

**BIRMINGHAM
TOWNSHIP**

CHESTER COUNTY

Board of Supervisors:

John Conklin -
Chairman
William Kirkpatrick -
Vice-Chairman
Al Bush - Member

Administrative:

Quina Nelling - Secretary/
Treasurer
Gail Ayers - Office
Assistant

Zoning Officer and

Building Inspector:

Vincent J. DiMartini

Township Solicitor:

Joseph Brion, Esquire

Newsletter Editor:

Judy Jensen

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Thomas Nelling - Chief of
Police
Phone: (610) 793-3333
Fax: (610) 793-0319
Police, Fire, Ambulance
Calls: 9-1-1
Email:
birminghampolice@
comcast.net

Township Committees:

Board of Supervisors
Planning Commission
Zoning Hearing Board
Historic Architectural
Review Board
Recreation, Parks, and
Open Space
Historic Commission

The Birmingham Township
Office is open Monday to Fri-
day from 9:00 AM to 3:00 PM.

Birmingham Bugle



Spring, 2009

A Letter to Residents From Chairman John Conklin

Dear Neighbors:

During the year 2008, though the Township experienced the first impacts of the economic slowdown, taxes did not have to be raised nor were new taxes added. Your Board of Supervisors worked to continue the Township tradition of small and effective government.

We finalized the protection of an additional 200 acres of open space since 2006. This was accomplished as a result of the work of many people assembling support locally and from federal, state, and county grants. Over 40 percent of open space in our Township has been secured with minimal municipal funds. Some of our landowners have generously entered into conservation agreements with entities like the Brandywine Conservancy and the Natural Lands Trust. Your taxes maintain Sandy Hollow Park and we are adding a new walking trail on the recently preserved property across from the Birmingham Friends Meeting House.

We owe thanks to the dedicated volunteers who give their time to our Planning Commission; Recreation, Parks and Open Space Committee; Zoning Hearing Board; the Historic Architectural Review Board; and Historic Commission projects during the year. The volunteers enable us to offer services and keep costs down.

Please consider offering your help where you can. Volunteering can be rewarding, helps your neighbors and allows you to meet interesting people you might never otherwise encounter.

Considerable road work was accomplished in 2008 despite an unfavorable Pennsylvania court ruling needlessly increasing the cost of road work for all Pennsylvania municipalities by requiring an artificial "prevailing wage." We spent over \$180,000 in 2008 to maintain a preventative maintenance program. Most of these funds are supplied to the Township through the PA State Liquid Fuels Fund — a State program that rebates a portion of the gasoline tax we all pay for fuel purchases back to the local Townships for road maintenance.

For some years now, we have enjoyed the revenues of a strong real estate market but that has diminished while inflation and environmental reporting have increased costs. In fact, over the last 15 years, the tax increases in Birmingham have averaged slightly less than inflation. Reluctantly, the Board has decided that in 2009, we will finally have to raise the millage rate from 1.35 to 1.5 mills after two years with no increase. Our objective is to keep our annual revenues close to our annual expenses.

Costs in providing sewer

services went up as well and the rate will be increasing from \$115/qr to \$125/qr. By comparison, East Bradford supplies some of our residents with sewer service at a cost of \$142.25/qr.

Our largest cost center is our Township police force. We have maintained this service based on favorable feedback from residents, as well as from neighboring communities. We are controlling expenses by tightening benefit costs and by reviewing job responsibilities to manage rising payroll costs. In 2009, we will defer a new vehicle purchase.

The Township Board of Supervisors meets at 7:30 PM on the first and third Mondays of each month. Residents are encouraged to attend. Additional information is available at our web site (www.birminghamtownship.org).

I think we are fortunate to live in Birmingham Township; a place with broad historical connections and a legacy of good management. This is a community that works, thanks to our volunteers, employees, elected officials and good neighbors.

