

Meeting Minutes of January 22, 2003
Board of Supervisors Special Meeting

Chairman Obernier called the Board of Supervisors Special Meeting of January 22, 2003 to order at 7:50 p.m., and then led those present in the Pledge of Allegiance. Roll call of the Board of Supervisors by the Township Manager noted Chairman Obernier and Supervisor Lindborg in attendance. Vice-Chairman McCaffrey has been delayed by a previous engagement and is expected to arrive around 8:00. The following individuals were present to represent the various departments: Ronald A. Rambo, Jr., Township Manager, Dale Barnett, Codes Officer.

Manager Rambo advised the Board that the purpose of this special meeting is to discuss conditions that the City of Coatesville would put onto their amended zoning permit that they have issued to the Township as of Friday and voted upon by City Council on Tuesday, January 21, 2003. In December the City presented West Brandywine Township with the zoning permit application with regards to the use of the property that they currently have under agreement of sale. Discussions have been held since that time with township staff, legal council, legal council and staff of the City. Throughout this time various documents have been forwarded back and forth to each other. As a result of that the City has resubmitted and amended the zoning permit for consideration by the township zoning officer. It states conditions that they would favor being placed on the zoning permit once it is issued and is determined to be complete. The Manager noted that legal council for the individuals that are represented by Jane Shields, Esquire were notified yesterday, the amended permit was forwarded to Ms. Shields for review. She then had consultation with our solicitor with regards to it.

Chairman Obernier asked that they go over the conditions and noted there is only one gentleman (Menno Swisher, Pratts Dam Road) in the audience, and suggested that they have another meeting when there are more people that are from the area in attendance.

Manager Rambo noted to date there have been four Conditional Use Hearings with regard to the City of Coatesville's conditional use application to utilize the property they have under agreement of sale with the Conti's. The property is located at the intersection of Pratts Dam Road and Route 340. As a result of the hearing transcripts the Township hashed out and prepared a list of concerns and issues that they had, they were presented to legal council, as a result of that, those concerns were presented to the City of Coatesville upon the receipt of the zoning

permit application that they put before us. As a result of the review of the transcripts, we came up with a list of eleven conditions that they want to see placed on the issuance of the zoning permit. The City of Coatesville voted on this last night so that it will become part of the amended zoning permit.

The first item pertained to traffic. It stated that the City will contribute initially 100% of both the design and installation costs for signalization at the Routes 340 and 82 intersection. The City will submit a permit application to PennDOT for signalization upon issuance of the zoning permit, absent any appeals from any party challenging the zoning permit. In the event of any appeals, upon the successful resolution or termination of all appeals, the City will submit the permit application. The Township will not oppose, and if requested by the City, will confirm in writing the Township's support of the City's efforts and actions to recoup 75% of the design and installation costs from affected and benefiting municipalities and developers.

The next item was regarding Pratts Dam Road. At the Township's request, the City will increase the cartway width from 18 to 22 feet, beginning at the intersection of Routes 82 and 340 to the entrance of the golf training facility, and providing that there is sufficient right-of-way existing or after acquisition additional right-of-way by the Township, construct a right turn lane on Pratts Dam Road, at the intersection with Route 340. Basically in the future you would come to a left lane going north and also a right lane. There would be three lanes at the intersection of 340 and Pratts Dam.

The second item pertained to Stormwater. The City will install stormwater pipes along Pratts Dam Road to mitigate, to the extent reasonably possible surface water presently flowing across and under Pratts Dam Road, along the frontage of the City's property.

The City will place a second primary stormwater management basin on the part of the property now identified as "Future Lot," which shall remain a proposed building lot.

The City will oversize both basins in the effort to accommodate maximum stormwater capacity.

The City will aerate both stormwater management basins.

The City will use its best efforts to effect a plan of 100% capture of all stormwater for irrigation purposes.

The third item pertained to Groundwater. West Brandywine Township will not oppose, and at the request of the City will confirm in writing its support of a proposed withdrawal of water from the aquifer of the west branch of the Brandywine on land owned by the City south of Route 340. The City will apply to DEP and other appropriate agencies for this withdrawal of water.

