

Draft of 9/30/15

Chadds Ford Township
Delaware County, PA

Board of Supervisors' Meeting
Wednesday, August 26, 2015
7:00PM

The regular meeting of the Chadds Ford Township Board of Supervisors was called to order Wednesday, August 26, 2015 at 7:00PM. Chairman Frank Murphy and Supervisor Samantha Reiner were present. Vice Chairman George Thorpe was absent. Ms. Amanda Serock, Manager, Mr. Hugh Donaghue, Solicitor, Mr. Daniel Malloy, Engineer and Mr. Matt DiFilippo, Assistant to the Manager were also present. A public hearing for draft Ordinance 140, Floodplain Management, preceded the meeting at 6:30PM. One (1) person from the public was present.

Public Hearing: Ordinance 140, Floodplain Management

A public hearing was called to order regarding the adoption of Ordinance 140, Floodplain Management. Ms. Joanne Gussler, court reporter was present and official transcripts are available.

Supervisor Reiner's motion to close the hearing regarding Ordinance 140, Floodplain Amendment, was seconded by Chairman Murphy and passed unanimously.

Call to Order

Chairman Murphy called the regular meeting to order at 7:00PM.

Announcements

Supervisor Reiner's motion to appoint Tom Comitta Associates, Inc., specifically, Tom Comitta, as the Township Land Planner was seconded by Chairman Murphy and passed unanimously.

Supervisor Reiner's motion to appoint Robert Lohr as a Sewer Authority Board Member was seconded by Chairman Murphy and passed unanimously.

Supervisor Reiner's motion to appoint Margaret Faia as a Historical and Architectural Review Board (HARB) Member was seconded by Chairman Murphy and passed unanimously.

Chairman Murphy announced that the September 2nd regular meeting has been cancelled, and the next meeting will be on September 26th.

PA State Police Report

A written State Police report was submitted.

Approval of Minutes

Supervisor Reiner's motion to approve the Workshop Meeting Minutes of July 29th was seconded by Chairman Murphy and passed unanimously.

Supervisor Reiner's motion to approve the Regular Meeting Minutes of August 5th was seconded by Chairman Murphy and passed unanimously.

Supervisors' Report

Supervisor Reiner reported attending the vision workshop August 25th regarding the Township's Comprehensive Plan, as well as a meeting concerning Walkable Chadds Ford at the Brandywine Conservancy earlier, today. Chairman Murphy reported holding an executive session to discuss personnel and litigation on August 5th prior to the start of the regular meeting, and on August 25th.

Manager's Report

Manager Serock submitted a written report. She announced the following: Rachel Kohl Library will celebrate its 35th Anniversary, Brandywine Battlefield will hold a remembrance on September 11th at 6PM, the Open Space committee will meet on September 10th to discuss the Harvey Run Trail project, The Planning Commission will meet on September 9th to discuss the Harrier, LLC SALDO plan, as well as a Sewage Planning Facilities Module for Springwater Plaza, the Sewer Authority will meet on September 15th to discuss the preliminary budget and the plan for metering commercial sewer customers on well water, the Zoning Task Force will meet on September 1st to continue discussions regarding residential zoning, and the Zoning Hearing Board will meet September 16th to discuss an application for a use variance at 1713 Wilmington Pike, Subaru Dealership. Supervisor Reiner asked about the Sewage Facilities Planning Module for Springwater Plaza and why sewage was being conveyed to Concord Township, which both Engineer Malloy and Manager Serock responded citing the Township's 537 Plan.

Treasurer's Report

Assistant DiFilippo presented the Treasurer's Report. A written report and hardcopies of the Township's financial status for the month of August were provided by Manager Serock.

Supervisor Reiner's motion to approve General Fund expenditures in the amount of \$44,977.61 was seconded by Chairman Murphy and passed unanimously.

Chairman Murphy's motion to release escrow in the amount of \$800.00 held on behalf of Megill Builders for grading work completed at 7 Carnation Lane in 2014 was seconded by Supervisor Reiner and passed unanimously. \$160.00 will be retained for unpaid engineering invoices and \$640.00 will be returned to the builder.

