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## Tredyffrin Easttown Historical Society *History Quarterly Digital Archives*

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### Chesterbrook Saga: A Chronology

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1966 - Developer Richard Fox of Jenkinton [Jenkintown] first becomes interested in a large rural tract of Tredyffrin Township land. . . located in a pocket north of Route 202, south of the Pennsylvania Turnpike, and west of Valley Forge Road.

October 1969 - Fox purchases the 550-acre Cassatt tract. Shortly thereafter, he buys the Yohn property and enters into an agreement of sale with the University of Pennsylvania for land which had been willed to the university. Together, the three tracts comprise the 865 acres of land that will come to be known as Chesterbrook.

December 1970 - Tredyffrin adopts a comprehensive plan which includes a "Unified Development" designation created to avoid piecemeal development. This was applied to Chesterbrook.

April 1971 - Fox applies for rezoning of his property.

May 1971 - Fox takes the first Chesterbrook plans to the Tredyffrin Planning Commission.

June 28, 1971 - The original date set for Fox's zoning change request is postponed and rescheduled until September, and then October. The ground was originally zoned R-1 and R-2 residential, but Fox wants the zoning changed to include RC-rural conservation district, various R-residential zonings, OA-office apartment, C-1 commercial, SC-shopping center, and P-professional designations.

September 9, 1971 - Philadelphia architect William Roberts of Wallace, McHarg, Roberts, and Todd tells members of the Tredyffrin Planning Commission and a crowd of 150 or so residents about plans for the proposed "new town" of Chesterbrook, which will include 177 single family homes, 1,238 townhouses, 1,590 garden apartments, 800 mid-rise apartments, a 14-acre community service area, a 15-acre resort motel, and a 140-acre professional office area. The estimated population of the new town is 11,102.

October 4, 1971 - The Tredyffrin Board of Supervisors meeting is attended by 700 people. In discussions about the project, included in addition to the aforementioned uses are a 15-acre convention center, an 18-hole golf course, horse riding trails, bicycle paths, and walkways.

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The total projected population at the end of the 12-year development period is modified slightly by Fox's experts to be 9,395, including 1,395 school children. Two sites for schools were included on the property. Estimates by the developer claim that the township will receive an annual revenue surplus of \$329,742 from taxes generated by Chesterbrook, with the Tredyffrin-Easttown School District getting an annual surplus of \$2,394,100. The Upper Main Line League of Women Voters and the Main Line Community Association later ask that the development include low and moderate income housing.

October 18, 1971 - At a board of supervisors meeting, Conestoga High School students announce plans for a public opinion survey on the Chesterbrook issue. The survey will be conducted through newspaper ads, door-to-door petitions, and shopping center petitions.

October 19, 1971 - The Tredyffrin Board of Historical Architectural Review protests Chesterbrook in a letter to the supervisors. "The creation of an urban community on the Chesterbrook Farm property, with office buildings, apartments, row houses, motel, would utterly destroy the historic aspect of the area, as well as endanger the preservation of these buildings; ...preservation of the aesthetic values of our American, colonial heritage should be your primary concern." According to historians, the site encompasses the historic quarters of Washington's generals during the 1777-1778 encampment, including General DuPortail, General Lee, and General Bradford, and the quarters of Captain John Davis of the Ninth Pennsylvania Regiment.

November 3, 1971 - On election day, Conestoga students man the polls in Tredyffrin's 15 precincts to get public opinion on the Chesterbrook project. The public tally is 2,585 against, 274 for.

November 8, 1971 - During a board of supervisors meeting, Chairman Dr. Norman Skow announces that the supervisors have hired their own unnamed consultant to examine the project and make recommendations on it.

November 22, 1971 - The unnamed consultant is announced by Skow as James N. Kise of Crane Associates. Acting on the advice of Kise, the supervisors pass an ordinance requiring developers to stick strictly to their plans.

December 6, 1971 - During a heated public meeting, a full-house crowd denounces Chesterbrook. One person says the plan would "inundate the area with people, students, and sewage." Another said the people of the area "don't want a Valley Forge ghetto." A third predicts that Chesterbrook will make Tredyffrin look like Upper Darby.

