

Draft of 10/29/2014

Chadds Ford Township  
Delaware County, PA

Board of Supervisors' Workshop  
Wednesday, September 24, 2014  
7:00PM

Officials' Present:

Keith Klaver, Chairman  
Frank Murphy, Supervisor  
Amanda Gattuso, Interim Manager  
Hugh Donaghue, Solicitor  
Tyler Therriault, Solicitor  
Joe Mastronardo, Engineer  
Matt DiFilippo, Secretary

Call to Order

Chairman Klaver called the meeting to order.

Action Items: J. Grace Development Co. proposal for Oakland Road

The Township's Planning Commission requested guidance from the Board of Supervisors regarding consideration of alternatives to the development of the project at Oakland and Brintons Bridge Roads by J. Grace Co. (Mansfield Development). The possible approaches would be a by-right, Residential (R-1), Planned Residential Development (PRD-1) or an alternative Planned Residential Development (PRD-3). Supervisor Murphy confirmed that the Board of Supervisors would only be voting on a recommendation as to what approach to allow the developer, J. Grace Co., to take, and not actually authorizing project, since to date no specific plan (other than a sketch) has been submitted by the developer. Solicitor Donaghue confirmed and explained the procedure. Supervisor Murphy asked Engineer Mastronardo how many houses could actually be built on the property under a by-right R-1 plan. Engineer Mastronardo responded that an actual SALDO plan needs to be submitted so he could evaluate final lot capability.

K. Hovnanian proposal for 600 Brandywine Drive (townhomes)

John Jaros counsel for K. Hovnanian Townhomes, explained the applicant's history in front of the Board of Supervisors and Planning Commission, and their new plan to amend the Planned Business Center -1 (PBC-1) zoning district to allow townhomes by conditional use, and rezone 600 Brandywine Drive to PBC-1. Mr. Jaros requested that the Supervisors consider a timeframe. Chairman Klaver noted that certain issues still need to be addressed such as traffic, emergency exit(s), determination of Fee in Lieu of and stormwater management. Supervisor Murphy added that buffering needs to be addressed, too.

### Brandywine Drive

Engineer Mastronardo reported conducting an 11 hour traffic study along Brandywine Drive focusing on speed and manually counting trucks and cars. He reported that the results will be compiled before the regular meeting, October 1, 2014.

### Use of Municipal Building during Extended Blackouts

Chairman Klaver reported that the Board is considering opening the Municipal Building during extended blackouts, but need rules and conditions to ensure liability is covered and that the building will be used efficiently. Supervisor Murphy recommended reaching out to neighboring Townships to inquire about their procedures and conditions.

### Preliminary Budget

Chairman Klaver reported that 90% of the budget for 2015 is complete, and that he is hopeful to give a brief summary next week at the regular meeting. He also said that by the November meeting all elements for the budget should be finalized, currently the budget does not anticipate a property tax increase.

### Transfer from Escrow Account

Solicitor Donaghue reported that a resolution will be prepared for the regular meeting, and explained that the escrow fund represents funds from developers and/ or applicants prior to 2009 that provided escrow for projects. Furthermore, the Township has no records as to whose escrow funds they are, and, it's believed that generated invoices were paid funds from the general fund at the time or escrow money was returned to applicant's from the general fund and not properly accounted for at the time of settlement.

### Township Manager

Chairman Klaver reported that the Board of Supervisors have hired a new Township Manager, Amanda Serock, who will begin Monday, October 13, 2014.

### Stormwater Management Proposals

Chairman Klaver reported that the Planning Commission and Strategic Planning Committee both have recommendations for stormwater management in the Township, and Chairman Klaver suggested giving authorization to acquire proposals for a Township wide drainage study. Supervisor Murphy commented that it's necessary for the Board to choose a committee to spearhead the project to which Chairman Klaver agreed.

### Committee Chair Meeting

Chairman Klaver stated that he would like to have a committee chairperson meeting in October, and then all committee chairpersons could meet the new manager.

### Other: First State National Monument

The Federal government declared land in the State of Delaware as the First State Monument, and 200 acres of the newly designated 1,108 acre federal park happen to be in Chadds Ford

Township, Pennsylvania, too. Debbie Reardon, Chair, Open Space, will be appointed to be the Township's representative for the federal park primarily located in the State of Delaware.

