

MINUTES FOR AUGUST 4, 2020
VALLEY TOWNSHIP BOARD OF SUPERVISORS

The first monthly meeting of the Valley Township Board of Supervisors was held on Tuesday, August 4, 2020, via virtual meeting through *Go To Meeting*.

The Board of Supervisors meeting was called to order by Chairwoman Patrice Proctor at 7:45 p.m. Those participating in the meeting were Supervisors Christopher Lehenky, Kathy O'Doherty, Sharon Yates, Carmen Boyd and Patrice Proctor. Also participating in the meeting were Amanda Sundquist, Esquire of Unruh, Turner, Burke & Frees (Township Solicitor); Michael J. Ellis, P.E., of Pennoni Associates, Inc. (Township Engineer); and Kris Lenhart, Roadmaster.

It was noted that the meeting was being conducted through *Go To Meeting* to comply with Governor Wolf's order that all individuals in Chester County stay home in an effort to slow the spread and minimize public exposure to COVID-19 and maintain social distancing.

ANNOUNCEMENT OF MEETINGS/ACTIONS OF THE BOARD

Ms. Proctor noted that the Board of Supervisors met in Executive Session prior to this evening's meeting at 6:00 p.m. to discuss personnel issues and litigation.

CITIZEN COMMENTS ON AGENDA ITEMS

None. The public notice for the virtual meeting was published in the *Daily Local News*, posted at the Township Building and on the Township website. The notice stated that comments could be eMailed to the Township Secretary by 3:00 p.m. on this date to be read at the meeting. No comments were received by the Township Secretary to be read at the meeting.

BOARD GENERAL COMMENTS:

Ms. Proctor noted a public hearing will be held on August 18 at 6:30 p.m. prior to the Board's regular meeting for comments for the proposed Comprehensive Plan Update. Mr. Proctor further reviewed the upcoming yard waste collection for August.

APPROVE MINUTES AS WRITTEN

Ms. O'Doherty made a motion, seconded by Mr. Lehenky, to approve the minutes of the July 21, 2020, Board of Supervisors meeting. The motion passed unanimously.

APPROVE PAYMENT OF BILLS

Ms. Boyd made a motion, seconded by Mr. Lehenky, to approve payment of bills as presented. The motion passed unanimously.

CITIZENS REQUEST TO BE ON THE AGENDA

Eileen Lake, 1895 Valley Road – Ms. Lake inquired about public sewer connection. Mr. Ellis advised that there is a Pennsylvania American Sewer line in front of her property; Valley Township’s line is across the street. She was advised that she would need PAWC approval to connect to their main and DEP approval to connect to either PAWC’s or Valley’s line by completing the DEP mailer. She advised that she is gathering information if it is possible and what the associated costs would be as she is looking to put her house on the market and wanted to have the information available. Mr. Ellis also advised that if she opted to connect to Valley’s system, she would need a PennDOT Occupancy permit to bore the road. She would need to contact the Chester County Health Department to review the procedures for abandoning a septic system. Mr. Ellis reviewed the permitting requirements and noted the connection fee with Valley and how she could confirm the tariff fee with PAWC.

Michael Eric, 359 Glencrest Road – was not present.

SOLICITOR’S REPORT

Ms. Sundquist noted that she had reviewed personnel and litigation matters with the Board during the Executive Session.

ENGINEER’S REPORT

Mr. Ellis submitted the Engineer’s Report which is on file in the Township Office.

The following items from the report were reviewed:

- Hillview – Mr. Ellis reported that Pennoni performed a site visit and confirmed that the grass stabilization of the inlet and manhole were adequate and Township could release the remaining escrow money.
- 2020 Road Program Contract – The contract was executed with Advanced Pavement Group. Contractor anticipates starting construction in mid to late August with construction estimated at three weeks.
- Concord Street Reconstruction – Mr. Ellis advised that the project has been bid with a pre-meeting to be scheduled in about a week. Bids are due on August 26 in order for the Board to award at their September 1 meeting.

David McCoy, 323 South Bonsall Road (West Caln Township) inquired if Airport Road is part of this contract). Mr. Ellis advised it is part of the 2020 Road Program.

Discussion/consideration regarding Valley View Lot 6 (G.A. Vietri) – Mr. Ellis advised that Mr. Vietri is requesting three waivers and preliminary/final plan consideration this evening.

Along with Mr. Vietri, Mark Padula, PE, of Padula Engineering was present. Mr. Ellis advised that they have met all engineering and technical items; there are third party approvals needed. There was a discussion regarding the fee in lieu of trees. Mr. Vietri stated that the 2015 Zoning

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Ordinance stipulates a fee in lieu of tree replacement; the SLDO states that it is waivable. He noted that half of the property is wooded – so there is nowhere to plant replacement trees. Ms. O’Doherty stated that the fee in lieu of would be used for stormwater management projects. Mr. Padula noted that 30% of the trees on the property were no viable to replace. Mr. Vietri proposed an equation that would equal a \$15,000 fee in lieu of tree replacement. Ms. O’Doherty inquired if the trees being taken down could be sold. Mr. Vietri stated that they would be logged or mulched but nothing would be buried.

Ms. O’Doherty made a motion, seconded by Mr. Lehenky to approve the following waivers and preliminary/final subdivision for the Valley View Business Park Lot 6 Plan for G.A. Vietri Inc. as follows:

To grant a waiver from Section 301.4, in order to permit the submission of a combined preliminary/final land development plan application, subject to any conditions attached to the final plan approval.