Chairman Murphy's motion to release escrow in the amount of \$500.00 held on behalf of CKC Landscaping for a grading review completed at 7 Pin Oak Lane in 2014 was seconded by Supervisor Reiner and passed unanimously. \$457.50 will be retained for unpaid engineering invoice and \$42.50 will be returned to the contractor.

Engineer's Report

Engineer Malloy submitted a written report. He announced the following: inspecting and discussing drainage issues on Oakland Road and paving a portion of Bullock Road with the Township's Roadmaster, Vice Chairman Thorpe; and, he also announced addressing or reviewing the following items: draft Township ordinances, Harrier LLC SALDO application, grading applications and site inspections.

Chairman Murphy inquired about the Pescatore's shopping center status to which Engineer Malloy responded giving an update regarding the fence, millings, lights and parking spaces. Chairman Murphy, Solicitor Donaghue and Engineer Malloy discussed the project at Pescatore's shopping center and confirmed no receipt of a developer's/ improvement security agreement.

Old Business: Ordinance 140, Floodplain

Supervisor Reiner's motion to adopt Ordinance 140, Floodplain Management, was seconded by Chairman Murphy and passed unanimously.

New Business: Authorization to Advertise Ordinance 139, Noise

Supervisor Reiner's motion to authorize advertising Ordinance 139, Noise, was seconded by Chairman Murphy. Manager Serock confirmed the most recent and correct version for Supervisor Reiner. Solicitor Donaghue explained the appeal process. Chairman Murphy suggested advertising the ordinance and then working on it. Manager Serock suggested preparing the special event permit and advertising that with the noise ordinance. It being apparent the text required more work, the motion was withdrawn by Supervisor Reiner and the Noise ordinance was tabled until the next meeting.

New Business: Authorization to Advertise Ordinance 141, Steep Slopes

Supervisor Reiner's motion to authorize the advertisement of Ordinance 141, Steep Slopes, was seconded by Chairman Murphy and passed unanimously.

New Business: HARB Certificate of Appropriateness, 16 Oakland Road, Shed

Supervisor Reiner's motion to approve HARB's recommendation of a shed at 16 Oakland Road was seconded by Chairman Murphy and passed unanimously.

New Business: ZHB Applications, September 16th, 1713 Wilmington Pike (Subaru)

It was discussed among the Board that a Subaru dealer interested in opening up at 1713 Wilmington Pike would be heard at the next ZHB meeting for a use variance to allow a driveway, signage, stormwater controls and parking at 1713 Wilmington Pike. The majority of

the dealership would be in Concord Township. It was decided that Solicitor Donaghue should attend the meeting.

Committee Reports

Noelle Barbone, Strategic Advisory Committee member and HARB member reviewed the recently held vision workshop to discuss the Township's Comprehensive Plan and commented on how it was a successful meeting.

Debbie Reardon, Open Space Chair, announced that she would like to have a calendar or schedule to manage the affairs of everyone so everyone can stay on the same page because of all of the simultaneous projects.

Chairman Murphy inquired about the street light and traffic light specifications in Concord Township, to which Manager Serock responded that she had received the specifications.

Bruce Prabel, Heyburn Road, inquired about the public use of residential land for trails and whether or not it is allowed or is a zoning issue, and said that he didn't believe a public walking trail was an allowed use in a residential district. Mr. Prabel also said that neighbors should have an opportunity to object to trails in residential areas. Solicitor Donaghue responded stating that he's not aware of any case law or statute where a zoning variance was required for a walking trail. He continued bringing up the example of sidewalks in neighborhoods, and such pedestrian paths being seen as incidental uses to residential neighborhoods. Solicitor Donaghue noted that he respectfully disagreed with Mr. Prabel's position but that he was still reviewing the matter and would provide official comment upon completion of that review.

Adjournment

Chairman Murphy's motion to adjourn at 8:10PM was seconded by Supervisor Reiner and passed unanimously.

Respectfully submitted,

Matt DiFilippo
Assistant to the Manager