeting to review the Plan. The next step would be a public hearing where the Plan would be presented for final comment and consideration for adoption would be requested. Mr. Ellis provided an overview of the Plan providing a history of the public participation, the relationships of the proposed Plan to other plans. He reviewed the existing parks and open space resources, the results of the public survey that had been done in drafting the proposed Plan, and recommendations and proposed implementation over the next 10 years.

A large number of residents in attendance were interested in the current Township Building being preserved. It was noted that a nomination was made by the Hayti Community Association to see if the current Township Building would be eligible for the National Register of Historic Places. It was requested that if the Township would give the Hayti Community Association a year to put together a viable plan to preserve and restore the building. There were inquiries regarding a grant that the Township was looking to apply in order to demolish the building. Mr. Ellis review the Pennsylvania DCED's "Greenways, Trails & Recreation Program" grant program that would fund projects that would include demolition of a building that would then be used for parks and open space.

The public meeting was closed at 8:06 p.m.

The Board of Supervisor meeting was called to order by Chairwoman Patrice Proctor at 8:16 p.m. Those in attendance were Supervisors Christopher Lehenky, Kathy O'Doherty, William Handy, Sr., and Patrice Proctor. Supervisor Joe Sciandra was absent. Also in attendance were Carol R. Lewis, Township Manager; Michael J. Ellis, P.E. of Pennoni Associates, Inc. (Township Engineer); and Amanda Sundquist, Esquire, of Unruh, Turner, Burke & Frees, Esquire (Township Solicitor). Ms. Proctor noted that the Board of Supervisors met in Executive Session prior to the meeting at 6:00 p.m. to discuss matters of litigation and confidential legal matters and at 7:00 the Board held a public meeting to review the proposed Comprehensive Open Space, Recreation & Environmental Resources Plan.

**CITIZENS COMMENTS ON THE AGENDA:**

None

**BUCKTHORN, OAKLYN & ROBINSON DISCUSSION:**

Ms. Lewis noted that a reported had been provided to the Board of Supervisors to include the road study, listing of engineering problems/issues and solutions, police reports from 2006; and an analysis of the area. Ms. Lewis asked the Board if there was any additional information that they would like to have to review. Ms. O'Doherty stated that she noted that each of the roads in the survey were done on different days of the week. She wondered if the same days of the week should be done for comparison. Mr. Lehenky concurred. They noted that they believed Robinson and Buckthorn were the priority to resurvey. Ms. Lewis also noted that the Township Engineer had provided an estimate, based on 2,000 LF of sidewalk extending along one side of Oaklyn and Robinson plus an additional 500 LF on the east side of Buckthorn, assuming a 5-foot width. It was estimated that the costs, including engineering, design, stormwater requirements, and construction would be approximately \$360,000. Ms. Proctor also inquired if the information regarding the buses that travel on these roads be obtained.

Ms. Lewis noted that she would ensure the additional information would be obtained. She advised that when the information is gathered, the Board will hold an advertised work session to review the data which would be followed by a public meeting to make a decision.

#### **ENGINEER'S REPORT:**

Discussion/consideration for Waiver Approval for Amycel (Lot 7, Valley View Business Park) from Section 306.2 requiring a preliminary and final land development submission and discussion/consideration for Final Plan Approval – Justin Brewer, P.E., was present from D. L. Howell representing Amycel. Mr. Brewer reviewed the plans for Lot 7. The latest review letter #3 issued by Pennoni Associates dated May 3, 2019, was distributed and reviewed with the Board of Supervisors. It was noted that there are a few third-party agreements needed.

**Ms. O'Doherty made a motion, seconded by Mr. Lehenky, to approve a waiver from Section 306.2 which requires a preliminary and final land development submission. The motion passed unanimously.**

**Mr. Handy made a motion, seconded by Mr. Lehenky, to approve the Preliminary/Final Land Development Plan for Amycel, Inc., for a 99,998 square foot mushroom spawn agricultural support building for Tax Parcel 38-4-5.3C, Lot 7 of the Valley View Business Park, contingent upon all items being addressed as noted in Pennoni Associates Plan Review #3 letter dated May 3, 2019, issued by Michael J. Ellis, PE, including but not limited to the approval of outstanding agreements and third-party approvals (Attachment A). The motion passed unanimously.**

Mr. Ellis submitted the engineer's report which is on file in the Township Office. Mr. Ellis highlighted the following items from the report:

- Oakcrest 2 – Punchlist inspection performed and a written punchlist will be issued. Pennoni reviewed Ryan Homes' proposed sketch plan of reconstruction of the unapproved Lot 114 sump pump discharge pipe. Pennoni will be attending a site meeting with the developer's construction manager, engineer, and the County Conservation District on May 9 to discuss the approach to infiltration bed redesigns.