To grant a waiver from Section 303.1, in order to permit the submission of a combined preliminary/final development plan application, subject to any condition attached to the final plan approval.

To grant a waiver from Section 602.12.E, in order to permit a lesser radius of 10 feet, subject to any condition attached to final plan approval.

To grant final plan approval to a plan titled “Gregco Real Estate Holdings LLC, Lot 6, Waverly Boulevard” prepared by Padula Engineering, dated March 19, 2020, and last revised June 26, 2020, consisting of twenty (20) sheets, subject to the following conditions:

- **The Applicant satisfactorily addresses all open comments referenced in the review letter dated July 17, 2020 by Michael J. Ellis, PE, Pennoni Associates, Inc.**
- **The Applicant shall execute the Township’s Land Development Agreement, the Financial Security Agreement (with security posted concurrently), Best Management Practices Operation and Maintenance Agreement, and Professional Services Agreement and return them to the Township for review and approval by the Township Solicitor and Township Engineer.**
- **The Applicant shall reimburse the Township for all outstanding Township expenditures, including consultant fees paid, for this project.**
- **A plan note shall be added to the Plans to read as follows: “A permanent blanket access easement shall be granted in favor of Valley Township, its representatives and other governmental authorities for the purpose of accessing the stormwater facilities located throughout the property to perform, inspections, maintenance and repairs to the facilities as needed. Such access does not place any obligation on the Township to perform maintenance or repairs.”**
- **The Applicant shall grant an easement in favor of Lot 8 for the purpose of stormwater features as part of the business park, and after review and approval by the Township**

Solicitor and Township Engineer, record the easement in the Chester County Recorder of Deeds.

- **The Applicant shall obtain the required drainage easement from Lot #8 and, after review and approval by the Township Solicitor and Township Engineer, record the easement in the Chester County Recorder of Deeds. A plan note in a form acceptable to the Township Engineer regarding responsibility for any woodland replacement associated with subsequent tree removal in the easement area shall be placed on the Plans. A plan note in a form acceptable to the Township Engineer outlining the sequence of construction to convert the temporary outlet structure for SWF4 to the permanent condition shall be placed on the Plans.**
- **In the southwestern corner of the parking lot, the Applicant shall replace the proposed pavement area with lawn. The Applicant shall also establish a de-icing plan and material storage area that minimizes the volume of de-icing chemicals and pollutants that will directly infiltrate into the ground water or runoff to streams. A plan note in a form acceptable to the Township Engineer outlining the de-icing and material storage plan shall be added to the Plans.**
- **The Applicant and All County Partnership shall comply with all recommendations by the Township Engineer regarding any required upgrades to the pump station to accommodate the Lot 6 development.**
- **The Applicant shall pay the Township \$15,000 in lieu of the required replacement trees that cannot be located on the property, which will be placed in a fund for off-site tree planting or MS4 projects in the Township.**
- **The Applicant shall comply with the recommendations of the Township's Codes Officer regarding the sewer service connection detail.**
- **The Applicant shall revise the landscape design between Lot 6 and Lot 7 common property line so that 50% of the proposed evergreens are replaced with a mix of trees compatible with plantings proposed for Lot 7. The landscape design shall be in a form acceptable to the Township Engineer.**
- **The Applicant shall obtain all required permits and approvals, including but not limited to, an NPDES permit, confirmation of sewer service from the Township, sewage planning approval letter from PADEP, a water quality management permit amended for the pump station, and approval from Pennsylvania American Water Company for the details of the meter pit, proposed water service pipe material and sizes and fire hydrant relocation.**
- **A "No commercial deliveries" sign shall be placed at the western driveway entrance.**
- **All stated conditions shall be completed and satisfied prior to the release of any plans for recording, unless otherwise indicated, and as a requirement of the Approval herein.**

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The motion passed unanimously.

Discussion regarding Septage Management Program Implementation – The Board reviewed the revised letter to be mailed to those residents who have on lot septic systems. Letter is noting that DEP requires municipalities to institute a program that will require scheduled maintenance and inspections to assure proper operation of all on-lot sewage disposal systems.

Ms. O’Doherty made a motion, seconded by Ms. Yates, to authorize the Codes Department to proceed to mail the Septage Management Program letters with a goal of having the letters mailed by the end of August. The motion passed unanimously.

Required Easement for Hemlock Avenue Bridge Replacement Project- It was reported that contact had been made with the property owner which a permanent easement is required for the guiderail installation.

At this time, Mr. Ellis and Ms. Sundquist departed the meeting.

OLD BUSINESS

Consideration to regarding request for Block Party – The Board reviewed the request that was tabled from the previous meeting regarding a block party request for Thia Court on August 15. It was noted that Trisha Brautigam was not present. The consensus of the Board was during the ongoing pandemic that they could not endorse any type of large gathering.

NEW BUSINESS

Ms. Proctor noted that the Township administration offices would be moving out of 890 West Lincoln Highway offices on Friday, August 7. The new building would remain closed to the public, due to the pandemic, and would remain by appointment only.

CITIZEN COMMENTS

None

There being no further business to discuss, the meeting was properly adjourned at 8:57 p.m.

Janis A. Rambo
Township Secretary