John L. Conklin, Chairman
Board of Supervisors



Board of Supervisors Actions in 2008

During 2008, the Board of Supervisors took the following actions:

- Awarded the 2008 Road Program to Dan Petrucci Paving Co. of Kennett Square for \$178,537.
- Approved a letter to the Governor, State and Local Officials on exempting road maintenance projects from the prevailing wage requirement for public works projects.
- Sold the 2005 Ford Crown Victoria to Police Car Store in Bala Cynwyd, PA for \$897.
- Appointed the certified public accounting firm of Umbreit, Korengel & Associates of Kennett Square to perform the 2008 audit for a fee of \$2,800.
- Approved the Conditional Use Application for Cricket Communications, Inc. to install cellular communication antennas on an existing tower located on the Stoltzfus RV Property, 1335 Wilmington Pike.
- Appointed Page Excavating, Inc. to perform snow removal services for the 2008/2009 season.
- Approved the Conditional Use Application for CJ's Tire & Automotive Services to conduct retail sales of tires and automobile accessories with associated service and repair at 1309 Wilmington Pike, former location of Hannum's Motorcycles and Wenner Ford Tractor.
- Authorized a feasibility and cost evaluation study by URS Corporation, the Township's Sewer Engineer, to replace the existing equalization pumps and controls at the sewer plant with the installation of self-priming horizontal centrifugal pumps.
- Conducted an Emergency Management Table Top Exercise with the Chester County Department of Emergency Services.
- Appointed Chris Bailey to the Zoning Hearing Board to replace Dick Brigham, who remains as an alternate.
- Applied to FEMA for a letter of map revision to the Flood Insurance Map for Chester County for post-construction development of Birmingham Hunt and the Knolls of Birmingham developments for the 100-year flood plain that traverses the Radley Run stream in those developments.
- Awarded the bid for the construction of the Birmingham Hill trail parking area to Ply-Mar Construction Co., Inc. of Plymouth Meeting for \$39,230 and awarded the bid for the installation of the fencing for the trail to Fenceworks of West Chester for \$43,096.
- Entered into a five-year contract with the Borough of West Chester for fire protection services for the properties on Rt. 926 and north at a cost of \$33,485/year.
- Approved the Final Land Development Plan for R.J. Waters and Associates to increase the square footage of the building currently held by Blockbuster by 12,500 square feet, which will be utilized as an expansion of the Giant Food Store.
- Appointed Jeffrey Corrigan to the Recreation, Parks and Open Space Committee to fill the term vacated by Dick Gross.
- Adopted the 2009 budget, which proposes \$1,276,450 in expenditures and a millage rate of 1.5 mills.
- Established the 2009 sewer rent rate at \$125/quarter/equivalent dwelling unit.

Ordinances Adopted in 2008

The following ordinances were adopted in 2008:

- Ordinance #08-01 which modifies the definition of "structure" and provides regulations pertaining to fences and walls in residential districts.
- Ordinance #08-02 which amends the Zoning Ordinance to define what accessory uses are permitted within a planned residential development; establishes green space requirements in a planned residential development; amends the zoning ordinance regarding conditional use notification and the jurisdiction of the Zoning Hearing Board.
- Ordinance #08-03 which amends the Stormwater Management and Land Disturbance Ordinance by adding a new section on "Prohibited Discharges to Storm Sewer System."
- Ordinance #08-04 which amends the Uniform Construction Codes Ordinance to require building permits for all structures and buildings which are accessory to a single family dwelling and have an area greater than 250 square feet.

Historic Commission

In November of 2007, the Board of Supervisors adopted an ordinance that authorized the creation of an Historic Commission in Birmingham Township. Duties of the Historic Commission include maintaining an inventory of historic structures in the Township; conducting research; advising on the issuance of building permits for historic structures; and reviewing land development applications that could affect historic resources. The seven-member Commission meets the fourth Tuesday at 7 PM in the Township Building.

Right-To-Know

The new open records law makes it easier than ever to access public information. The Township's web site has a standard right-to-know request form that can be completed and submitted to the Township for access and review of public records. The requested records must be provided within five days of receipt of the request.

Birmingham Hill Trail

by Dan Hill, RPOS Committee

As you may have noticed last fall, fencing was installed along Birmingham Road and Meetinghouse Road for the new Birmingham Hill walking trail, which is located across from the Birmingham Friends Meetinghouse. Purchase of the property by the Brandywine Conservancy was made possible through many generous donations as well as State, County and Federal funding sources. Chester County required public access as part of their funding.

Funding was approved under the Chester County Municipal grants program for a footpath and a small parking lot on the property. The footpath will extend along Birmingham Road to Meetinghouse Road for 1.16 miles through some of the most picturesque properties in the Township.

The footpath will not be improved (no paving or gravel) so as to have a minimal impact on the land. The twelve car gravel parking lot has been located to minimize any impact on the view

shed. Every effort has been made to keep the property pristine. In fact, archeology was evaluated prior to any digging of the parking lot so any potential artifacts would not be lost during construction. The trail location through the woods was located specifically to limit the impact to trees and underbrush.