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December 20, 1971 - Before a crowd of 500 residents, the supervisors announce that the fate of Chesterbrook has been put on hold until March 13, 1972. The supervisors also announce that at the request of Governor Milton Shapp, they are working on a study for

state acquisition of the land for Valley Forge Park. In addition, the supervisors are working on an acquisition plan in conjunction with the federal government. During a meeting three days earlier, the planning commission had voted 7-2 against Chesterbrook, citing "diversified and significantly important sections of the plan submitted by the developer." State Senator John Stauffer says the land has been under consideration as a veteran's cemetery.

January 5, 1972 - A report released by Shapp's office says that it would be unfeasible for the state to purchase Chesterbrook. The cost, according to the report, would be between \$4 million and \$9 million. The funds are not available, and time is too short for the state to step in and act. "The basic trouble in Pennsylvania zoning is that too much is left to local townships," laments Dr. S. K. Stevens, executive director of the Pennsylvania Historical and Museum Commission. "There is no large application of the idea of regional zoning or mandatory state requirements. But still, a lot of the land could be saved if we had the time... It's very worthy...and very costly. Any way you slice it, it comes down to dollars."

February 8, 1972 - About 100 residents attend a meeting of Citizens Opposed to Rezoning Chesterbrook (CORC), a group headed by George Gent of Berwyn.

February 14, 1972 - Seven Tredyffrin Township civic associations publicly announce their disapproval of the proposed "new town." Three other associations abstain in voting.

February 22, 1972 - Stung by what he claims is residential snobbery as well as alleged media inaccuracies, would-be Chesterbrook developer Richard Fox has a public meeting of his own, along with chief architect William H. Roberts. At length, Fox and Roberts defend their traffic projections for the "new town" as well as the projected \$25,000 cost of the homes; a price range which Fox says is moderate. According to Fox, the \$25,000 cost would be affordable to area educators and law enforcement agents. "I believe it's the first time in this community that anybody's provided housing for the policeman and teachers," he says. Fox also renews his commitment to preserve the historic structures on the site, and denies rumors that he had been approached to sell the parcel as an expansion of Valley Forge, a federal recreation area, or a veterans' cemetery.

February 28, 1972 - The Valley Forge Park Commission votes unanimously to urge the supervisors to stall the scheduled March 13 vote. Tredyffrin resident Annamaria Malloy has led a major effort to acquire the property and have it become an extension of Valley Forge, but the board has ruled out that option.

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March 6, 1972 - CORC delivers a petition to the supervisors regarding the Chesterbrook issue. The petition contains 5,000 or so signatures of Tredyffrin registered voters, all of whom oppose the project. "Most people want a park," says CORC President George Gent. "We have the feeling that the people's feelings aren't being expressed by the people who live there, and I'm appealing to the democratic process."

March 7, 1972 - The Tredyffrin Republican Committee announces that it is opposed to Chesterbrook. A press release by the group reads, in part, "The committee, by unanimous

decision, recommends rejection of the plan in its present form. It is our belief that the supervisors' prime concern should be to carry out the wishes of the people they represent." During the same day, architect William Roberts submits five changes in the original plan to the township supervisors. Included are decreased prices for some of the condominiums, shuttle bus service from the development to the Paoli train station, and the widening of Valley Forge Road. Roberts, when told of the petition delivered the day before to the township, reacts emphatically. "It's a sad commentary on our times when people aren't prepared with the facts and then sign a petition against it," he says. "Chesterbrook is the first opportunity to make something demonstrably better In the Philadelphia suburbs."