The golf training facility contemplates on-site water withdrawals. The City will retain a hydrogeologist, subject to the reasonable approval of the Township, to determine the nature and extent of needed well protection provisions. The City will implement such provisions as part of the approved golf training facility. Basically for irrigation purposes, during our discussions with their legal council and staff they are going to apply for a permit to withdraw water from the

aquifer of the west branch of the Brandywine on the south side of Route 340 from the land they currently own. They are still going to drill a well on-site; the well is intended strictly for consumption and bathroom facilities.

Supervisor Lindborg noted that the water was a point of concern for the residents and hopes that this addresses their concerns.

Manager Rambo stated that the Golf Training Facility contemplates on-site water withdraw, they will retain a hydrologist subject to the reasonable approval of the Township to determine the nature and the extent of needed well protection provision. The hydrologist will determine an area around the site that needs to be looked at, test wells and do draw downs to see how it affects them in conjunction with the little bit of water that they may withdraw from the site.

Supervisor Lindborg stated that the irrigation will be from the aquifer and by the retention.

Menno Swisher asked about the reasonable approval from the Township. Manager Rambo replied that they are not going to put a burden on them as far as telling them who to hire. Menno Swisher asked whether this is not necessarily one location and the Manager answered correct.

The fourth item pertained to the Use of Organic Materials. The City will use organic materials for pesticides and herbicides, to the extent that such materials are available, effective, and provided that the cost of any organic material is not more than 10% higher than the cost of the equivalent non-organic material. The use of pesticides and herbicides shall comply with applicable rules and regulations of the United States Environmental Protection Agency and Department of Agriculture.

Supervisor Lindborg noted another thing in conjunction with that is they are going to attempt to collect 100% of the runoff that would contain any of the pesticides and herbicides. The DEP and the Department of Agriculture have a lot of stringent rules and regulations effecting use and application of those materials.

The fifth item pertained to Lighting. The Township will grant land development waivers for the height of the proposed light standards. Supervisor Lindborg asked the Manager what the current light heights are. The Manager stated they are 16 feet and 20 feet. Supervisor Lindborg explained they were not granting waivers to go 300 feet high or anything like that, they are granting a waiver within reasonable heights consistent with whatever our lighting expert would say.

Chairman Obernier asked if he had seen documentation from a lighting expert? Supervisor Lindborg said yes he had, but didn't remember exactly, but thought he said higher lights are better in the sense they have less spread. Overall they have to meet our lighting ordinance, they are asking for a waiver on this. He said they could consider this. Obernier voiced his concerns regarding the lighting comments that he didn't understand; he would like to talk with the Manager or the lighting expert about these.

Supervisor Lindborg noted that these were not set in stone the Board has the final decision to grant the waivers based on what we feel is reasonable.

The Manager then continued the list of the conditions. With regard to the waivers on height, it is subject to the City's submittal of a visual impact plan in support of such waivers and subject to reasonable and industry-accepted measures to mitigate on-site and off-site glare.

Supervisor Lindborg noted that lights are another issue for the people that might be potentially affected by them.

Summer Lighting Period; beginning on Wednesday immediately preceding the Memorial Day weekend and until two days after Labor Day, the driving range lights will be turned off at 9:00 P.M. Other facility lights (other than security lights and lights needed to close the facility) will be turned off at 11:00 P.M.

When the Summer Lighting Period is not in effect, and during Eastern Standard Time, all facility lights (other than security lights and lights needed to close the facility) will be turned off at 9:00 P.M.

When the Summer Lighting Period is not in effect, and during Daylight Savings Time, the lights for the chip and putt course may remain illuminated until 10:00 P.M.

The City shall have the right to request an amendment of these lighting conditions based upon the operation and use of the golf training facility.

The sixth item pertained to Emergency Services. The City shall provide security, traffic control, and advance notice of all special events, i.e. events which do not occur on a regular basis as part of the normal and routine use and occupancy of the facility.

The City shall be the second responder for emergencies at the golf training facility.

The seventh item dealt with Taxes. If the property within the Township on which the golf training facility is developed receives a real estate tax exemption, during the period of such exemption, the City will pay to the Township an amount equal to the amount of exempted taxes as a payment in lieu of taxes. Chairman Obernier asked if this is yearly and the Manager stated yes, forever. Manager Rambo then noted an example of this.

The City will be subject to the township's admissions tax for such recreational facilities.