The official opening of the Birmingham Hill trail will occur this spring when signs will be erected and the footpath will be open to the public. A lot of hard work on

the day-to-day details from the Township's Recreation, Parks and Open Space Committee, as well as help on the grant application from David Shields, Associate Director of the Brandywine Conservancy, made this project possible.

Birmingham Township is indeed fortunate to have over one-third of its open space protected. The trail at Birmingham Hill, along with the popular Sandy Hollow Park, enables the residents to enjoy the open space of this beautiful Township.

Lock Your Car

Due to an increased incidence of thefts in unlocked cars in the Township, the Birmingham Township Police Department is recommending some tips for you to follow:

Lock It Up — Keep your car doors and windows locked at all times, even in your driveway. It's much easier for a thief to quickly snatch your change and belongings without making a scene if your car is unlocked. The majority of stolen items from vehicles in the Township have been from *unlocked* cars.

Don't Tempt Thieves with New Purchases — Anytime you're shopping, don't leave packages in your car while you grab a bite to eat or do more shopping. Secure the items in your trunk.

Keep Your Valuables Out of Sight — Never leave cell phones, briefcases, suitcases or electronic devices such as GPS units, palm pilots, or laptop computers in plain view in your car.

Report Suspicious Persons or Vehicles — Call 9-1-1 to lower your chances of you or a neighbor being a victim.

Vacation Notice — Take the time to fill out a vacation notice, which can be found on the web site, and submit it to the Police Department so they can check your property while you are away. Doors and windows will be checked to see if they are secure three times a day, once a shift, while you are away.

2009 Household Hazardous Waste Event

The schedule for the 2009 Household Hazardous Waste Event in Chester County is as follows:

Saturday, April 4, 2009 — CAT Pickering (9 AM to 3 PM)
1580 Charlestown Road, Phoenixville, PA 19460-2371
Computers accepted

Saturday, May 16, 2009 — Owen J. Roberts Middle School Parking Lot (9 AM to 3 PM)
981 Ridge Road, Pottstown, PA 19465-8401
NO COMPUTERS ACCEPTED

Friday, June 19, 2009 — CAT Brandywine Campus (9 AM to 3 PM)
1635 East Lincoln Highway, Coatesville, PA 19320-2459
Computers accepted

Saturday, September 19, 2009 — New Garden Maintenance Building (9 AM to 3 PM)
8934 Gap Newport Road, Landenberg, PA 19350
NO COMPUTERS ACCEPTED

Saturday, October 10, 2009 — Government Services Center (9AM to 3 PM)
601 Westtown Road, West Chester, PA 19380
Computers accepted

The Brandywine Valley Scenic Byway

On May 23, 2005, the Pennsylvania Department of Transportation designated PA Route

52, Creek Road (old Rte. 100) and other connecting roadway segments as the Brandywine

Valley Scenic Byway (BVSF). The PA Scenic Byway program was created to identify and preserve byways that have one or more of the following intrinsic qualities: archeological, historical, natural or recreational qualities.

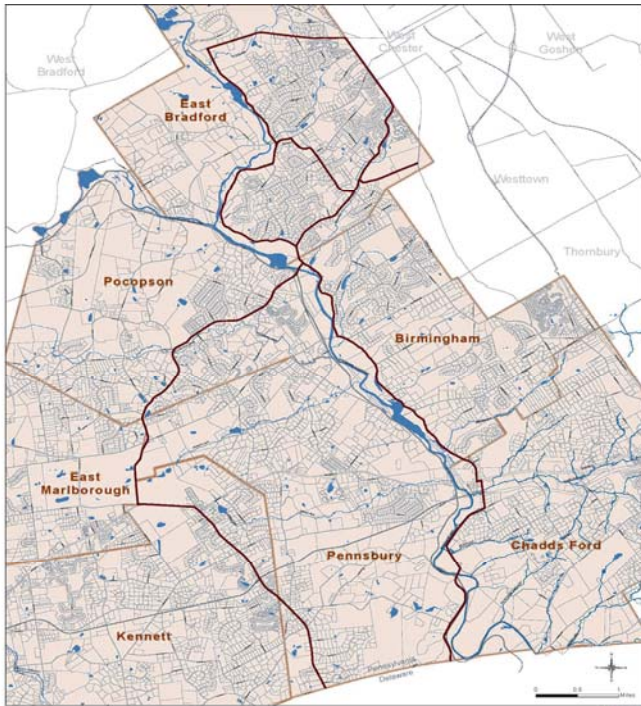
Birmingham Township residents are no strangers to the natural and historic characteristics of our town roads and of the Brandywine Valley area. Creek Road runs the entire western edge of the Township and is included in the scenic byway. The historic and scenic values of the Birmingham Township byway segment, the nearby historic buildings and open space provide a significant contribution to the overall features of the BVSF.