March 13, 1972 - The moment of truth comes. By a narrow 3-2 vote, a zoning change to permit Chesterbrook is approved by the township's supervisors. "In looking at this plan we considered adequate the provisions for transportation, water, sewerage, schools, parks, historical areas, and other public requirements encouraging the most adequate use of the land," says supervisors' Chairman Henry A. Rentschler. "We have to consider what we feel is the best for the majority of residents of Tredyffrin Township, and as you know, our general policy for many years is for zoning considerations." Needless to say, the decision is not a popular one for the 300 or so residents in attendance. The audience boos loudly and jeers the supervisors. "The fight has just begun, we will not accept the supervisors' decision because it does not reflect the wishes of the residents of Tredyffrin township," says Emmanuel Lauria. Her prophetic comments are echoed by many, including local legislators.

March 14, 1972 - State Representative Samuel W. Morris, D-155 of Pughtown, introduces House Bill 2039, calling for incorporating the Chesterbrook tract into Valley Forge National Park.

March 16, 1972 - A Philadelphia attorney representing CORC asks the state attorney general's office to investigate the actions of the township's planning commission and supervisors. Lawyer Dennis H. Eisman says he is seeking a complete investigation into "political or financial pressures that may have been brought to force approval of the development." When asked about the supervisors, CORC President Gent is even more blunt. "They were gotten to – I can't say they were bribed or anything – but they were gotten to," he says. "The supervisors' decision is a deplorable betrayal of public trust." Individual supervisors deny the allegations and say they have nothing to hide.

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March 27, 1972 - The Valley Forge State Park Commission votes unanimously to ask the state to consider condemning the Chesterbrook tract, purchase it, and construct a bicentennial exposition on the site; a structure that would later be given to Valley Forge Park. The plan dumbfounds Fox. "I'm astounded at their appeal for an exposition on Chesterbrook because it would cause more significant traffic and ecological damage for a whole year way beyond what Chesterbrook would bring," Fox would later say. "There would have to be acres of blacktop for bicentennial parking. Has anybody asked Tredyffrin residents if they want seven million extra people visiting in 1976?"

March 30, 1972 - The three supervisors who voted for Chesterbrook issue a lengthy statement defending both their choice and their own integrity, which they say has been "irresponsibly attacked." They support Chesterbrook, saying, "The alternative, the only realistic alternative faced by the community, is that over a much shorter time span of development than proposed for Chesterbrook, the area would be developed on a piecemeal basis, without solution or consideration to any of the traffic, ecological, tax, aesthetic, or environmental problems and Issues."

June 12, 1972 - Samuel Foster, chairman of TRACDAA (Tredyffrin Residents Accepting the Chesterbrook Development As Approved), announces that his group has hired West Chester attorney Thomas M. Twardowski to represent them. Foster also says his group's membership drive will begin soon.

June 13, 1972 - CORC, Fox, and others testify in Harrisburg before the Pennsylvania Historical and Museum Commission (PHMC). "I think in every respect we have made major steps forward in land use for Chesterbrook," Fox says. "We have created a model of responsible housing." State Senator John Stauffer of Phoenixville recommends that the state purchase the property. Chesterbrook "probably represents the last available, large open tract of land of historical value in the entire southeastern region of Pennsylvania," says Stauffer.

July 11, 1972 - The Tredyffrin supervisors have a 2-2 vote on Fox's preliminary plans for 40 single-family homes in Chesterbrook, the first scheduled development on the site. The tie delays the process. On the same night, TRACDAA challenges contentions that Chesterbrook should be made into an extension of Valley Forge National Park because the park is overcrowded. Foster also pooh-poohs the notion of turning the ground into an airport for small jets and helicopters, a usage suggested by some opponents of Chesterbrook.

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October 6, 1972 - PHMC President Feme Smith Hetrick says additional hearings on Chesterbrook will not be held until after the November elections to avoid politicizing the issue.

December 11, 1972 - During a hearing on a zoning appeal on Chesterbrook filed by CORC, Supervisor Erich Schifter admits he received \$4,000 for his role in a sale of land in which Chesterbrook developer Fox had an interest. Also testifying during the hearing is insurance planner Romney Biddulph, who claims Chesterbrook will create a \$1 million to \$2 million yearly revenue deficit, not add \$2 million to \$3 million in tax benefits as claimed by Fox. The appeal hearing is one of 14 to take place in 1972. After two more hearings in 1973, the zoning board upholds the supervisors' original decision.