The eighth item pertained to Sewerage. The City will investigate drip irrigation as an alternative sewage disposal method. The Township acknowledges that ordinary septic systems are acceptable so long as they are not spray irrigation based. The Township will permit the conveyance of sanitary sewerage to an approved sewage treatment facility south of Route 340.

The ninth item pertained to Screening and Buffering. The City shall comply with the 20 foot planted buffer subject to credit for existing vegetation, landscaping, and buffers.

The tenth item pertained to Other Permits and Reviews. The City will obtain all required permits and reviews for the golf training facility. The City and the Township agree to act expeditiously and diligently in the review and approval of the land development plan consistent with the

zoning permit. The Township will grant such land development waivers needed to implement these conditions.

The eleventh item was regarding the Effect of Zoning Permit. The City will not seek a new or amended zoning permit which is inconsistent with this zoning permit, if the zoning permit sought hereunder is approved by the Township and, if appealed, is upheld by a final and unappealable order of court.

Chairman Obernier asked if are they agreeing to - on Route 340 at the acceleration lane a right turn onto Pratts Dam, and are they agreeable to a left turning lane when you are heading east on 340. Manager Rambo said no, we are not dealing with 340, we are dealing with Pratts Dam.

Chairman Obernier then asked if the subject came up? The manager stated that it did come up, however, they advised us that they are not going to utilize 340 as an entrance into their facility.

Supervisor Lindborg commented that his thought is that these issues cover the major concerns of the people that live there.

Manager Rambo advised the audience as to why they were at this point. The City submitted to us the conditional use hearing application that they reviewed, approved, and started hearings. Throughout the hearing process they revisited our zoning ordinance and noted there was language in there for the issuance of a zoning permit. The zoning permit deals with the use of the property only. They will still be required to go through land development approval.

They submitted to us a zoning permit under the auspice that they were a municipal use. In our zoning we permit municipal use in that zoning district. In the definition of municipality it states governmental agencies such as a Township of a second class or that within the Commonwealth of Pennsylvania. It was felt that they fall into that definition and thus they had the right to submit to us a zoning permit.

Our staff had met with our solicitor with regards to this; he felt they were appropriate with the submission of the zoning permit application. He noted he was able to get waivers two times to have additional time to review it and come up with a list of conditions that they would like to see on the zoning permit, their legal council agreed to present them to city council. The city council prepared a list of conditions and presented them to us, they met with both their legal council and our legal council and staff last week. He noted that we are in concurrence with the new wording that was put back to city council last evening at their special meeting at which time they voted to have the conditions as part of the amended zoning permit currently before us.

Supervisor Lindborg noted that the Township, not the City of Coatesville drew up these conditions, they originated here. He noted another item associated with the zoning permit, he stated that they obviously have the choice of either approving it now with these conditions, they could have asked for it and not agreed to any conditions and they wouldn't have to. We could have either at that point or Dale would have either issued it or rejected it. From talking to council if they were to appeal that rejection the courts would look at a very narrow issue, they don't look at the overall view of everything that is associated with this proposed activity. They don't look at

light, water, and traffic. They look at whether they had the right to obtain a zoning permit for a use by a municipality. Our council indicated to us that it would be cut and dry and clear that the appeal process would go in their favor.

Chairman Obernier noted that what our council John E. Good, Esquire said to us was the zoning permit application was legal he said that in his opinion that if we turned it down, that when they go to court, the court would uphold the application. We would lose the ability to have any kind of conditions whatsoever.

Menno Swisher asked if they have agreed to these eleven conditions and the Board answered yes.

Chairman Obernier gave the City of Coatesville credit for being willing to accept conditions when they didn't have to. Supervisor Lindborg said yes, they have discussed in good faith and they understood what the Manager and our staff had presented to them, it was obvious from the hearings what the concerns were from the people that were there and they were willing to address these. He noted to him this is the way to try to resolve this and come up with something that is beneficial to everybody.

Manager Rambo stated that what happens is, once the zoning officer issues the zoning permit with these conditions, there are no further conditional use hearings; the hearings stop. Then they can go right to land development submissions of plans before the Planning Commission and reviewed by our engineer to ensure that everything meets the zoning requirements. The individuals that hired legal council with regard to the conditional use have the right as well as any other resident has a right to appeal the zoning permit application if they feel that it was issued wrong. It's up to them to see it through the legal process and they are responsible for all incurred costs.