- Hemlock Avenue Bridge Replacement – Mr. Ellis stated that he did not have an updates to report. The County is awaiting funding.
- Comprehensive Plan Update – Steering Committee meeting #3 was held. A public workshop is scheduled for May 29 at Rainbow Elementary School.
- CDBG Grant Reapplications – Mr. Ellis noted that applications are due on May 31, 2019, should the Board wish to resubmit for Wagontown Road Reconstruction and Concord Street Reconstruction. Ms. Lewis reported on a conversation with Pat Bokovitz of the Chester County Planning Commission who noted that with regards to the Wagontown Road Project that in order to submit the project for federal grants, we would need to have more engineering done. Cost estimate for the engineering would be \$100,000 to \$150,000. A meeting will be set up with Pennsylvania American Water, PECO, and other municipalities who have a vested interest in the infrastructure to see if a contribution of funds can be established to proceed with the engineering work. After discussion, **Mr. Lehenky made a motion, seconded by Ms. O’Doherty, to authorize Pennoni Associates to resubmit the Concord Street Reconstruction and Wagontown Road Reconstruction grant applications for the County’s CDBG grant program due by May 31, 2019.** The motion passed unanimously.
- DRBC Water Audit – Mr. Ellis reported that the annual reports were submitted to DEP in March and April. He reviewed the findings and recommendations from the reports.
- Rock Run Bypass Pump – Pennoni continues to prepare plans and bid documents.
- Irish Alley Pavement Damage – The property owner notified Pennoni on April 19 that he is coordinating with the adjacent property owner to obtain contractor pricing.

Discussion/consideration to accept Airport Diner’s 90-day extension – Ms. Sundquist noted that she has a conflict of interest with regards to Airport Diner as she represented them for their zoning hearing. It was noted that their current extension expires on May 9 and the Valley Township Planning Commission has recommended approval contingent upon their addressing Pennoni’s latest review letter and obtaining their third-party approvals. **Mr. Handy made a motion, seconded by Mr. Lehenky, to accept the 90-day extension from Airport Diner.** The motion passed unanimously.

At this time, Mr. Ellis departed the meeting.

**OLD BUSINESS:**

Discussion/consideration regarding sewer refund for Denise and Andrew Holmes – The Board reviewed the information provided by Senior Clerk Janice Duca regarding requested information from the last meeting to the request for a refund by Denise and Andrew Holmes for an extra sewer payment for the years 2016,2017 and 2018 for 250 Ash Street. Ms. Duca had prepared the amount that should have been paid for 100 Moody Street for 2012and 2013 when it was not being billed as a group home that the billing amount would have been \$1,504.80 and the refund for 250 Ash Street for only one sewer billing would have been -\$2,563 for a difference of \$1,058.20. After discussion and consideration, **Mr. Handy made a motion, seconded by Ms. O’Doherty, to refund \$1,058.20 to Denise and Andrew Holmes.** The motion passed unanimously.

**SOLICITOR'S REPORT:**

Ms. Sundquist reported that items of litigation were discussed in Executive Session with the Board of Supervisors.

**OLD BUSINESS CONTINUED:**

Discussion/consideration to authorize advertisement for consideration to adopt an ordinance governing the use of tobacco or nicotine delivery products on Township property – The Board reviewed a draft ordinance governing the use of tobacco or nicotine delivery products on Township property. The Board concurred to authorize the Township Solicitor to advertise for consideration at their May 22, 2019, meeting.