January 29, 1973 - State Senator John Stauffer introduces new legislation for the state to purchase Chesterbrook, four weeks after the PMHC votes against buying the land. Under Stauffer's proposal, the money would come from federal revenue sharing funds.

September 1973 - Chester County Common Pleas Court Judge Leonard Sugerman hears an appeal by CORC and others of procedures used by township supervisors in

approving the rezoning vote that paved the way for Chesterbrook.

October 1973 - County commissioners' Chairman Theodore Rubino proposes that the county buy Chesterbrook and turn it into a park.

November 26, 1973 - Tredyffrin supervisors approve the construction of an interim sewage treatment plant at Chesterbrook.

January 31, 1974 - A special subcommittee of the House Conservation Committee tours Valley Forge and Chesterbrook in preparation of a day-long public hearing to determine whether state funds should be used to purchase the land and keep it as open space. State Representative Richard Schulze said the county has a \$20 million prison appropriation lying unused, and that money could be utilized to buy Chesterbrook. Schulze already has proposed two bills to purchase the land.

February 1, 1974 - Of 24 people who testify before the special subcommittee, 20 are opposed to Chesterbrook and instead want the state to purchase the land and turn it into a park. "If we can get state, federal, county, and township funds, I would like to see Chesterbrook acquired for a county or state park," says county commissioner Theodore S. A. Rubino. Charles P. Brown Jr., chairman of the Tredyffrin Board of Supervisors, says Chesterbrook would be voted down by the board if it came before them now.

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May 12, 1974 - Annamaria N. Malloy, chairman of the Valley Forge State Park Commission, says that Governor Shapp is in favor of preserving the ground as open space. Describing a recent meeting with Shapp, she says the governor "was listening and listening attentively about the preservation of Chesterbrook and more or less agreed with my point of view."

May 17, 1974 - Shapp's press secretary says the proposed purchase of Chesterbrook is "currently under review." Fox dismisses the news. "I have yet to read or hear anything definitive said by the governor about the acquisition of Chesterbrook," Fox says.

June 10, 1974 - Fox vehemently denies published reports that he is willing to discuss turning over to the state a large portion of the Chesterbrook tract. "No plan has been accepted or agreed upon," he says. "We have not offered half our property. We paid for that property and we are not about to give it away. ...Eventually we're going to build Chesterbrook either in its original form or something awfully close to it." June 24, 1974 - In a 3-2 vote, the board of supervisors deny Fox's application to restore a historic barn within 250 feet of the DuPortail Quarters. Supervisors' Chairman Brown says he votes against the matter because of the pending litigation before Judge Sugerman. Like most everything else connected to Chesterbrook, this is a controversial decision.

July 11, 1974 - The state House subcommittee approves Chesterbrook funds, and turns over the matter to its parent, the House Conservation Committee. Shapp is still evasive about the issue, and Fox wants to meet with him to discuss the development, which is now estimated to cost \$138 million by completion.

September 16, 1974 - Reports attributed to Governor Shapp say there are no provisions in the budget to make state funds available to purchase Chesterbrook.

September 30, 1974 - In a long-awaited decision, Judge Sugerman upholds the CORC appeal, which essentially reverses the March 22, 1972 Tredyffrin Zoning Hearing Board ruling that paved the way for Chesterbrook. Neither Fox nor Sugerman will comment, though Fox appeals the case to the Commonwealth Court [of Pennsylvania].

October 21, 1974 - Tredyffrin supervisors schedule a November 18 public hearing to consider whether Chesterbrook should be rezoned back to its original single family, two acre minimum lot size zoning.

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October 1974 - Fox files a supersedas - a request to maintain the status quo - in Commonwealth Court in an attempt to block the supervisors from changing Chesterbrook's zoning.

November 13, 1974 - Commonwealth Court Judge Harry A. Kramer suspends Sugerman's ruling until a decision is rendered on Fox's appeal. The order by Kramer, however, does not forbid Tredyffrin from rezoning the tract.