Supervisor Lindborg then noted that this is where we are, and wanted to note that he is in favor of these conditions.

Chairman Obernier asked Mr. Swisher his comments on what he's heard. Mr. Swisher stated that these conditions sounded pretty good, though it would have been nice to have turning lanes on Route 340.

Supervisor Lindborg noted there is a possibility that this could still occur, if they are going use 340 as their main access to their regional recreation facility south, they would need a state PennDOT permit to access Route 340, they may require something different. It's not totally out of the question, it could happen.

Mr. Swisher stated that if it's not across from Pratts Dam Road that might not be affected. Supervisor Lindborg answered that it may not be, but it's a state road and that's part of the issue there.

Chairman Obernier was under the impression that their main access was off of Route 82 and thought they had a secondary access onto Route 340. Manager Rambo stated when they met with them they were strictly talking about single access off of Rout 82.

Mr. Swisher noted that was probably not as cost effective. Manager Rambo stated they are looking at an opening just south of the Turkey Hill where the old skating pond area was, behind the Turkey Hill, their looking somewhere in that area to negotiate and buy land to cross the creek. They will need to put in a bridge if they cross the creek. This will go to the other facility on the south side they are planning.

Chairman Obernier noted he agrees with Carl, he is generally in favor of these conditions. He thought council was sensitive to the concerns of the people living in the area with regard to the lighting and how late the facility will be open, and the water issues. Their desire is to put in a well on the south side of 340 closer to the creek, certainly the volume of water that they want to pump is more accessible there, it will have minor, if any impact on the area residents. We have the creek right there. He noted there may be an adjustment or a tweak here or there, but is generally in favor of the way this stands at this time.

Manager Rambo noted we have explained the purpose of the meeting, we have also explained from start to finish with regards to the conditional use process and we have reviewed the transcripts to come up with the issues and concerns that were presented to the City. We have explained the zoning permit application that was initially put before us. We have explained the amended zoning permit that is before us with conditions the City has agreed to, as of last evening, be part of the amended zoning permit. We have gone through and read the entire text of everything.

Supervisor Lindborg noted he is surprised there is only one resident present. Manager Rambo stated he faxed and talked to Jane Shields, esquire with regard to the meeting. He forwarded her the notice of advertisement and the amended zoning permit application, The Township reposted the entire site in yellow of this special meeting and had also advertised it in the Daily Local Newspaper.

Chairman Obernier suggested even though they had one gentleman show up they would still need to review this on Monday night. Supervisor Lindborg noted the latest they could do it would be Monday because they have to make a decision. He stated the Township advertised it and said if people would like to come up and hear what we have proposed and voice their concerns with the Board.

Chairman Obernier stated there was one thing that came up that Manager Rambo had clarified for him, in reading about the road improvements, you could read it in one way, where they are expecting the Township to get that land and give it to the City and you had pointed out that it is not that way, we are not expected to condemn, or push, or buy, or give. Maybe the Manager can go over that for Tom McCaffrey's sake.

Manager Rambo noted that with regards to the turning lane, if we ask them to do that, that is in the intersection, we do have existing 33-foot right-of-way, we do have the Conti's who are

selling their property to the City, he believes they may have extended that to 50-foot when they went to the previous plan to get the two-lot configuration. The City will be negotiating with the Conti's for the turning lane there. As far as the remaining part of Pratts Dam Road, we do have a 33-foot right-of-way. We have an 18-foot wide paved surface, which is nine foot and we have 16½-foot from the center of the road. So we have a 10½-foot in which to put another 3-foot lane to make it to where it would be 21.2-foot. There would be no need for any condemnation for purchase of additional... they would stay right within our existing road right-of-way.

Vice-Chairman McCaffrey said no offence to the road right-of-way, but people maintain road right-of-ways and take care of them for decades, they feel they belong to them. What winds up being torn out that people have been nurturing for the last 20 years that become part of the lane for people to have their golf course.

Manager Rambo stated not right down there, you have open swales and some front yard. Vice-Chairman McCaffrey asked about the trees on the other side of the road. Manager Rambo said they are not going to go to the south side. They will keep everything to the north.

Vice-Chairman McCaffrey stated that was just an example, the language that is confusing should be more directly spelled out so that it is clear for everyone, noting that another person may have a different interpretation.