Discussion/consideration to authorize advertisement for consideration to adopt an ordinance regarding "Obstruction within Boundaries of Public Highways – The Board reviewed a draft ordinance regarding obstruction within boundaries of highways. The Board concurred to authorize the Township Solicitor to advertise for consideration at their May 22, 2019, meeting.

At this time, Ms. Sundquist departed the meeting.

**NEW BUSINESS:**

Discussion/consideration to remove Matthew Ronca, Public Works Laborer, from probationary status – **Ms. O'Doherty made a motion, seconded by Mr. Handy, to remove Matthew Ronca from probationary status, retroactive to April 30, 2019, to regular, full-time employee.** The motion passed unanimously.

Discussion/consideration to close Oakcrest I/Dewey Hones professional fee escrow account at Key Bank – Information was provided to show that funds in the original DHLP Oakcrest professional fee escrow account had been applied to fees owed in 2010 but the funds were never transferred to the Township's general fund and the account closed. **Ms. O'Doherty made a motion, seconded by Mr. Handy, authorizing the closure of the DHLP Oakcrest professional fee escrow account at Key Bank be closed and funds transferred to the PLIGIT General Fund savings account.** The motion passed unanimously.

Discussion/consideration regarding MultiVista proposal – A proposal to continue with the documentation services for the new municipal building were reviewed for an additional six months as the original contract has expired. The six month proposal, to commence on May 15, 2019, was for \$3,450. Ms. O'Doherty inquired if they would extend the proposal for seven months at the same price to coincide with the latest building completion date; Ms. Lewis advised that she would inquire. **Mr. Handy made a motion, to extend the contract for six months at a cost of \$3,450.00 – or if negotiated for the same price for seven months. Mr. Lehenky seconded the motion.** The motion passed unanimously.

**APPROVAL OF MINUTES:**

**Mr. Handy made a motion to approve the minutes from the April 23, 2019, meeting with a typo correction. Ms. O'Doherty seconded the motion.** The motion passed unanimously.

**MOTION TO PAY BILLS:**

**Ms. O'Doherty made a motion to pay bills as presented. Mr. Lehenky seconded the motion.** The motion passed unanimously.

**BOARD GENERAL COMMENTS:**

The Board concurred to reschedule the Community Clean Up Day to Saturday, May 18, 2019. The original date of May 4, 2019, was postponed due to weather.

Ms. Proctor provided an update for polling locations for Valley North. She noted that there will be a total of three voting locations for Valley North proposed to begin with the General Election in November 2019. The Valley North locations will be the Valley Baptist Church on Airport Road, Rainbow Elementary School, and James J. Terry Funeral Home. The current location for Valley South will remain the same. Voter Services is currently looking for the staffing for the two additional voting locations.

There being no further business to discuss, the meeting adjourned at 9:40 p.m.

Janis A. Rambo  
Township Secretary



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"ATTACHMENT A"

www.pennoni.com

May 3, 2019

VLTPW18023

Board of Supervisors  
 Valley Township  
 P.O. Box 467  
 Coatesville, PA 19320

**RE: Amycel Agricultural Support Building  
 Preliminary/Final Land Development Plan Review #3**

Dear Supervisors:

As requested, we reviewed the revised Preliminary/Final Land Development Plan submission for the subject project, located at Lot 7 in Valley View Business Park, as prepared by D.L. Howell & Associates, Inc. The 8.296-acre tract is located in the Industrial zone and is bounded to the north by Waverly Boulevard, to the east by an undeveloped industrial parcel, to the south by single-family residential use properties and to the west by the Pennsylvania Army National Guard. The western property line is also the municipal boundary between Valley Township and Sadsbury Township. The properties that border the north, east and south of this lot are in the Industrial zone. The plans indicate that All County Partnership is the record owner, and Amycel, Inc. is an equitable owner.

The Applicant, Amycel, Inc., is proposing to construct a 99,998 square foot mushroom spawn agricultural support building, which is a permitted use in the Industrial zone per the Valley Township Code Official's letter on September 11, 2018. Other proposed site improvements include water and sewer utility services, two access drives with connection to Waverly Boulevard, a parking lot containing 69 spaces, one subsurface stormwater infiltration bed and three subsurface detention beds, storm sewer collection system, landscaping, and lighting.

