

Draft of 5/20/15

Chadds Ford Township
Delaware County, PA

Board of Supervisors' Workshop
Wednesday, April 29, 2015

Call to Order

A workshop meeting of the Chadds Ford Township Board of Supervisors was called to order on April 29, 2015 at 7:00PM. Present were 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. Chairman Frank Murphy was absent.

Announcements

Vice Chairman Thorpe announced next week's public hearings scheduled at 6:00PM prior to the regular meeting, Wednesday, May 6th.

Old Business Discussion Items: Ordinance 136, Amending Chapter 105, Stormwater Management

The Board discussed procedural items related to advertising the ordinance, as well as the ultimate goal of the ordinance. Supervisor Reiner thanked the Strategic Advisory Committee for their work on the ordinance.

Old Business Discussion Items: Ordinance 134, Business (B) District Text Amendment to Allow an Assisted Living Facility by Conditional Use

Solicitor Donaghue reported changes made to the ordinance, specifically the definition, and the parking parameters. Supervisor Reiner inquired about the Delaware County Planning Department (DCPD) review letter not recommending the project, and suggested that the applicant return in front of the Planning Commission. Solicitor Donaghue confirmed that the ordinance will be on the agenda next week for authorization to advertise, but Vice Chairman Thorpe commented that there's no reason to advertise until the Township's Planning Commission can comment on the DCPD review letter. The item will stay on the agenda.

Old Business Discussion Items: Ordinance 135, SALDO Text Amendment, Chapter 110-52, Environmental Impact Assessment Report

Manager Serock reported that the ordinance needs to be publicly advertised. Supervisor Reiner asked if Engineer Malloy reviewed the ordinance, which he confirmed that he had.

Old Business Discussion Items: Resolution 2015 – 13, 432 Webb Road Subdivision and Land Development

Solicitor Donaghue introduced the resolution for subdivision at 432 Webb Road. The Phase I

archaeological study of the property was discussed. Michael Gill, attorney for the applicant, discussed the language change, specifically, that the applicant shall segregate and preserve the artifacts. Vice Chairman Thorpe reviewed the history of the battle, and the county's effort in determining the landscapes of the battle such as the "Rearguard Defense," and how 432 Webb Road now lays in the path of what has been determined as the American's rearguard defense during the Battle of Brandywine. Vice Chairman Thorpe stated that he's not prepared to move ahead and vote on the resolution until the Pennsylvania Historical and Museum Commission (PHMC) looks at the property. Attorney Gill stated that the property has all the necessary zoning and statutes to conduct the minor subdivision and it's unreasonable to make an individual homeowner take on an archaeological study. Mr. Gill continued that his applicant is not opposed to PHMC conducting a study, but the applicants have every right to subdivide their property. Vice Chairman Thorpe further clarified that he is not suggesting the applicants pay for a Phase I archaeological study, but requesting that the applicant allow more time for arrangements to be made to get PHMC involved. It was concluded that language in the resolution be changed to address issues related to searching for archaeological finds, and that the new property address be noted in the resolution.

Old Business Discussion Items: Resolution 2015 -14, 1711 Wilmington Pike SALDO

Application

Solicitor Mike Lyons, representing the applicant, reported that the resolution was received subject to the necessary 11 approvals. Solicitor Lyons stated that the approval for the use of the property will go away when the lease ends. Supervisor Reiner inquired if the property was connected to public water and public sewer, and if not, when it would be connected. Matt Houtmann, engineer for the applicant, explained that the applicant currently uses a cesspool and fully intends to connect to public sewer per the inter-municipal agreement with the Brandywine Mills project. The Board and applicant also discussed leaking cars on the property, and it was agreed that such cars would be parked next to the garage or inside the garage on the paved driveway rather than the new gravel parking lot Concord Auto Body is planning on constructing. Conditions surrounding the resolution were discussed, and Solicitor Donaghue noted that Supervisor Reiner's concerns will be addressed in the resolution.

New Business Discussion Items: Brandywine Valley Scenic Byway Commission

Intergovernmental Cooperation Agreement

Debbie Reardon, Open Space Chair, explained the agreement. Both Vice Chairman Thorpe and Supervisor Reiner asked if it should be adopted next week at the regular meeting. Supervisor Reiner continued that she's OK with the adoption of the agreement next week as long as signage per the agreement is acceptable.

New Business Discussion Items: Application for Massage Establishment License Renewal, 1290

E. Baltimore Pike, Oh La La Massage

Manager Serock reported the procedure for permitting massage establishments in the Township, annually, and that the renewal application will be on the agenda at the regular meeting.

New Business Discussion Items: Authorization to Advertise Ordinance 137, Amending Chapter 19, Manager

Supervisor Reiner recommended changes, and whether or not such changes should be discussed in executive session or publicly. Subsequently, Supervisor Reiner and Solicitor Donaghue reviewed specific sections of the ordinance confirming the following: “the Township manager may hire and discharge after conferring with the Board of Supervisors,” and, “the Board of Supervisors cannot attempt to dictate the suspension of any employees from the Township.” It was also discussed that purchases exceeding a certain amount of money should be added to a Township financial policy.

Committee Reports

Manager Serock reported that committee reports have been received.

Public Comment

Rocco D’Antonio, 1281 Baltimore Pike, inquired about issues surrounding his property. Solicitor Donaghue commented that he has been in touch with Mr. D’Antonio’s attorney and that he should hold his comments until the meeting on May 6th when his attorney will be present.

Tom Comitta, Land Planner, commented on the K. Hovnanian Townhomes application, re-opening the hearing and necessary procedures in ensuring proper due diligence relative to the traffic and fiscal studies. Manager Serock clarified the process. Supervisor Reiner clarified that the Board and applicant are looking at the same ordinance draft, and that a review from the County should be received before the June hearing date.

Adjournment

Supervisor Reiner’s motion to adjourn the workshop meeting at 8:37PM was seconded by Vice Chairman Thorpe and passed unanimously.

Respectfully submitted,

Matt DiFilippo
Secretary