November 18, 1974 - Supervisors meet for three hours to discuss rezoning Chesterbrook, which Fox's attorney, Richard Bazelon, calls a "blatant and unlawful attempt to stop Chesterbrook." As usual, emotions run high and citizen after citizen warns of dire consequences if the "new town" gets developed. "I've not talked to anyone in favor of this monstrosity, this rape of our township," says Dr. Kenneth Gordon. Still, some do speak in favor of the project.

February 3, 1975 - A Commonwealth Court panel hears Fox's appeal of Sugerman's September 1974 ruling, which declared the Unified Development Area rezoning invalid. Fox vows to go to the Supreme Court [of Pennsylvania] if he loses, and CORC attorney Lawrence Wood says his group will go all the way, too, provided they have the funds.

July 25, 1975 - The Commonwealth Court unanimously votes to overturn Sugerman's ruling, clearing the way for Chesterbrook. Judge James C. Crumlish says the Tredyffrin Board of Supervisors fulfilled all legal requirements when they approved a rezoning of the tract on March 22, 1972. "These requirements are specific and comprehensive and adequately guide the appropriate zoning and planning bodies of the township in considering further applications by Fox for zoning approvals within Chesterbrook," Crumlish writes in his opinion. In a related action, the court also dismisses a case by the Main Line Housing Community Association, which alleges that Chesterbrook fails to provide a fair share of housing opportunities for low and moderate income persons. "We are very, very pleased," says Richard Bazelon, Fox's attorney. "It has been a long road of litigation and controversy. We hope that with this unanimous decision upholding the zoning, that this period of litigation and turmoil will be over." Meanwhile, the battle to nationalize Valley Forge State Park and have the feds acquire Chesterbrook at the same time continues to mount. Schulze, now a U.S. congressman from the Fifth District, wants badly to stop Chesterbrook and has been pressuring the House Park Subcommittee to

begin hearings in September on acquiring Valley Forge and "nearby land." Schulze and Pennsylvania Senator Hugh D. Scott later introduce legislation in the House and Senate, respectively, that would have the federal government take over Valley Forge and possibly Chesterbrook, too.

August 14, 1975 - CORC vows to continue to fight against Chesterbrook and later appeals the Commonwealth Court decision, while Fox vows to go ahead with development plans.

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September 22, 1975 - Tredyffrin supervisors voice unanimous support of Schulze's proposed legislation for the federal takeover of Valley Forge State Park. The bill does not mention Chesterbrook, and the supervisors refrain from discussing the new town on the advice of their solicitor.

October 31, 1975 - Chesterbrook's appraised value of \$22,350,000 does not appear to be unrealistic, according to Douglas P. Wheeler, deputy assistant secretary of the Department of the Interior. Wheeler makes his comments at federal hearings on Schulze's bill in Washington, D.C. Those hearings are also attended by about 20 local opponents of Chesterbrook.

January 1976 - Development in Chesterbrook begins in an 80-acre residential area in the northeast portion of the tract. Despite the frigid weather, surveyors are out working on the frozen ground. In a related matter, the state Supreme Court denies a petition sought by CORC appealing the Commonwealth Court's July 1975 decision which paved the way for Chesterbrook.

January 26, 1976 - Fox's attorney, Richard Bazelon, battles angrily with Tredyffrin supervisors over the board's scheduling of a February 10 hearing to decide whether to restore Chesterbrook's original zoning. "It is absolutely illegal," says Bazelon, who accuses the supervisors of, among other things, violating the state Sunshine Law by conducting business behind closed doors.

February 10, 1976 - In a crowded auditorium at Tredyffrin-Easttown Junior High School, the supervisors surprise the audience by telling them that the township could borrow enough money to buy the 80 acres of ground Fox is planning to build on first. In addition, the supervisors say, a private conservation group known as the National Conservancy is considering lending money to the government to purchase the whole tract. "We hope that President Ford, on May 8, will declare Valley Forge State Park a national shrine," says supervisors' Chairman Brown, "including the ground now zoned Chesterbrook." The township and the county have commitments for about \$3 million to purchase Chesterbrook, Brown says, a sum still far short of the estimated \$22 million value of the tract. In addition to this new information, citizens continue to dredge up still more of the same old arguments for and against the project.