The following are the documents reviewed:

No.	Item	Sheet No.	Dated	Revised
1.	Preliminary/Final Land Development Plan for Amycel Mushroom Spawn Agricultural Support Building	1 - 17	12/17/18	5/1/2019
2.	Stormwater Management Report	-	12/14/17*	4/17/2019
3.	Supplemental Stormwater Detail Sheet	8	12/17/18	3/8/2019

\* This 2017 date is a potential typo in the Stormwater Management Report.

The revised plan set and stormwater management report address all of our prior engineering comments.

The Applicant has requested a waiver to file Preliminary and Final Land Development plans in the same plan set. We do not have any objection to this request. Once an outcome is determined, the plans should be updated to reflect the outcome.

Should the project be approved by the Township, the following reviews, agreements and third-party approvals are required prior to the Board of Supervisors signing the plans:

1. Determination if the facility will be an Industrial Sewer Discharge based on their Industrial Wastewater Application
2. Stormwater BMPs Operation and Maintenance Agreement
3. PADEP Sewage Planning approval (see comment #1 hereafter)
4. PADEP Water Quality Management Permit for Pump Station upgrade (see comment #3 hereafter)
5. An improvement guarantee including a financial security agreement, development agreement, and professional fees agreement
6. PADEP NPDES Permit for Stormwater Discharges from Construction Activities and Chester County Conservation District E&S approval

Additionally, we offer the following comments for your reference (comments from our previous letter dated March 8, 2019 are in regular font; new comments are in **bold font**):

#### **Subdivision and Land Development**

1. §402.E.(2) – (Previous Comment #9) (2/4/2019) A PADEP sewage facilities plan revision is required.

**The PADEP Sewage Facilities Planning Module has been previously reviewed, and the Applicant is awaiting reviews and information from Chester County Planning Commission, Chester County Health Department and PAWC. The module will be finalized for submission to PADEP upon receipt of the aforementioned information.**

2. §402.E.(4) – (Previous Comment #10) (2/4/2019) The Applicant must indicate the number of vehicle trips per day that will occur as a result of this development. If the number of vehicle trips per day exceeds 100, a traffic analysis will need to be provided. To satisfy this requirement it may be viable to simply update the attached "Table 4: Trip Generation Valley View" from the 2006 Valley View Mixed-Use Development Traffic Impact Study to reflect the actual trip generation for Lot 4 (formerly Keystone Foods), the projected trips for Lot 5 and Amycel, and the remaining trips to be allocated to the remaining lots.

(3/18/19) It is our understanding with 60 employees and 20 deliveries the traffic count would be at least 160 trips per day (at least 1 trip in and 1 trip out per vehicle), which would require a traffic analysis.

**A traffic analysis was prepared, which indicates that the peak hour traffic generation is anticipated to be well below the proposed traffic generation from the 2006 Valley View Mixed-Use Development Traffic Impact Study.**

**We recommend that the next Land Development Plan submitted within Valley View Business Park include new traffic counts for "Table 4: Trip Generation Valley View" from the 2006 Valley View Mixed-Use Development Traffic Impact Study based on existing trip generation. If the new traffic counts exceed the proposed traffic generation in the 2006 Valley View Mixed-Use Development**

**Traffic Impact Study, a new traffic impact study should be conducted as part of that next Land Development plan.**

**Sanitary Sewer**

3. (Previous Comment #21) (2/4/2019) The Temporary Pump station in the Valley View Business Park needs to be upgraded in order to accommodate this new land development. We are in the process of reviewing submissions from the business park owner to upgrade the system for the Amycel development. We also anticipate a PADEP Water Quality Management Permit amendment will be required for the pump station upgrades.

**We are continuing to coordinate with the business park owner on the pump station upgrades.**

If you have any questions or need additional information, please call.

Sincerely,

**PENNONI ASSOCIATES INC.**



Michael J. Ellis, PE  
Senior Engineer

/lef

cc: Carol Lewis, Valley Township Manager  
Janis Rambo, Valley Township Secretary  
Valley Township Planning Commission  
Justin Brewer, P.E., D.L. Howell  
Joe Russella, D.L. Howell  
Steve Anania, Amycel, Inc.  
Jim Reading, All County Partners