

DRAFT OF 01.28.14

Chadds Ford Township  
Delaware County, PA

Board of Supervisors' Meeting  
Tuesday, January 14, 2014  
7:00PM

Officials Present:

Keith Klaver, Chairman  
George Thorpe, Vice Chairman  
Frank Murphy, Supervisor  
Judy Lizza, Manager  
Hugh Donaghue, Solicitor  
Joe Mastronardo, Engineer  
Matt DiFilippo, Secretary

Call to Order

Chairman Klaver called the meeting to order at 6:58PM.

State Police Report

A written report was submitted.

Approval of Minutes

Upon motion and second (Murphy/ Klaver) the Board approved the Workshop Minutes of December 2, 2013.

Upon motion and second (Murphy/ Klaver) the Board approved the Regular Meeting Minutes of December 4, 2013.

Supervisors' Report

The Supervisors reported meeting December 9<sup>th</sup> regarding personnel and committee and board appointments.

Manager's Report

Manager Lizza submitted a written report. She discussed in brief the PENNDOT Loop Road/ Hillman Drive meeting and the inclusion of PENNDOT's meeting minutes with the Township's minutes; a meeting with Keystone Collections Agency; Delaware County Planning Department's meeting to be held at the Municipal Building January 22 regarding "Heritage Tourism"; a PECO meeting regarding Emergency Response; Ordinance updates; the Township's Zoning Hearing Board schedule and applicants; and, the Springhill Farms Wastewater Treatment Facility (SHFWTFA) written request to the Board to decommission their treatment plant. Manager Lizza requested action from the Board regarding SHFWTFA's written request.

Supervisor Murphy encouraged the Board to schedule a meeting as early as possible to inform Township residents. Manager Lizza responded that she would contact Vito Genoa, PENNDOT Representative, to discuss setting-up a preliminary meeting.

Supervisor Klaver explained SHFWTFA's plans to become a pump station and send their sewage to Concord Township, and added that the Department of Environment Protection (DEP) is very supportive.

Upon motion and second (Thorpe/ Murphy) the Board accepted SHFWTFA's request to decommission their plant and pump their sewage to Concord Township, and in turn, the Board recognized the need for the Township's 537 Plan to be amended.

#### Discussion Concerning the SHFWTFA Motion

Supervisor Murphy expressed concern regarding the residents of Springhill Farms and whether or not they're aware of what's happening. Chairman Klaver added that it's not just the residents of Springhill Farms that will be affected but also the Glen Eagle Shopping Center, McKenzie's Brew House and some of the residents on Marshall Road. Solicitor Donaghue reported that a written document would be forthcoming from the SHFWTFA stating that they had the authority to act on behalf of the Springhill Farms HOA. Solicitor Donaghue also added that the Board was voting to consider the request and consider the amendment to the 537 Plan and no further formal action was necessary at this time. Valerie Hoxter, Painters Crossing, asked for clarification of the process and the next steps to which Manager Lizza responded stating an inter-municipal agreement would be required as well as the DEP's process and procedures and, of course, physical construction required to change the plant from a treatment facility to a pump station adding that the timeline is somewhere between 18 and 24 months for the entire process.

The Board approved to accept SHFWTFA's request and amend the Township's 537 Plan.

Manager Lizza requested a second action from the Board authorizing an expenditure for the Citizens' Emergency Response Team (CERT) and a post card advertising their January 28, 2014 meeting.

Upon motion and second (Murphy/ Thorpe) the Board approved the expenditure for the CERT post card promoting their next meeting.

#### Engineer's Report

Engineer Mastronardo submitted a written report.

#### New Business: Resolution 2014 – 09: Brandywine Mills Land Development

Peter Miller, Carlino Development, Rob Gundlach, principle attorney for the applicant and Greg Elko, engineer for the applicant, were in attendance to introduce the project and respond to questions. Solicitor Donaghue introduced Resolution 2014 – 09.

Upon motion and second (Murphy/ Thorpe) the Board adopted Resolution 2014 – 09: Brandywine Mills Land Development.

Discussion Concerning the Brandywine Mills Land Development Motion

Larry Ferrar, Concord Autobody, expressed concern about the left hand turn lane being shut down into his business on Wilmington Pike heading southbound during construction. Rob Gundlach responded that construction would be compliant with PENNDOT and points of access would be left open. Engineer Mastronardo agreed to set-up a meeting with Mr. Ferrar to discuss his concerns.

