

Chester County

Birmingham Bugle



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Township Committees:

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

The Birmingham Town-
ship Office is open Monday
to Friday from 9:00 AM to
3:00 PM.

1040 West Street Road, West Chester, PA. 19382-8012

Winter, 2007

Recognition of Sullivan Conservation Easement

The Township is proud to acknowledge and thank Jane Mather Sullivan for her recent contribution to Natural Lands Trust, Inc. of a conservation easement with regard to her 113 acre property at 1046 Birmingham Road. The Sullivan property is characterized by the presence of a portion of Radley Run, an intermittent tributary of Radley Run, wetlands and woodlands, a single family residence, a swimming pool, and barn ruins. The Sullivan property is the site of numerous species of native flora and fauna.

The Sullivan property is within the Brandywine Battlefield National Historic Landmark, where on September 11, 1777, forces of the Continental Army, under the

command of General George Washington, engaged elements of the forces of His Majesty King George III, under the command of General Sir William Howe, in an unsuccessful effort to halt a British advance on the capital of the nascent United States of America at Philadelphia in a battle that would come to be known as the Battle of Brandywine. The importance of the Battle of Brandywine in the history of the United States is difficult to overstate. Some units of the British forces that engaged in the Battle of Brandywine advanced along Birmingham Road toward their clashes with components of the Continental Army. The viewsheds of and over the Sullivan property from Bir-

mingham Road provide excellent interpretations of the Battlefield on which American and British forces found themselves.

The Township appreciates the recognition of the importance of the biological, cultural and historical significance of the Sullivan property by Jane Mather Sullivan, which has resulted in the property being substantially preserved in its present condition in perpetuity.

The Township encourages and supports the efforts of property owners to explore the personal, financial, historical and cultural benefits of granting conservation easements on and over their properties.



New Building Code Official

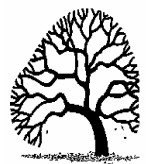
After more than twenty years as Building Code Official and Zoning Officer, Ben Cialini has decided to retire at the end of 2006 to spend some much deserved time with his wife Rose at their Rehobeth Beach property and to take some extended vacation trips that Rose has wanted to go on for years. Ben will be sorely missed and the Township Office and the residents will have to

make some adjustments during the transition. Ben has graciously agreed to stay on for three months so that the transition will be smooth for all of us.

Assuming the responsibilities of Building Code Official and Zoning Officer is Joseph Sofranko of Yerkes Associates. Joe is young, energetic and excited about his new responsibilities. Joe can be reached at 610-644-4254, ext.

220 or jsofranko@yerkes-
assoc.com with any of your
questions.

Best wishes are extended to Ben on his retirement and a huge thank you for his twenty years of dedicated service to Birmingham and its residents.



Household Hints to Protect Birmingham's Water Quality

When rain falls or snow melts, small amounts of chemicals and other pollutants around your home get picked up and carried via storm drains to surface waters. Consequences can include polluted drinking water, harm to vegetation and endangered wildlife. This type of incidental pollution is referred to as nonpoint-source pollution.

To help protect surface and ground waters from nonpoint-source pollution, take a look at practices around your home that might be contributing to polluted runoff. Specific tips from the Environmental Protection Agency include:

Household Chemicals

Take unwanted household chemicals to hazardous waste collection centers. Pouring chemicals down the drain may disrupt your septic system. Chester County holds four annual drop-offs for household hazardous waste; dates for 2007 are on page 6 of this newsletter.

Never pour unwanted chemicals on the ground. Soil cannot purify most chemicals and they may eventually contaminate runoff.

Leftover household pesticides? Do not indiscriminately spray pesticides, either indoors or outdoors, where a pest problem has not been identified. Dispose of excess pesticides at hazardous waste collection centers.

Septic Systems

Properly maintained septic systems

can contaminate ground water and surface water with nutrients and pathogens. To help ensure that your system functions properly, pump out your septic system regularly. (Pumping out every three to five years is recommended for a three-bedroom house with a 1,000-gallon tank; smaller tanks should be pumped more often.) Have the system inspected each time it's cleaned out.

Do not use septic system additives. There is no scientific evidence that biological and chemical additives aid or accelerate decomposition in septic tanks. Some additives may in fact be detrimental to the septic system or contaminate ground water.