Supervisor Lindborg said if they have a concern, they could call the Township. Manager Rambo said they had legal council prepare the paperwork to make it as clear as possible.

Vice-Chairman McCaffrey hopes that the lack of attendance is because people didn't care to come or because they didn't know to come. But part of him worries that people didn't come because they feel there is no real use to come, they feel they don't have any real input and nobody is listening anyway.

Supervisor Lindborg felt that was unfair, because of what they have done... Vice-Chairman McCaffrey said what he is trying to say is that he thinks the latitude the City has taken is one of the primary reasons that people feel that way about the governments that are operating around them.

Supervisor Lindborg said in this case they have been going to negotiate... Vice-Chairman McCaffrey said for the City of Coatesville to find that loophole that they are now employing had to spend a considerable amount of money to have some legal firm go over our ordinance to discover it. If they had gone through the conditional use process, they may have wound up with the same conditions that we have here before us. It's the path that they used that is disturbing.

Supervisor Lindborg noted they also could have just asked for the permit without any conditions.

Vice-Chairman McCaffrey said yes they could have, and they could have suffered whatever the consequences that action would be. He was assured from his point of view that whatever heel he could drag, whatever spike he could put in, he would have put in to make that project almost untenable for them.

Supervisor Lindborg thought in fairness they negotiated in good faith. Vice-Chairman McCaffrey said what you are saying is, that it is based on the way they decided to go and the blockades that they have put in the path of our normal processes; this is probably not a bad deal. He agrees with Lindborg on that. For him the point is this is the hallmark of what we have to expect in dealing with the City of Coatesville. This is the measure by which he can anticipate their future interactions within our community. The first step they took was to exclude the citizens as much as possible and find a loophole that they could strangle us with. To him, it just indicates that when they build this project what else do they have in store for us. If this is the way they do business, he doesn't particularly care for it.

Supervisor Lindborg stated he doesn't think the issue here is the project; the way he personally feels would be different than what he might express as part of this Board with this issue. He is looking at what they have been presented with and what their choices are and what potentially could have been.

Chairman Obernier said they started the conditional use process and people came in and as they made comments and we got feedback from the people living in the area. The City didn't have to negotiate anything, they did, Carl sat and talked with them and they were reasonable with him. He came out with a set of conditions and maybe they would have been identical to what we may have gotten in the conditional use.

Vice-Chairman McCaffrey stated that he doesn't care to be in a halter, he would have liked the process to run itself freely. For the people who have expressed their concerns to be addressed, and their worries that could not be dispelled, to have actual conditions applied to them and mitigate them. They would have seen the process work for them. Our citizens have been deprived of that treat. He noted he wasn't mad at anyone on the Board, we are going to do the best by our people that we can. He feels that the City of Coatesville has taken the utmost effort to alienate and estrange the people they have to deal with in the future. They seem to have the attitude that since Coatesville was a victim of housing problems and other things from the County, their status as being a past victim entitles them to make victims of everyone else right now. They feel it is justifiable. They should have come in and told the people exactly what was going on, worked it all out. Then they would have come to these conditions in the end and everyone would have seen a process that would have successfully met two particular agenda's and merged them together in something that everyone could live with, but instead they put a halter on the community and direct them in as far as they could feel they could go. He then stated, to make no mistake, he is glad they agreed to this, but doesn't feel this has been gratuitous and with good will involved. They have given what they feel they must to get their project on the road.

Supervisor Lindborg stated he appreciates and understands Vice-Chairman McCaffrey's opinion. He feels in this particular case, they dealt with West Brandywine Township in good faith in addressing the issues that came up in the hearings; they have addressed the key issues with working with the Manager and John E. Good, they have come up with reasonable conditions to be attached to the zoning permit application.

Vice-Chairman McCaffrey stated his opinion that being a creature of principle, this goes against his principle. In the interest of the community, he will make whatever deal he has too, to get them as much as he could out of it. This it is a sign that says beware when we deal with the City of Coatesville. Anything else they are going to want to do, they will have to one hundred percent convince him why it is good for his citizens, before he will even listen to them. They have poisoned the water for him. He then stated his opinions are his own and are not based on animosity towards any individual or group, they could have gone about this in a creative way, but instead they wanted a shortcut. In doing so, he felt they alienated him.