March 19, 1976-The National Parks and Recreation Subcommittee recommends federal acquisition of Chesterbrook and other properties within and surrounding Valley Forge, as well as nationalizing the park. The recommendation calls for the Department of the



Interior to purchase Chesterbrook for \$12 million, a figure Fox says is unrealistic. "We're back to the game of everybody trying to sell our ground to somebody else. It's been going on for four years," he says.

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June 1976 - The U.S. House and Senate approve bills to nationalize Valley Forge, but those bills do not include Chesterbrook, which is separated from the park by the Pennsylvania Turnpike.

July 1976 - The supervisors discuss recommendations by the planning commission which call for traffic and economic studies to be made in Chesterbrook. Supervisor Romney Biddulph goes a step further and calls for an air quality analysis of the site.

August 9, 1976 - The supervisors direct the township solicitor to prepare an amendment to the zoning ordinance, which would lower the density of Chesterbrook from 4-1/2 to 1-1/2 units per acre. Attorney Bazelon, who didn't attend the meeting, says the idea is "nonsense" when contacted the next morning.

August 23, 1976 -The supervisors reject subdivision plans submitted by Greenview Associates, a partnership in Fox Companies, for the creation of 19 parcels on the Chesterbrook site.

September 1976 - Fox files an 18-page petition in Commonwealth Court, claiming the township is using every conceivable effort to prevent him from proceeding with Chesterbrook. In addition, Fox alleges conspiracy on the part of the supervisors.

September 13, 1976 - Road construction plans in residential Section II of the tract are nixed by the supervisors.

September 21, 1976 - In Harrisburg, two hours of testimony are held before the Commonwealth Court on Fox's petition for an order to enforcement judgement. Fox testifies that the snags are costing him about \$3,000 per day in interest, insurance and other costs. He also says a new fee schedule covering applications for land development approvals and permits required him to submit a fee of \$22,000 with his request to subdivide the tract. Under the old schedule, Fox says, his fee would have been \$48.

October 19, 1976 - Two more October sessions on Fox's petition requesting Commonwealth Court to enforcement judgement have been held, and it becomes obvious that the court will probably not make a decision until the end of the year.

December 7, 1976 - Final arguments in Commonwealth Court are made before a six member judicial panel. Bazelon says fee costs that would have been \$9,400 before an increase in the township's fee scale are now \$338,000. "It doesn't matter what you do in this township, it does not intend to submit permits," Bazelon says. The judges repeatedly press township Solicitor William Lamb about actions taken by the Tredyffrin government.

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December 12, 1976 - Supervisor Donald Smith says Tredyffrin could be slapped with a multi-million dollar damage suit if the supervisors rezone Chesterbrook while the development is still being litigated. Smith, a former CORC volunteer, says he's been accused of being paid off because he doesn't want the supervisors to vote while litigation continues. CORC Chairman John R. Mooney of Devon says he has a petition urging Smith to change his mind and vote for rezoning. The petition, Mooney says, contains 1,177 signatures - more than the number of votes Smith got when he was elected to the board.

December 13, 1976 - Smith changes his mind and votes not to table rezoning, but Supervisor Richard Kurtz changes his mind, too, and casts the deciding vote to table it.

December 27, 1976 - The Commonwealth Court orders Tredyffrin to cease and desist its actions to prevent development of Chesterbrook. The court also orders the township to refund nearly \$22,000 in filing fees. "I don't think it leaves any room for much doubt on what it expects of the supervisors," said township Solicitor William Lamb.

January 17, 1977 - Acting on advice from Lamb and lawyer Robert S. Ryan of Drinker, Biddle and Reath, the supervisors issue a statement saying the township will not appeal the Commonwealth Court decision.

March 1977 - President Judge D. T. Marrone overturns a zoning hearing board decision which denied Fox a special exception concerning the definitions of streets, roads, setbacks, and traffic. Fox appeals.

