

Draft of 4/23/15

Chadds Ford Township
Delaware County, PA

Board of Supervisors' Meeting
Wednesday, April 1, 2015
7:00PM

A meeting of the Chadds Ford Township Board of Supervisors was called to order on Wednesday, April 1, 2015 at 7:00PM. Present were Chairman Frank Murphy, Vice Chairman George Thorpe and Supervisor Samantha Reiner. Ms. Amanda Serock, Manager, Mr. Hugh Donaghue, Solicitor, Mr. Dan Malloy, Engineer and Mr. Matt DiFilippo, Secretary, were also present.

Approval of Minutes

Vice Chairman Thorpe's motion to approve the February 25th Workshop minutes was seconded by Supervisor Reiner and passed unanimously.

Vice Chairman Thorpe's motion to approve the March 9th Regular Meeting minutes was seconded by Supervisor Reiner and passed unanimously.

Supervisors' Report

Supervisor Reiner reported that she and Chairman Murphy attended the first public presentation of Walkable Chadds Ford at the Chadds Ford Historical Society on March 18th. She noted that the committee is currently requesting comments on the proposed village Masgter Plan and she thanked the group for their hard work. Chairman Murphy asked the Township to investigate banner signs to further designate the historical areas of Chadds Ford.

Chairman Murphy announced that the Supervisors held an executive session prior to tonight's regular meeting.

Manager's Report

Manager Serock submitted a written report and announced the following: State Trooper Matthew Klein from Troop K, Media, PA, is being commended at neighboring Thornbury Township for his commendable duties patrolling the area; Recycle Day is April 25th and will be held from 8AM – 12PM at the Township Building; the Township has vacancies on its HARB and Sewer Authority committees; the Township must update its floodplain ordinance by September 2nd per State mandate; the "No U-Turn" on Baltimore Pike was removed from the Heyburn Road intersection; CERT will meet on April 28th at 7PM to discuss CodeRed; she also mentioned upcoming agenda items and meeting dates for Strategic Planning, Planning Commission, Zoning Hearing Board and Zoning Task Force, and that the Township will be applying for a grant with DCNR to update its Open Space Plan to include a more comprehensive traits and recreation plan.

Manager Serock requested that the Board designate her as signer for the DCNR grant application.

Supervisors Reiner's motion to designate Manager Serock as signatory to apply for a DCNR Grant to revise the open space plan was seconded by Vice Chairman Thorpe and passed unanimously.

Comment

Bruce Prabel, Heyburn Road, asked why the Township Manager was being designated as the signatory, which Supervisor Reiner responded explaining that the Manager should be designated as a signatory to oversee the grant application process.

Treasurer's Report

Secretary DiFilippo provided a written Treasurer's report.

Supervisor Reiner's motion to approve general fund expenditures in the amount of \$89,577.59 was seconded by Vice Chairman Thorpe and passed unanimously.

Vice Chairman Thorpe's motion to approve a septic escrow in the amount of \$500.00 pertaining to work completed at 1250 Baltimore Pike was seconded by Supervisor Reiner and passed unanimously.

Engineer's Report

Engineer Malloy submitted a written report and announced the following projects Pennoni is addressing: culvert replacement on Heyburn Road; Springhill Farms Wastewater Treatment Plant Component 3 Module; Act 537 Plan update; and, recent grading plan applications that were reviewed.

Bruce Prabel, Heyburn Road, inquired about the culvert being replaced under Heyburn Road and the stream alignment. Engineer Malloy notified him the DEP would approve the realigning of the stream.

Old Business

Chairman Murphy inquired about the funding for 1381 Baltimore Pike, and whether or not the fund should be withdrawn from the Township's Infrastructure Fund and Manager Serock stated that the money was drawn from the General Fund.

New Business: Brandywine Mills Request

Peter Miller, Carlino Development and Shirag Thakkar, Engineer, presented changes to the Brandywine Mills site and requested a waiver to avoid a new subdivision land development application, since the plan for the site had been already recorded. The changes they presented were adding a 48 foot landlord room to one of the retail buildings, moving parking spots and the structure of a retail space to accommodate a drive thru window more safely, a non-conforming buffer, and a minor change of 48 square feet in the footprint of another retail store. Supervisor

Reiner asked for clarification concerning the buffer encroachment, which the applicant, Solicitor Donaghue, and Engineer Malloy clarified.

Supervisor Reiner's motion to approve a field change at the Brandywine Mills site, 1751 Wilmington Pike, to include changes to retail C, retail E and buffer encroachment due to movement of building and parking spaces, and to amend the record plan submitted and recorded in July, 2014, with the conditions that written confirmation from the adjoining neighbor concerning the buffer encroachment is received, written confirmation from Delaware County Planning is received and Carlino Development contribute \$3,000.00 toward Walkable Chadds Ford, was seconded by Vice Chairman Thorpe and passed unanimously.