Do not divert storm drains or basement pumps into septic systems.

Reduce use of your garbage disposal. (Garbage disposals contribute unnecessary solids to your septic system, which can require pumping your tank more often.)

Do not flush unused medicines down the toilet. Wrap them in plastic and dispose of them in the trash.

Don't use toilets as trash cans. Excess solids can clog your drainfield, which can necessitate more frequent pumping.

Water Conservation

Decreasing water usage can help prevent your septic system from overloading and contaminating ground

water and surface water. Seventy-five percent of drainfield failures are due to overloading. Use low-flow faucets and shower heads, reduced-flow toilets, and water saving appliances, such as dish and clothes washers.

Repair leaking faucets, toilets, and pumps.

Use dishwashers and clothes washers only when fully loaded. Take showers instead of baths and avoid letting faucets run unnecessarily.

Wash your car only when necessary; use a bucket to save water. Or, go to a commercial carwash that uses water efficiently and disposes of runoff properly.

Other Ways to Help

Clean up after your pets. Pet waste contains pathogens that can contaminate surface water.

Drive less to reduce the amount of pollution your automobile generates. Airborne pollutants increase acid rain and deposit toxic metals into the environment. Get regular tune-ups and inspections and clean up any spilled automobile fluids.

Take used oil and antifreeze to a service station or recycling center. Never put used oil or other chemicals down storm drains or in drainage ditches. One quart of oil can contaminate up to two million gallons of drinking water.



Recreation, Parks and Open Space Committee Update

by Michael Langer, RPOS Chairman

The Recreation, Parks and Open Space (RPOS) Committee welcomed three new members this past year. Dr. Robert Reder lives on Legacy Lane and is VP of Clinical Research for Endo Pharmaceuticals. Carol Leeson lives in Spring Meadows and is the Director of Network Relations with the Devereux Foundation. Mark Beauchamp lives in Hamilton Place and is the President and Managing Principal of CLRdesign, a landscape architecture and exhibit firm special-

izing in zoo and animal exhibit design. The new members are enthusiastic, with a keen interest in open space issues and have already contributed a fresh perspective at the meetings.

Leaving the Committee in 2006 were Marlou MacIver and Jarl Mork. Marlou continues as the driving force behind the volunteer Birmingham Environmental Stream Team. Thank you to Marlou and Jarl for their dedicated service to the RPOS Committee.

All past and current members have

worked very hard to protect and preserve our open space. We also welcome input and suggestions from the community. Current projects in the works are improvements to Sandy Hollow Park, which include the expansion of the parking lot; new landscaping and signage; and the creation of a wildflower meadow. RPOS is also active in scenic byways and trails; Township events; and open space management and preservation.

Zoning Hearing Board Applications

The Birmingham Township Zoning Hearing Board (ZHB) considered the following applications in 2006.

STUBBE/MURRAY

Jack Stubbe, on behalf of Charles and Laurie Murray of 960 Brinton's Bridge Road, received approval for a variance from the 50-foot rear yard setback requirement in order to install a swimming pool. The variance request was for a 32-foot setback. There was an in-ground liner pool at this location, which was filled in by the previous owners who resided in the house until 2002. As the pool had been filled in for more than a year, the grandfather provision to allow for its re-installation had expired.

NW SIGN INDUSTRIES/CARROLLTON 202 ASSOCIATES

NW Sign Industries, on behalf of Carrollton 202 Associates, received approval for a variance for a free-standing sign for Eagle Bank at 1302 Wilmington Pike. The display area of the sign shall not exceed 50 square feet. The property also has an office building and a Lukoil gas station. By ordinance, only one free-standing sign is permitted per property.

STOLTZFUS RV AND MARINE

Stoltzfus RV and Marine, on behalf of Vir Mar Family Limited Partnership, received approval for a special exception and variance from the sign requirements of the Zoning Ordinance to install a wall sign on the north wall, rather than on the front wall, of the building located at 1335 Wilmington Pike. The sign is for an RV brand name, Monaco. The sign met all size requirements of the ordinance. A sign is allowed on the front wall of the building but because of the existing awning and the angle of the building, it doesn't lend itself to the sign, which was proposed for the side wall. Approval was granted with the condition that no sign shall be constructed on the front of the building unless the sign on the side wall is removed.