March 1, 1977 - Township residents begin to circulate petitions to protect the periphery of Valley Forge Park through an amendment to the Tredyffrin Historical Ordinance. The ordinance specifies size, design, color, and other restrictions on all development within 3,600 feet of the park's boundaries, and would thus affect a large portion of Chesterbrook. At the same time, Commonwealth Court Judge James C. Crumlish, Jr. blasts the supervisors in his opinion. "We find a deliberate, pervasive plan and intent exhibited to thwart development of the Chesterbrook plan," states Crumlish's 51-page opinion, which calls the supervisors' action "a prime exhibition of bad faith explicitly contradicting our prior order."

March 28, 1977 - The residents present the township with the petition, which now contains 2,698 signatures.

April 4, 1977 - Township Manager Norman Mawby tells the supervisors that the petition is deficient. Township Solicitor Lamb takes Mawby's statement a step further and says "the proposed ordinance is not in accordance with general law a cannot be certified."

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June 16, 1977 - Undaunted by their earlier failure, a group of residents led by CORC President John R. Mooney submit another petition to the township, this one containing 2,864 signatures.

June 20, 1977 - Clearing and grading for 40 of the 120 single-family dwelling lots begins in the northeast section of Chesterbrook. These homes were originally supposed to cost \$50,000 to \$60,000 each, but that price has gone up substantially to at least \$85,000, in part due to the \$2 million or so that Fox says he has spent in litigation.

July 27, 1977 - The second petition becomes a source of controversy after four Tredyffrin citizens file an action in the Chester County Court of Common Pleas objecting to a sentence added to the petition by township Solicitor Lamb. Although the petition apparently has enough signatures to be put on the ballot as an ordinance by referendum, a sentence added by Lamb says that nothing in the proposed ordinance in any way should be construed as limiting the rights of the developer of Chesterbrook in accordance with the Commonwealth Court's decision. The petition, of course, was drafted primarily to affect Chesterbrook, but the last sentence would eliminate Chesterbrook from the ordinance.

August 15, 1977 - The supervisors vote unanimously to support the zoning hearing board's denial of a special exception for a portion of Chesterbrook. The denial of the special exception was not part of the Commonwealth Court litigation, but it was overturned in March by Chester County President Judge D. T. Marrone.

November 6, 1977 - The Commonwealth Court upholds Marrone's ruling. The ruling is something of a landmark since it ends all pending litigation in the case, giving Fox, CORC, Tredyffrin, and others a breather after six years of continuous legal fighting. In addition, the first Chesterbrook home is now completed. Prices for the single family homes are in the \$95,000 to \$115,000 range, while town-houses - the first batch of which were given preliminary approval a few days earlier - are projected to cost \$40,000 to \$65,000.

November 14, 1977 - The preliminary plan for subdividing Chesterbrook into five large lots is okayed by the supervisors.

December 12, 1977 - CORC members protest the supervisors' approval of the preliminary subdivision plan, and tell the board that CORC plans to file an appeal with the township's zoning hearing board. CORC leader John Mooney says that Tredyffrin has been receiving "bad legal advice" from Solicitor Lamb.

December 27, 1977 - Supervisor Donald C. Smith says he will submit a resolution asking that Lamb not be reappointed. The CORC complaints are one of the reasons Smith cites in seeking Lamb's ouster.