Ordinance 132: PBC-1 District to Permit Townhouses by Conditional Use and Map Change

Chairman Murphy stated that a vote may be made to re-open the hearing to discuss the following issues: further studies needed regarding traffic on Brandywine Drive; further clarification needed of possible changes to the demographic study by Mr. Babbitt; comments by the applicant regarding unanswered questions from Pennoni's traffic study review; a refined concept plan from the applicant; and, to conduct a possible drainage study. A timeframe of 60 days was discussed between the Board and the applicant and the applicant agreed.

Chairman Murphy's motion to appoint Tom Committa as land planner to help the Board address all of the issues was seconded by Supervisor Reiner and passed unanimously.

Tom Committa Town Planner and landscape architect introduced himself. He discussed the following regarding the application: density, open space, buffers, façade and zoning. A verbal agreement was made between Mr. Committa and John Jaros, Solicitor for the applicant, to reimburse the Township for Mr. Committa's fees.

Bruce Prabel, Heyburn Road, inquired about the text amendment and final plan approval, and the procedure was clarified by Solicitor Donaghue.

Supervisor Reiner's motion to authorize the manager to advertise the re-opening of the public hearing on the proposed text amendment before the next regular legislative meeting, Wednesday, May 6th, and to hold the record open and continue that hearing month to month until such time the Township is satisfied, but not to exceed 90 days was seconded by Vice Chairman Thorpe and passed unanimously.

2015-13: 432 Webb Road Subdivision and Land Development

Solicitor Donaghue introduced the 432 Webb Road resolution, a minor subdivision application. Justin Gohn, resident, 432 Webb Road, thanked the board for considering his subdivision application and expressed concern over the phase I archeological study cost, and understands it was recommended by the County. He asked that the Board waive the requirement.

Solicitor Donaghue suggested that Vice Chairman Thorpe contact the PHMC to inquire about such archaeological studies.

The applicant was agreeable to grant a time extension to allow the Township more time to make a decision on the application.

Authorization to Advertise Ordinance 134: Business District Text Amendment to Allow an Assisted Living Facility by Conditional Use

Solicitor Donaghue introduced the ordinance, and stated that certain other items should be included in the ordinance. Solicitor Donaghue recommended that the board not vote on this because it requires further legal review. Ed Morris, E3 Ventures, the applicant who introduced the ordinance, reviewed his sketch plan and described the lot and what he plans to put on the lot. Both Chairman Murphy and Vice Chairman Thorpe inquired about parking. Fred Fromhold, attorney representing applicant, discussed imposing conditions in the conditional use process rather than in the ordinance. The zoning and existing conditions of the property, as well as submitting a reverse subdivision application, were discussed between Supervisor Reiner and Mr. Fromhold. Mr. Fromhold and Chairman Murphy also discussed completing the text amendment to the Township's satisfaction and then having a hearing. It was confirmed that the item will be on the next agenda for consideration with a possible hearing in June.

Comprehensive Plan

Chairman Murphy introduced the topic, and discussed that the Township is interested in revising or editing its comprehensive plan. Manager Serock suggested that the parameters of the project be confirmed. Supervisor Reiner asked that Tom Committa be asked by the Board to review the Township's comprehensive plan. Tom Committa commented that a comprehensive plan should be reviewed every 10 years and amended in whole or in part. He handed out an example of what he had recently done in East Goshen Township for their comprehensive plan. Chairman Murphy suggested that the Strategic Advisory Committee put the comprehensive plan on their agenda to get the process started.

Authorization to Advertise Ordinance 135 SALDO Text Amendment, Chapter 110-52, Environmental Impact Assessment Report

Ordinance 135, an update to the Township's existing subdivision and land development ordinance was discussed. Supervisor Reiner asked for clarification in the amendment regarding environmental requirements and pursuing conditional use. The Board agreed that the ordinance wasn't quite ready to advertise and vote on and asked Engineer Malloy to review the ordinance and add additional language. Chairman Murphy stated that the ordinance will be on the next Workshop agenda with plans of having it advertised in May.

Authorization to Advertise Ordinance 136: Amending Chapter 105, Stormwater Management Ordinance 136 was discussed, which is a County-based model.

Chairman Murphy's motion to advertise Ordinance 136 for a hearing on Wednesday, May 6th prior to the regular legislative meeting was seconded by Supervisor Reiner and passed unanimously.

Supervisor Liaison Appointments

Chairman Murphy read the Supervisor liaison appointments to the Township's various committees.

ZHB Application: 1 Biddlebrook Lane, Thursday, April 16th

Chairman Murphy's motion to have Solicitor Donaghue attend the ZHB meeting to represent the Township was seconded by Vice Chairman Thorpe and passed. Supervisor Reiner abstained.

Other

The Board briefly discussed a future date for a road inspection of the Township.

Adjournment

Supervisor Reiner's motion to adjourn the meeting at 9:26PM was seconded by Vice Chairman Thorpe and passed unanimously.

Respectfully submitted,

Matt DiFilippo
Chadds Ford Township