PHP ENTERPRISES

The Zoning Hearing Board denied an application from Gregory Feld, on behalf of PHP Enterprises, located at 1313 Wilmington Pike, appealing the Zoning Officer's decision to deny their application to replace the existing sign on the property for the car wash and the other various tenants with a free-standing ground sign with an LED message board. The Township Code prohibits animated signs and signs with flashing lights or reflectors.

Ordinance Updates

Ordinances that were adopted in 2006 by the Board of Supervisors provide for the following regulations:

ORDINANCE 06-01

Established two pedestrian crosswalks on Knolls Road in the Knolls of Birmingham development.

ORDINANCE 06-02

Granted Verizon Pennsylvania, Inc., a non-exclusive, revocable cable communications franchise in the Township. The term of the agreement is twelve years. The Township will receive a franchise fee of three percent of Verizon's gross revenues. A full and complete build-out of all residential areas must be completed by September 18, 2009.

ORDINANCE 06-03

Amended the flood plain management requirements of the Zoning Chapter of the Code to comply with the National Flood Insurance Program and the Pennsylvania Flood Plain Management Act. The ordinance changes were required for compliance with the revised FEMA maps and Flood Insurance Study, which went into effect on September 29, 2006.

Department of Community and Economic Development Grant

Thanks to the efforts of State Representative Stephen Barrar's Office, the Township received a grant for \$75,000 from the Department of Community and Economic Development through the Community Revitalization Program to expand the parking area for the Township Building with twelve additional parking spaces. The parking lot expansion will increase the impervious coverage from 10.2% to 13.1%, with 10% being the allowable impervious coverage in an R-A zoning district. Approval from the Zoning Hearing Board was received for this work.

The Supervisors also approved the construction of twelve additional parking spaces at Sandy Hollow Park.

Brubacher Excavating of Bowmansville, PA was awarded the contract for the work, which will be completed this Spring.

Burgeoning Deer Population Challenges Township

Over the past ten years, changes in the rural farming character of our region have unleashed a new environmental challenge to residents. The growing whitetail deer population in the Township's 6.2 square miles is estimated at six hundred, approaching a density of 100 animals per square mile. An available supply of food and minimal pressure of predation is driving the population up, exceeding a normal range of six to 20 deer per square mile considered sustainable to flora and fauna. To put this into a suburban context, the Birmingham Township herd consumes up to 1.3 million pounds of browse vegetation in a year. This excessive foraging pressure is taking its toll on Township residents' landscaping budgets as natural areas with understory vegetation have been over-browsed leading to the now familiar sight of deer feeding on shrubs next to houses.

Birmingham Township Police Chief Thomas Nelling monitors auto collisions, another costly result of deer-human conflict. During the months of

October and November 2006, Chief Nelling reports that 26 collisions have been recorded in our Township. According to State Farm spokesperson Dave Phillips, Pennsylvania is the top state for deer collisions with a reported 18,846 collisions in 2006, which is up nine percent from 2005. The average property damage was \$2,800, which is also up from 2005 by \$300. Nationally, there are an estimated 1.5 million deer-vehicle collisions annually causing more than 150 fatalities and \$1.1 billion in property damage according to the Insurance Institute for Highway Safety. Government agencies and other organizations have responded with management plans and strategies that can be employed to mitigate the problem. The Birmingham Township Supervisors will be making information available on the Township Web site for community groups and individuals who would like to know what can be done to control the damage and risk of disease that can come with deer overpopulation. Several homeowners'

groups have been successful in instituting safe herd management practices for their communities. The Firethorne Homeowners Association, as well as the Reserve of Chadds Ford Community Association (RCF) have had working programs in place for the past five years.

"The program runs without problem and details of the operation are on our Web site," said RCF President Mike Forbes. "We adopted a program that our community could get behind."

Both homeowners associations permit bow hunters to harvest deer under strict provisions that have been agreed upon by the homeowners.

Birmingham Township does not own open space that requires deer management. This article and the Web site information is for public consumption in an effort to help landowners deal with an ever-increasing problem of deer overpopulation within our Township boundaries. For more information, please visit <http://www.birminghamtownship.org>.