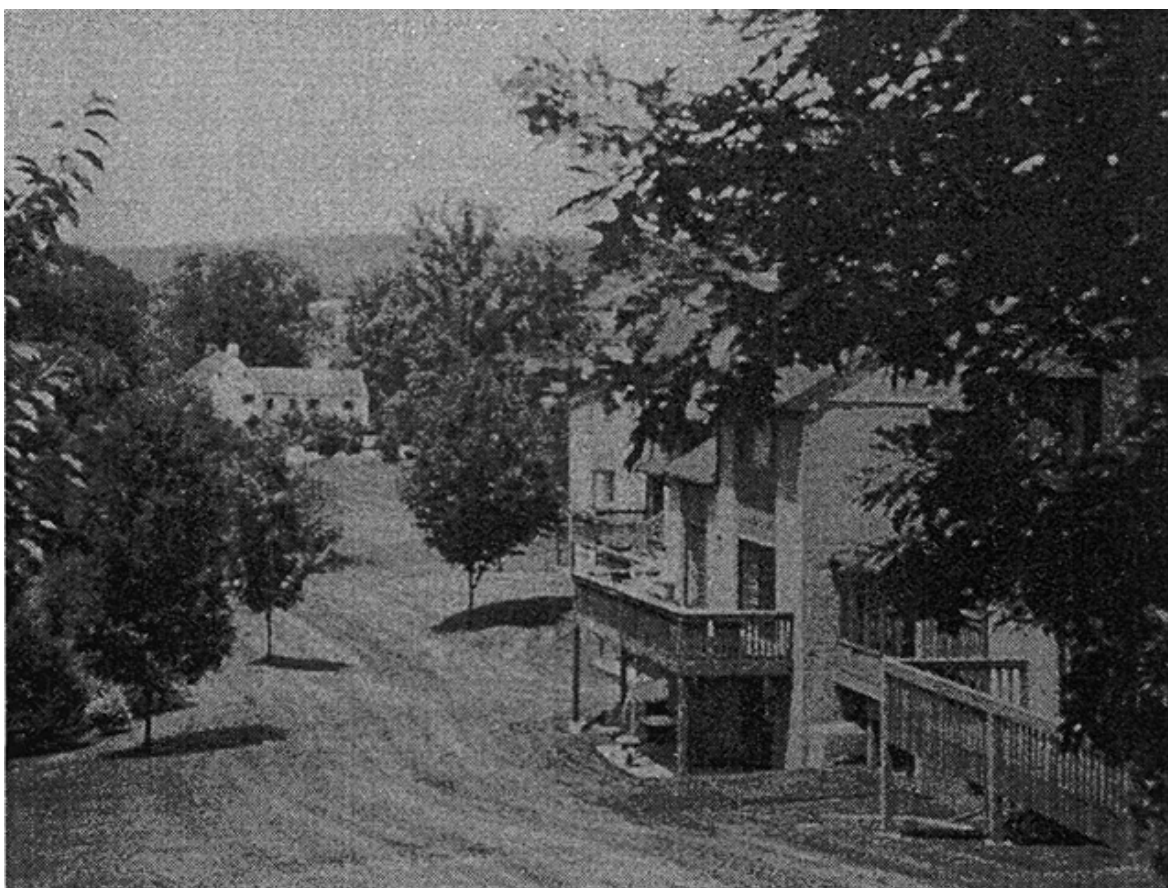
June 19, 1978 - The supervisors approve the construction of the first 77 townhouses. Ex-CORC leader Mooney, who now represents an organization known as Citizens for Valley Forge (CVF), again objects and says he will appeal. CORC representative George Gent registers his disapproval too.

August 31, 1978 - CORC members tangle with Chesterbrook developer Fox one more time, this time during a zoning appeal over townhouse approval by the supervisors.

Lawrence Wood, attorney for CORC, says Fox's original proposal was for condominiums, but now the plan calls for townhouses. Richard Bazelon, Fox's attorney, says he's confused by CORC's position, and zoning board members repeatedly ask Wood to explain the objections of CORC and CVF.

September 28, 1978 - The Tredyffrin Zoning Hearing Board denies the CORC/CVF appeal.

EPILOGUE - For all practical purposes, the war ended in September 1978. Although minor skirmishes continued over issues like traffic, the preservation of the DuPortail barn, and a 1981 partial tract rezoning to put offices where townhouses were originally planned, Fox had won the war, and the "new city" he had envisioned more than 10 years earlier rapidly became a reality.



**Back of townhouses at Painters Lane in Chesterbrook showing the original Lee-Bradford House, now the Picket Post Swim and Tennis Club, in the background. [1991 photograph from *Memories of Chesterbrook Farm Duportail History Group*, 1991.]**