#### Other: Ruggeri Cadillac at 1550 Wilmington Pike

Jim Gade representing Ruggeri Cadillac, reported changes to be made at 1550 Wilmington Pike to the final plans including the addition of a canopy, vestibule and an oil/water separator. Engineer Mastronardo reported that the addition of a canopy and vestibule require a land development application because it expands the footprint, however, diminishes. Solicitor Therriault suggested moving forward with a fully revised engineered plan and have the Board review it. The procedure was discussed that the applicant will re-submit a plan and return to the Planning Commission. The applicant also must go before the Zoning Hearing Board. There was additional discussion about impervious coverage and stormwater management.

#### Other: Ordinance 84B and Noise Ordinance

Supervisor Murphy reported that some of the Township's ordinances weren't properly codified in the past, one being Ordinance 84B which deals with the sewer system. The ordinances were passed legally and are effective, however, the complete authorized ordinances was not properly codified. Additionally, a draft of a new noise ordinance has been created in order to replace the incorrect, codified noise ordinance.

#### Public Comment

Debbie Reardon, Tally Ho Drive, Mike Ashmore, Keepsake Lane, Chairman Klaver and Supervisor Murphy discussed recent robberies and talked about communicating to the Township as a whole to be aware of suspicious activity, and being proactive in reporting such suspicious activity.

Mike Ashmore, Keepsake Lane, commented that as a member of the Zoning Task Force and Planning Commission, he would like some direction from the Board of Supervisors in the way of priorities.

Vicki Hoxter, Painters Crossing, inquired as to why it seems as if every developer making application to the Township, lately, is also requesting map and text amendments to build something that current zoning doesn't allow. She expressed concern and that it doesn't appear property rights are being protected by allowing changes in zoning. She used Hovnanian Townhomes as an example as well as the proposed "loop road." She inquired as to how the Board makes its decisions.

Supervisor Murphy agreed with Ms. Hoxter's concern and assured her that the Board is not giving developers a way around current ordinances by allowing or considering zoning changes. He continued that these issues are being addressed to consider what's allowed to be built on parcels under current zoning and what could be built and ultimately what's better for the Township. He added that the Township is currently facing a wave of development and numerous projects are being discussed for the Township and the Board is considering all of the facts and

hoping to decide what is best for the Township. Supervisor Murphy also commented that a lot of thought, time and meeting with developers and residents help in the decision-making process.

Chairman Klaver commented that by-right uses and alternative uses are both considered and what's desired is what project is less disruptive in the way of stormwater management and traffic, and other Township considerations. He continued that the proposed completion of Hillman Drive to Baltimore Pike has been discussed for close to 40 years, and that PennDot has assured the Township that the road will be completed for the reason of lessening the impact of traffic at the intersection of Baltimore and Wilmington Pikes.

Supervisor Murphy added that an opportunity has presented itself where a developer has offered to complete the "loop road" and without PennDot paying for the road will allow the Township to impose restrictions and in turn a more controlled roadway. Engineer Mastronardo confirmed that the Township will have more control over the construction of the road if a developer is paying for and completing it rather than PennDot.

Mike Ashmore, Keepsake Lane, commented that there is a lot of discussion about the proposed "loop road," again, and suggested that it may be time for another public meeting with PennDot and residents and the progress on the road.

Bruce Prabel, Heyburn Road, commented that the Township will have influence and be able to negotiate the construction of the road if Henderson builds the road whereas the Township will not be able to negotiate the construction if PennDot builds the road.

Chairman Klaver and Supervisor Murphy both said they want to hear from the residents their opinions about the loop road.

Katherine King, Ring Road, inquired about the Bruggemann Building located at 1361 Baltimore Pike, and the safety of the intersection at Webb Road and Baltimore Pike.

Rob King, Ring Road, reported receiving an email about the Octoraro Trail running through his property.

Debbie Reardon, Tally Ho, Open Space Chair, reported that in the past a study was done regarding an Octoraro Trail system for informational purposes only, and that no trail is planned. However, the Octoraro Trail remains on the trail map prepared by Delaware County.

#### Adjournment

Meeting adjourned at 8:45PM.

Respectfully submitted,

Matt DiFilippo, Secretary