Roadmaster's Report

Early in 2006, our Township Engineer, Jim Hatfield from Vandemark & Lynch, and I recommended to the Board of Supervisors a major procedural change to the annual road program. Each year, following the Spring Road Inspection, Vandemark & Lynch prepares a scope of work and bid documents for the roads to be overlaid and patched during the summer. The roads to be included each year are those identified based on current condition and the number of years since previously overlaid. Our objective is to overlay all of the Township's 25.44 miles of roads on a fifteen-year cycle.

In recent years, the Township has received fewer and fewer bids for our road program. As a matter of fact, in 2005 we received only one bid. This puts the Township in a difficult position

if the one bid is not competitive based on estimates from the Township Engineer. We attribute this situation to the fact that potential contractors are reluctant to bid on very small jobs and costs are potentially higher because we lose economy of scale pricing on larger purchases of road materials. Road contractors prefer larger contracts so their mobilization and fixed costs can be spread over a larger body of work.

With this in mind, the Board of Supervisors implemented an alternate year road overlay and patching program in 2006 that included Daniel Davis Lane, Brinton Run Drive, Bottom Lane, Saber Road and Mather Lane. We received five bids for this work and the lowest bid was comparable to our engineer's estimate for the

work to be done. The next road overlay and patching program will be scheduled for 2008 and every other year after that. Regular maintenance and repair work, including pothole repair and storm water inlet repairs, will continue to be done annually, or as needed in the case of emergencies.

We will continue to conduct two road inspections per year (March and October) and encourage residents to notify myself or the Township Office of any observed problems, such as potholes or storm water inlet issues, that need to be inspected by the Township.



by David S. Rathbun
Roadmaster

Birmingham Environmental Stream Team

The Birmingham Environmental Stream Team (B.E.S.T.) had a successful year in 2006, concentrating on three streams within the Township: Radley Run, Wylie Run and Brinton Run.

B.E.S.T. was formed in 2002 as an outreach of the Recreation, Parks and Open Space Committee. Following a study by DEP, it was found that the protective designation of "Exceptional Value Stream" would not be forthcoming from the State for our local streams. As determined by the Quality Management Study, the once pristine streams fell short of the necessary rating.

Brinton Run and Renwick Stream came close, but Wylie Run came up quite short. A previous study of Plum Run and Radley Run found these streams "impaired." Following the stream ratings, the thought emerged to monitor, evaluate and improve the local streams. A core group of seven people received training from the Brandywine Valley Association in the Fall of 2002. One month later, members were knee deep in Plum Run and Brinton Run. The following spring, with a growing number of volunteers, B.E.S.T. tested a site on upper Radley Run, Plum Run and two sites on Brinton Run.

Evaluation includes chemical analysis of nitrates, phosphates, dissolved oxygen, pH, water flow and temperature. Macro invertebrates are temporarily caught and classified by their pollution tolerance and diversity. The habitat study involves bank erosion, silting, buffer stress and the spread and choking of the stream by invasives. Tests are done twice a year on two sites per stream, providing spring and fall analysis and up-stream/down-stream comparisons.

In a four-year evaluation, B.E.S.T. has found that lower Radley Run is improving, while the upper portion is deteriorating. A two-year evalua-

tion of both branches of Wylie Run reveal that the chemical mass is good. The problem appears to be the silting of the stream floor and the spread of invasives, which has narrowed and channeled the stream in some portions. This cuts into the number and diversity of macro invertebrates due to lower dissolved oxygen and lack of breeding ground. Brinton Run is wooded and thus the quality is quite good in both "critters" and nitrate level. However, here too, testing must continue since the stream quality is slowing reversing.

Growing ranks of volunteers; excellent education opportunities from the Stroud Water Research Center, the Brandywine Valley Association and the Brandywine Environmental Management Center; and biannual testing have led B.E.S.T. to the rewarding goal of riparian buffer work. Research has shown that planting a 30-foot-wide stream corridor with native bushes and trees is the best long-term solution to stream impairment. Not only does the established root system filter out harmful chemicals, such as nitrates, but they also bind the banks from further collapse and prevent the "channeling" of streams. Riparian buffer planting is also recommended for storm water management. As development increases, so does the flow of rain over impervious surfaces. A partial answer is riparian buffers with sufficient width, flood plains and swales.