Debbie Reardon, Open Space Chair, Tally Ho Drive resident, inquired about seeing a design of the planned Veterans Memorial Park, and designating the Park as a part of the trail system. She also inquired about protecting or working around sensitive areas during construction. Peter Miller responded that she could see the detailed design of the park and was supportive of designating the park as a part of the trail system. Greg Elko explained their goals in protecting and working around sensitive land areas during the construction and how it was all detailed in the plans.

Supervisor Murphy inquired about ensuring safe pedestrian access across Wilmington Pike. Peter Miller responded that there would be PENNDOT compliant pedestrian crossing facilities. There was continued discussion about safely walking across Wilmington Pike. Other items discussed were the two traffic signals, naming the road “Veterans Drive,” and having recycling igloos onsite at the proposed shopping center.

Rob Gundlach, attorney for the applicant, pointed out an error on Resolution 2014-09 regarding variances received from the Township’s Zoning Hearing Board.

Upon motion and second (Murphy/ Thorpe) the Board approved to amend Resolution 2014 – 09 to reflect both relief decisions awarded by the Township’s Zoning Hearing Board regarding parking lot relief and setback for the security booth relief.

The Board approved Resolution 2014 – 09 with the above amendment.

New Business: Certificates of Appropriateness

Upon motion and second (Thorpe/ Murphy) the Board approved the Certificate of Appropriateness recommended by HARB for the new signs at 1598 Baltimore Pike, Berkshire Hathaway.

Upon motion and second (Thorpe/ Murphy) the Board approved the Certificate of Appropriateness recommended by HARB for the new signs at 1620 Baltimore Pike, Fellini Café.

New Business: Set a Public Hearing for the Comcast Franchise Contract Renewal

Manager Lizza suggested the Board set a date for a public hearing for the renewal of the Comcast Franchise Agreement Contract on Wednesday, March 5 prior to the start of the regular meeting also scheduled for that date.

New Business: Set a Date for Public Input for a Gun Range Request at 1201 Smithbridge Road

Chairman Klaver suggested a meeting for public input regarding a request for a gun range at 1201 Smithbridge Road be set at 6:30PM on Wednesday, February 5 prior to the regular meeting. Solicitor Donaghue recommended that a letter be sent to residents within 1000 yards to which Manager Lizza agreed to comply.

New Business: Contract Approval for Professional Services with Delaware County Planning Department to Update Chadds Ford Zoning Ordinance

Upon motion and second (Murphy/ Thorpe) the Board approved to contract the Delaware County Planning Department to update the Chadds Ford Zoning Ordinance.

Supervisor Murphy commented on Delaware County Planning Department's requirements for public hearings and task force meetings in regards to notifying residents of the procedures and ultimate change. Manager Lizza responded that it could be requested that additional dates be added to the contract requiring the Delaware County Planning Department to hold public hearings and task force meetings.

New Business: Contract Approval of CSG Permit Manager, Permit Tracking Software

Upon motion and second (Murphy/ Thorpe) the Board approved the contract to acquire CSG Permit Manager.

Solicitor Donaghue commented that the contract is O.K. to execute provided that the permit manager software is compatible and that all of the data in the system is property of Chadds Ford Township.

Debbie Reardon, Tally Ho, Bruce Prabel, Heyburn Road, Don Weiss, Hilloch Lane, Gail Force, Southpoint and Marc Altman, Spring Lane all inquired about the permit manager software. Manager Lizza responded that the software will track permits, will further ensure proper information recorded and in turn sent to the Board of Assessment, and that the Building Inspector, Secretary and Manager will be inputting the information. There was also discussion about possibly setting up a separate public meeting to unveil the software.

The Board approved the contract to acquire CSG Permit Manager software.

New Business: Appointment of Alternate Counsel, Mike Maddren

Upon motion and second (Thorpe/ Murphy) the Board appointed Mike Maddren as alternate counsel for Chadds Ford Township.

### Public Comment

Joanne Ceballos, Estates at Chadds Ford, inquired as to why the Estate's December 11<sup>th</sup> request to remove fencing around a basin was removed from tonight's agenda. She submitted a Right-to-Know request. Chairman Klaver responded that it was moved to a future meeting, and Vice Chairman Thorpe responded that he didn't have enough information to make a decision. Supervisor Murphy responded that he needed more time, too, because he didn't understand the request because he didn't have enough time to review the request. Manager Lizza apologized that the current Estates at Chadds Ford Board wasn't notified further in advance of not being on tonight's meeting agenda.

David Poston, Rocky Hill Road, clarified that a request for a private gun range was on Smithbridge Road near the Smithbridge pump station and closer to Wilmington Pike.

### Adjournment

Upon motion and second (Murphy/ Klaver) the Board adjourned the meeting at 8:40PM.

Respectfully submitted,

Matt DiFilippo, Secretary