Chairman Obernier then asked if the audience had any comments. Supervisor Lindborg asked Mr. Swisher questioned regarding his family.

Kim Hoopes, Little Washington Road stated he thought the City has been upright with them, and thought they were acting as any other developer, an example being Hide Away Farms who came back and worked with us. They are looking to expedite their product just like any other developer. He noted that the City has agreed to these conditions and they didn't have to.

Joan of the Coatesville Ledger asked a question regarding the maintenance of the traffic light. Manager Rambo stated that once they get the permit and installation, they would be required to maintain it. However, there is a section in the code with PennDOT that will allow the City to go to Valley Township in a fashion of some sort in an attempt to recoup a proportionate share from Valley since three parts of the intersection are in Valley. None of this is in West Brandywine Township.

The Chairman then asked if anyone else had any questions. Mr. Swisher asked a question regarding the intersection. Manager Rambo answered they will have to apply for a permit to install the light, as soon as we issue the zoning permit application. He noted it was tied with the Golf Training Facility.

Chairman Obernier asked Supervisor Lindborg if he had any further questions. He noted they have until January 27, 2003 in which to render a decision, and it was okay for the Manager to move forward with advertising the continuation of the meeting.

Chairman Obernier stated he would like to continue this meeting on the following Monday evening. He is in support of these conditions, and noted they seemed to match what they would have gotten with the conditional use hearing. He commended Supervisor Lindborg for the effort he has put into this.

Supervisor Lindborg stated he would like to have another meeting to explain the conditions to the people.

Vice-Chairman McCaffrey noted how disappointed he was that more people hadn't shown up for this meeting as well.

Chairman Obernier asked if the three of them could take a vote and agree that the Manager re-advertise for another public meeting at the Township Building next Monday night to go over the

conditions. He noted that he heard the points that Vice-Chairman McCaffrey has made, but Chairman Obernier's view was identical to Supervisor Lindborg's and Mr. Hoopes views. The City of Coatesville were willing to sit down and negotiate things they didn't have to, the things they negotiated were for the benefit of our residents. They made an effort to make this work. There will be things that come up in the future, they always do, they will sit and talk it out. Things come up with every developer. He understands Vice-Chairman McCaffrey's feelings and notes he wasn't discounting them in any way. He noted that this is a first step in a journey they are taking with City Council, as long as we continue to talk it out to obtain a solution we will succeed.

Manager Rambo noted they have a Hearing scheduled for Monday night at 7:00. He noted if they were to not continue this and had another meeting Monday night it would be for the Conditional Use Hearing for the Golf Course. Vice-Chairman McCaffrey suggested since this has already been advertised, to state that the Conditional Use Hearing has been put to death and this is taking its place.

Manager Rambo stated he still has to advertise a special meeting and he has to advertise if the Conditional Use Hearing has been cancelled. He still has to issue or not issue a zoning permit by close of day on Monday.

The Manager noted it is his understanding that the majority of the Board is okay with these conditions being applied to the amended zoning permit that is under consideration by the township zoning officer. Supervisor Lindborg and Chairman Obernier stated yes, they are okay with them. It is also understood that they have met with legal council with regard to the issuance of the zoning permit. The majority of the Board once again has heard that it's legal council's opinion that we should issue the zoning permit. Manager Rambo then asked the zoning officer to write a letter to the City that we will issue it Monday night with regard to the conditions being established to the amended Zoning permit. He noted they will figure out the verbiage between now and then.

Chairman Obernier suggested that the zoning officer mention in the letter that they had wanted to have an opportunity to speak with the area residents; they have had one resident in attendance and would like the opportunity to speak with the rest of them on Monday night.

Vice-Chairman McCaffrey stated that the record should show they are merely making suggestions to Dale Barnett, Zoning Officer, because the Township Codes prohibits the Board of Supervisors directing the Zoning Officer to do anything. Manager Rambo pointed out that he was the one that made the suggestion.

Vice-Chairman McCaffrey suggested they have an informational meeting to discuss the conditions. Discussions pertaining to the Monday night meeting and the advertising of it took place. Supervisor Lindborg noted for him this would be a chance for the residents to come in, they could explain what the conditions are, he noted they had the meeting tonight that was advertised and put another sign down on the property. Jane Shields was contacted by phone, faxed the conditions to pass them onto her people, and was asked to supply her comments. They are scheduling another meeting so that people can understand what the conditions are. The Board

concluded they were all in agreement that they expected more people to be in attendance at this meeting.