B.E.S.T. has been fortunate to find property owners who realize the value of riparian buffers. In 2005, Mr. and Mrs. Henry Larson, 1115 Dorset Dr., provided their stream-side property for planting. Volunteers from B.E.S.T. did the labor and the Brandywine Valley Association contributed the major funding.

In the spring of 2006, Mr. and Mrs. James Hughes, 1111 Dorset Dr., and Mr. and Mrs. John Fee, 1113 Dorset

Dr., welcomed riparian planting work, which was performed by B.E.S.T. volunteers and members of the Brandywine Youth Polo Team. The Chester County Conservation District, through an EPA Watershed Initiative Grant, provided the major funding for this project.

The fall monitoring on this portion of Radley Run showed improvement in nitrate count, which is the primary problem in this area. Delaware County seeks to have its nitrate level no higher than five. Some Birmingham Township streams run in the mid-twenties.

Why does this matter? It matters because what is in our streams is the result of runoff and ground water. Without attention to our stream quality, wells and drinking water are in danger. If streams fill with pollution tolerant macro invertebrates, such as leeches and blood worms, not only is the bottom hitting bottom, but the beauty of the dragonfly, warm water fish, the frog, the water turtle and the many marvels of stream life, will be in danger. These creatures are indicators of stream health, environmental health and human health.

As in many environmental problems, it isn't difficult to make improvements. Riparian buffer planting is a step, as is education in the use of chemicals, fertilizers, oil spills, and waste disposal. Each environmental step adds to a Birmingham Township of environmental quality and stream purity.

And not to be forgotten, water monitoring is fun. The volunteer ranks have grown and are made up of people of all ages (youngsters to seniors) and occupations from librarians and doctors to landscapers and artists. B.E.S.T. welcomes your interest in membership or concerns you might have related to streams, lawn care, invasives, native plants, and pond upkeep. For more information, contact:

Michael Langer-tentines@aol.com

Doug Marshall-

dkmarshall2@verizon.net

Marlou MacIver-

marloumac@verizon.net

by Marlou MacIver, B.E.S.T. Member



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

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Township Directory

The 2007 Township Directory is an insert in the newsletter. The Directory lists contact numbers for the Township and the Police Department, as well as meeting dates and times for the various Township boards and committees. The names of the elected officials, the volunteers, and Township employees are listed in the Directory. Their terms of office are noted next to their names. On the back of the Directory are important phone numbers and information on your elected state officials. Please keep this Directory for future reference.

Dilworthtown Partners

Dilworthtown Partners received conditional use approval for the operation of the "Blue Pear Bistro", at the former location of the Dilworthtown Country Store. The Bistro was approved for two uses. It will be used as a retail store, not to exceed 780 square feet, for the sale of private label and unique food products, as well as seasonal gift items and kitchen and dining-related accessory items. It will also be used as a colonial inn for eating and drinking, but it cannot exceed 75 seats inside and outside. The 75-seat maximum will include eleven seats located at a full-service bar. Look for the grand opening of the Blue Pear Bistro this year.



Household Hazardous Waste Collection Program

Birmingham Township is a participating municipality in the Household Hazardous Waste Collection Program for Southeastern Pennsylvania. The Program is administered by Chester County through the Health Department's Division of Solid Waste as a service to the residents of the County. Participation in the Program ensures the environmental safety of the community.

Bring unwanted hazardous household automotive products, home maintenance, lawn, and pest control products to the next Regional Southeastern Pennsylvania Household Hazardous Waste (HHW) Collection. Collection sites are open from 9 a.m. to 3 p.m. Collection dates for 2007 are:

April 21 - HHW and Computers
Center for Arts and Technology
1580 Charlestown Road, Phoenixville, PA

May 19 - HHW
Owen J. Roberts High School
981 Ridge Road, Pottstown, PA

September 15 - HHW
New Garden Township Building
8934 Gap Newport Road, Landenberg, PA

October 6 - HHW and Computers
Government Services Center
601 Westtown Road, West Chester, PA

For more information on the Household Hazardous Waste Program, call 800-626-0067 or visit www.chestercountyswa.org