The Brandywine Valley Scenic Byway resulted from a multi-municipal coordinated effort of Pennsbury, Kennett, East Marlborough, Pocopson, East Bradford, and Birmingham Townships during the last five years. Following the State

of Pennsylvania designation, the Brandywine Valley Scenic Byway Commission applied for and received a United States Federal Highways Administration grant for a corridor management study. The study, which was initiated in 2008, will provide a written plan to aid in the coordination of efforts directed at preserving the essential characteristics of the Brandywine Valley Scenic Byway.

Interested residents are encouraged to seek more information about the byway through the BVSF Commission, which meets on the fourth Thursday of each month at the Pennsbury Township Hall or by visiting the BVSF web site (<http://www.brandywinevalleybyway.org/index.html>).

Dan Hill
RPOS Committee



Brandywine Valley Scenic Byway Corridor Management Plan



A Message From the Emergency Management Coordinator

Dear Fellow Birmingham Township Residents:

Since 1982, I have served as your Emergency Management Coordinator. My primary responsibility is to plan for any eventuality, which would in any way incapacitate or affect the residents of the Township due to a natural or other type of disaster or incident. I am not a first responder. This is the role of our excellent Birmingham Township Police Department, West Chester Fire Department, Good Fel-

lowship Ambulance Company and the Concordville Fire and Ambulance Company.

Our Police Department serves the entire Township 24 hours a day. If you live on Rt. 926 or north, you are served by the West Chester Fire Company and Good Fellowship Ambulance Company. If you live south of Rt. 926, you are served by the Concordville Fire and Protection Association. Our police are paid professionals. Our fire and ambulance

are made up primarily of volunteers from the community. All of these services are dispatched by calling 9-1-1.

Every year, I poll our residents to see if there are any special needs, especially if you or a member of your family is non-ambulatory. If you require such assistance, please complete the enclosed form and return it to me as soon as you can. This information will be placed on file at the Township police department, as well as

the 9-1-1 center.

If you would like to assist our Township department of emergency services or our fire departments as a volunteer, you may contact Police Chief Tom Nelling or me at 610-793-3333.

Thank you and have a safe 2009.

Lloyd Bankson Roach
Emergency Management
Coordinator



Stormwater Facilities in Your Neighborhood

Homeowners rely on stormwater facilities to prevent flooding and to carry water away from their property, but they may not know where this water goes or who may be responsible for the care and maintenance of the local stormwater facility. Stormwater facilities are found in subdivision developments to collect stormwater from impervious surfaces such as roofs, driveways, sidewalks and roads to control the amount and speed of water flowing into local streams and lakes. Retention and detention ponds, dry wells, grassy swales, stormwater filter vaults and ditches are most commonly used to control stormwater. Depending on your neighborhood, you and your neighbors may be responsible for maintaining your stormwater facility.

Why maintain stormwater facilities?

Regular inspections and maintenance extend the life of the facility and protect our natural environment by slowing water runoff and filtering out pollutants. Neglecting a facility could make property or streets susceptible to flooding. Annual inspections reveal damaged or nonfunctioning structures that may cause erosion.

Without regular maintenance, a homeowners' association might need to hire a professional to repair damage. By spending some time each year, homeowners' associations save time and money.

Who owns and maintains my stormwater facility?

Privately owned stormwater facilities are maintained through homeowners' associations and commercial property owners. Homeowners should check their deeds or covenants for language requiring homeowners' associations to maintain the development's facility. The Recorder of Deeds maintains plat documents containing information on the ownership of your facility.

Maintaining stormwater facilities

Now that you know what a stormwater facility does, how do you and your neighbors or homeowners' association maintain it? First, start by inspecting your facility twice a year, at least once after a heavy rainstorm. Review the facility's mechanical and structural components, including storm drains, outfalls, overflows, fencing and the facility basin itself. Develop a checklist of structural components and keep a maintenance record. Next, develop a facility maintenance schedule. Homeowners' associations should consult with a qualified professional to help inspect and maintain stormwater vaults or other underground storage systems.