Manager Rambo explained the Township's normal business hours are 7:00 to 4:30 p.m., he is going to direct the zoning officer to write a letter before the end of the business day approving the issuance of the zoning permit with the added conditions that this Board has approved.

Supervisor Lindborg noted that if Jane Shields didn't contact her people, and she did and they didn't show then that's not our issue. That was the whole key about notifying people; she represented the main group of people that wanted to be a party to this. The Manager called and faxed her. She should have notified the people.

Manager Rambo noted that John E. Good, Esquire has been in discussions with her; they posted the site once again in yellow with the meeting date on it.

Supervisor Lindborg noted he would vote to approve, with the desire to advertise for another meeting to discuss what was approved and issued to the City. At this time in the meeting a rehashing of why to have the special meeting on Monday night was discussed.

Chairman Obernier suggested they speak with John E. Good, Esquire who will speak with the City and let the Manager explain it before they go ahead and approve it; they want the ability to explain it to people. If they are both okay with this, then they can go ahead and do it, if they are not both okay with it, the Manager or the Chairman can call a special or emergency meeting.

Supervisor Lindborg suggested that if it's okay with John E. Good, Esquire and the city to continue and make the final approval on Monday evening they will go that way, if it's not, he will vote that they approve it tonight. Supervisor Lindborg motioned to except the conditions that the City has put on their amended zoning permit on the condition that they can't postpone it until Monday night. Manager Rambo asked if they were going to stop all of the Conditional Use Hearings? Lindborg answered yes. Manager Rambo stated they will have the meeting at the Township. Lindborg answered yes. Chairman Obernier seconded the motion. Board Members Lindborg and Obernier voted aye. McCaffrey voted nay.

Chairman Obernier asked Vice-Chairman McCaffrey if he was against the conditions or voting on it. He noted he didn't care for some of the language in the conditions.

The consensus was: If it can't be continued until Monday evening than it's been approved, and if it can it's still approved.

With no other business left to discuss, Supervisor Lindborg motioned to adjourn the meeting at 8:55 p.m., Vice-Chairman McCaffrey seconded the motion. Board members Supervisor Lindborg, Vice-Chairman McCaffrey, and Chairman Obernier all voted in favor of adjournment.

Manager Rambo called the meeting re-opened at 8:56 p.m. Supervisor Lindborg motioned that they approve Conditions that will become part of the zoning permit for the City of Coatesville

Golf Training Center in West Brandywine Township. Chairman Obernier seconded the motion. Board Members Lindborg and Obernier voted aye. McCaffrey voted nay.

Supervisor Lindborg noted that the minutes from tonight's meeting should reflect they we have advertised, posted the site again, the Manager has contacted Jane Shields, Esquire the attorney who represents the area residents. She has been faxed the Conditions they have approved tonight, and they have made every effort to notify the people who had concerns about this project come in and express them. It is also noted that Supervisor Lindborg before making the new motion, motioned to rescind any and all motions from the previously closed meeting and seconded by the Chairman. All Board members agreed.

Vice-Chairman McCaffrey also noted that the minutes should show his feelings are that the Board has done everything they could humanly do to get the best they could out of the City of Coatesville. He has no bones to pick with the other Supervisors. He feels the specific language that was given to us could be better polished for our interests. Chairman Obernier asked at this time, are they planning any meeting for Monday? Manager Rambo and Supervisor Lindborg answered no.

Vice-Chairman McCaffrey asked that the advertisement that states they are not having a conditional use meeting also include: that in the future there will be an informational meeting that will also be advertised to go over the conditions agreed upon so that the citizens in the affected area can understand them and they can answer their questions. They can also attend the regular Township Supervisors meeting.

It was noted by the Manager that no one had left the meeting prior to the re-opening of the Township Meeting.

With no other business left to discuss, Supervisor Lindborg motioned to adjourn the meeting at 9:01 p.m., Vice-Chairman McCaffrey seconded the motion. Board members Supervisor Lindborg, Vice-Chairman McCaffrey, and Chairman Obernier all voted in favor of adjournment.

Ronald A. Rambo, Jr.
Township Manager/Secretary/Treasurer