

**BIRMINGHAM TOWNSHIP PLANNING COMMISSION  
MINUTES OF THE MEETING OF  
JANUARY 11, 2011**

The regular meeting of the Birmingham Township Planning Commission was called to order in the Township Building at 7:30 p.m. on January 11, 2011 when Chairman Nick DiMarino declared a quorum. In attendance were Debbie Hineman, Scott Towler, Scott Boorse, Mary Pat McCarthy, and Eric Hawkins. Pete Davenport was absent.

The minutes of the November 9, 2010 meeting were approved as presented. (Boorse, Hineman, 2 abstentions) [There was no meeting in December 2010.]

Reorganization: Nick DiMarino was re-elected Chairman. Eric Hawkins was re-elected Vice-Chairman. (Scott Boorse expressed interest if Eric was not interested.) Scott Towler will attend the West Chester Regional Planning Commission quarterly meetings because Scott Boorse will no longer be attending them. Pete Davenport will continue to be the HARB liaison.

Temporary Sign Ordinance: Mr. DiMarino summarized the history of the activity on this ordinance and it's having been sent to the Board of Supervisors and returned from them. Mr. DiMarino said the Supervisors wanted the ordinance to be less prescriptive than the Planning Commission had recommended, leaving them more flexibility. Ms. McCarthy opined that it appeared that the PC and Suburban West Realtors had wasted their time, since the Supervisors had rejected their recommendation. Mr. DiMarino said the ordinance was not really about real estate signs but was about commercial signs such as the Michelin Man erected on Route 202 last year and that nothing about real estate signs had been changed from the original rules. Mr. DiMarino called for a motion on whether or not to change the last vote (of July 13, 2010) on the 061610 version. There was no motion. Mr. DiMarino asked that it be recorded that no PC member wished to change the last recommendation.

RPOS Presentation of 325<sup>th</sup> Anniversary Celebration: Presenter Greg Kurey was out of town, so the presentation was postponed until the February meeting. Mrs. Hineman said volunteers are needed to prepare for the August 27, 2011 event.

Brandywine Valley Scenic Byway Commission: Jay Monteith (Birmingham), Bruce Yelton (Pocopson), Michael Lane (Pennsbury), Fred Rothman and Jim Haigney (East Bradford) and Mary Pat McCarthy each spoke about the BVSBC, giving its 8-year history, an attorney's opinion on the threat of a suit by KSK (consultant KSK is in breach of contract), the geographical scope of the byway (generally along the Brandywine), the commission's goals (corridor management plan, grants, preservation of natural features and history and archaeology, traffic control), and noting that Birmingham is the link between Pocopson and Chadds Ford Townships (Chadds Ford is interested in joining). Mr. Yelton said the state of Delaware had a byway program first; it all began with a Federal Highway Administration matching grant and that a draft of the plan is expected

to be completed by the end of 2011. Mr. Yelton noted that Meetinghouse Road is no longer a part of the byway. Ms. McCarthy said the byway will continue and the issue is whether or not Birmingham will have a say in what happens.

Questions and statements from the PC members focused on vulnerability to a lawsuit, rejection of increased tourism and bike trails and commercial development, failure to see any results after five years of meetings (other than the misdirected consultant's suggestions), and general skepticism of the project's benefit to the township. Lloyd Roach, 1025 Meetinghouse Road, said the township is already sensitive to its history and urged the PC to reject the proposal for continuing membership. Mr. DiMarino called for a motion; Ms. McCarthy moved to continue Birmingham's participation in the Brandywine Valley Scenic Byway Commission, Mr. DiMarino seconded the motion, one vote was in favor, five were opposed. Mr. Rothman asked why Birmingham had originally joined the BVSBC. PC Secretary Jacquie Roach said she'd been at the meeting when the Supervisors voted and it had been presented as an opportunity to get grant money and that the economy was better then.

New Business: Mr. DiMarino reported that at one of the Board of Supervisors meetings a question was asked about adopting an ordinance requiring notification of neighbors whenever a Township commission or board is going to examine a proposal for a trail or easement, just as happens for subdivision proposals. One of the Supervisors suggested that this should be discussed initially at the PC. Frone Crawford will consider how this might be done and provide a suggested ordinance or ordinance modification.

Mr. Boorse asked for confirmation that the PC is now at seven members and is still looking for an alternate member to supplement the current commission. Mr. DiMarino confirmed that.

Ms. McCarthy stated that, since the last discussion of the BVSBC had not resulted in a vote, she appreciated the opportunity to vote this time, especially after her having devoted 45 volunteer hours to the BVSBC.

The meeting adjourned at 8:30 p.m. (Hineman, Boorse). **The next meeting is scheduled for February 15, 2011.**

Respectfully submitted,

Jacquie Roach

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