When inspecting the facility, look for signs of erosion where soil is washed away or slopes appear unstable or have failed. Inspect the vegetation. You do not need to be an expert to see a plant in distress. Erosion or dead vegetation may signal issues in the facility's function. Dead vegetation might mean excess sediment build-up or standing water in a facility not designed for ponding.

Vegetation is an important part of the facility but can easily grow out of control. Learn what plants were originally installed by consulting your plat documents, then compare with the plants in your facility. Weed around living plants, remove or replace dead plants, and review the extent of invasive species growing in your facility. Inspect vegetation in the spring when you might expect to see signs of life or new growth. During winter, many plants go dormant, and it may be difficult to determine dead from living plants. Avoid using herbicides in your facility. If the facility is vegetated with grasses, mow regularly, but avoid using heavy equipment or machinery in the basin that compacts soils and hinders water infiltration.

Important things to remember:

Remove litter that may clog inlets, outlets or the basin. Regularly remove trash and litter near storm drains to prevent accumulation in the stormwater facility. Litter may include animal waste, lawn clippings or any other debris that could inhibit infiltration or clog pipes. These organic wastes increase nutrients in our local waters, which increase algal growth and damage aquatic life.

Erosion causes problems in the stormwater facility. Inspect the "splash pad" where the water outlet empties into the facility. The splash pad might consist of large rocks at the base of the outlet, or concrete. Inspect the surrounding soil for signs of erosion for slope failure or slippage.

Finally, check structural parts of the facility for clogged intakes or outlets, broken or cracked pipes or other malfunctioning parts. Check any fencing to be sure the facility is safe and secure.

To avoid issues with sediment, educate your neighbors about the function of your facility. Keep water on your property to avoid excessive sediment and erosion from getting into the stormwater facility. Homeowners can implement several strategies to retain more stormwater on their property, such as rain gardens or rain barrels. Most importantly, keep pollutants from entering the facility.

With regular maintenance, the stormwater facility should function properly for many years. You and your neighbors play an important part in protecting your Township's streams and rivers. (Adapted from Stormwater in Your Neighborhood, written by Jennifer Naas, for the Clark County Washington Watershed Stewards Program)



Birmingham Township
1040 W. Street Road
West Chester, PA 19382-8012

Birmingham Environmental Stream Team

The Birmingham Environmental Stream Team (BEST) has completed another successful year of stream testing. The stream testing determines stream water health by chemical analysis of the water and the identification of macro-invertebrates.

To get an accurate picture of a stream's water quality, stream tests have to be done on a regular basis over a period of years to determine its health and to normalize test results for seasonal variations. In order to obtain useful data for trend analysis, BEST has made a long-term commitment to monitoring Birmingham's streams. The team has been active since Marlou MacIver founded it in 2003.

BEST collects specimens by securing nets in a stream, after which the team stirs the upstream water to cause the macro-invertebrates to float down the stream into a net. The type of macro-invertebrates found in the stream determines the health of the stream since many of the species are sensitive to pollutants. Mayflies, stoneflies, and caddisflies are generally intolerant of pollution; therefore, if a large number of these insect types are collected in a sample, the water quality in the stream is likely to be good. If only pollution-tolerant organisms, such as non-biting midges and worms, are found, the water is likely to be polluted.

When water chemical quality, habitat condition, and macro-invertebrates are evaluated, the result is a comprehensive picture of environmental quality. This information helps BEST determine which streams have good habitat quality and also helps identify those streams showing signs of stress.

To counteract stream stress, such as erosion, the Stream Team has planted some riparian buffers, vegetated areas next to streams that provide bank stabilization for aquatic and wildlife habitat. Riparian buffers, both the grassed and forested portions, serve to slow water velocity, thus allowing sediment to settle out of the runoff water. BEST, in conjunction with the Brandywine Valley Association, is working to increase these buffers. Recently, 600 trees were planted by property owners beside the Radley Run Stream in the Township. Also, the Knolls of Birmingham and Radley Run have embarked on buffer planting and — of great environmental benefit — the planting includes native plants in many instances.

How can you help? Participate in the BEST stream testing program. It's fun and educational! For just a few hours in the year, you can make a contribution to the quality of your neighborhood's environment and the overall quality of Brandywine Valley water. You will meet interesting people and the experience provides older children with an opportunity to learn important skills. To find out more about BEST, contact Doug Marshall at dkmarshall2@verizon.net.