

Draft of 4/28/16

Chadds Ford Township
Delaware County, PA

Board of Supervisors' Workshop
Wednesday, March 30, 2016
7:00PM

Call to Order

The Workshop meeting was called to order at 7:00PM. Chairman Frank Murphy, Vice Chair Samantha Reiner and Supervisor Noelle Barbone were present. Ms. Amanda Serock, Manager, Mr. Michael Maddren, Solicitor, Mr. Michael Schneider, Engineer and Mr. Matt DiFilippo, Assistant to the Manager and Township Secretary were also present. Thirteen (13) people from the public were present.

Announcements

Chairman Murphy announced Recycle Day and Roadside Clean Up. Manager Serock and Secretary DiFilippo added details. Manager Serock also announced that Lawn Service proposals have been requested. Chairman Murphy also announced that an executive session was held prior to tonight's Workshop meeting concerning personnel and litigation matters.

Old Business: Act 537 Update

Engineer Schneider reported that the Township's Act 537 Plan is being updated, and recommended a meeting between the Township Board of Supervisors and its Sewer Authority to receive input and finalize the draft, which had been circulated. The Board briefly discussed whether to hold the joint meeting prior to the Supervisors' May 4th or Sewer Authority's May 10th regular monthly meeting. Vice Chair Reiner confirmed that it's an opportunity to give final input and authorize the advertisement of the Act 537 Update at the Board's June regular meeting with hopes of adopting the Plan at the Supervisors' August meeting. Manager Serock stated that the Act 537 Plan could be advertised in May for a 30-day comment period. Chairman Murphy concluded that the item would be added to next week's regular meeting agenda for consideration to authorize to advertise.

New Business: Comprehensive Plan Proposal

Manager Serock reported receiving an updated Comprehensive Plan proposal from Thomas Comitta. Chairman Murphy commented that the proposal is not to exceed \$40,000 in expenses paid to Thomas Comitta. Vice Chair Reiner added that Mr. Comitta recommended the formation of a Comprehensive Plan committee.

New Business: Road Maintenance RFP

Manager Serock reported that a road maintenance RFP has been created to ensure competitiveness in road maintenance fees. She continued that the draft would be completed by the regular meeting and that she would request authorization to advertise. She also

discussed the annual road program, which is separate from the road maintenance contract. Under the road program Bullock Road and Carriage Path will be paved. Engineer Schneider added that he would like to move forward with the bid documents for the annual road program because the current pricing for road paving is very competitive. Chairman Murphy confirmed adding the authorization to advertise on the regular meeting agenda. Supervisor Barbone confirmed with Engineer Schneider the specifics of the exact road work to be completed on Carriage Path and Bullock Road.

New Business: Special Events Ordinance

Chairman Murphy commented that the Board has been working on a draft Special Events Ordinance since May 2015 due to an increase in special events within the Township. Vice Chair Reiner commented that the Ordinance should control certain events on commercial properties that will increase traffic and affect residential neighbors. She continued that special events should not be promoted or advertised until a permit is secured. Time limits were discussed for an applicant securing a special events permit, and Chairman Murphy commented that a 60-day period to secure a permit could be oppressive for a residential homeowner wanting to hold a special event, but not for a commercial applicant. He added that the number of people expected to attend an event also needs to determine whether the event requires a special event permit for both residential and commercial applicants. Vice Chair Reiner suggested 30-days for a residential applicant wanting to hold a special event, and 60-days for a commercial applicant wanting to hold a special event. Manager Serock commented that the time period needs to be seriously taken into consideration so decisions can be made on special event applications and requests imposed by the Township can be fulfilled by the applicant. Supervisor Barbone added that the two types of special events—residential and commercial—need to be kept separate. Vice Chair Reiner also commented that the standards for approving or denying special events permit needs to be considered to assure fairness in the process so that one complaining party cannot ruin an event.

Bruce Prabel, Heyburn Road, confirmed that annual events in Chadds Ford Township, such as the Pumpkin Carve, would have to be permitted, and asked for clarification between what would be considered a residential special event versus a commercial special event. Chairman Murphy responded that yes larger events would have to be permitted, but it would be based off the assumed number of people attending, and primarily for the safety, health and welfare of the community.

Manager Serock concurred with the Board that the Special Events Ordinance would be on the next Workshop agenda in April and not next week's regular meeting agenda.

New Business: Amendment to Sewer Ordinance

Manager Serock reported that the Township's Ridings sewer plant has been having inflow and infiltration issues from wet weather events, which results from illegal hookups such as sump pumps and downspouts to the sanitary sewer system from homeowners. She continued that she has been working on the draft amendment to the Sewer Ordinance pertaining to Inflow and Infiltration (I&I). Chairman Murphy and Supervisor Barbone both confirmed that the issues have cost the Sewer Authority money.

New Business: Resolution 2016 – 15: Reaffirmation of 432 Webb Road SALDO

Manager Serock reported that the reaffirmation is purely a clerical issue to allow more time for the homeowners to record their plan.

Delaware County Act 247 Review Application(s): 134 Rocky Hill Road – 334 Ridge Road, SALDO, Minor Lot Line Change

Manager Serock reported that a minor lot line change SALDO application was received and has been sent to Delaware County Planning Commission for Act 247 review.

Other Discussion Items: Zoning Amendment Application, Wilmington Pike (US 202) PBC to PBC-1

Larry Strohm, attorney representing Jim Sipala of Sipala Kia, introduced the applicant's intention to seek approval for a zoning change from PBC – PBC-1 with the intention to ultimately construct a Kia car dealership for a property along Wilmington Pike (US 202) adjacent to Brintons Bridge and Oakland Roads. Also in attendance representing the applicant were Lisa Thomas, Landscape Architect, Steve Bell, Building Architect and Kumar Ahmad, Engineer. Mr. Strohm reported that since the applicant's appearance in front of the Township's Planning Commission, they have dealt with Kia corporate to find out to what extent the applicant could modify the building to adhere to the Township's building code and SALDO requirements. Kia corporate agreed to the modification of the side and rear elevations but not to the general design of the building or front elevation. Mr. Strohm continued, reporting the bulk requirements, footprint, signage and setbacks of the proposed building.

Lisa Thomas, Landscape Architect, presented slides of the proposed Kia Car Dealership for the site on Wilmington Pike. She explained the landscape layout. Vice Chair Reiner inquired about the proposed landscape details and how it will work with the vehicle presentation, which Ms. Thomas responded by showing where the cars would be showcased. She continued explaining the proposed retaining walls and lighting plan.

Susan Darrell, Brintons Bridge Road, inquired where stockpiled dirt would go if the dealership is built, and expressed concern about the site's proposed septic system.

Kumar Ahmad, Engineer for the applicant, reviewed the current site conditions, specifically the slopes and natural drainage of the property. He continued discussing the potential areas for stormwater management controls and responded to Ms. Darrell's question by stating that some fill would be used on site and other fill would be exported off site. He added that there will be a slight grade to the entire site. Mr. Ahmed also commented that two possible areas on the site are being considered for the septic system and that any installed septic system would not affect any natural drinking wells, as they would be required to follow DEP and Township regulations.

Steve Bell, Building Architect for the applicant, presented slides of the proposed dealership and explained the modern architecture and use of fieldstone to give the modern building a colonial look.

Vice Chair Reiner inquired if the applicant would still consider submitting a SALDO application concurrent with the Zoning Amendment application currently in front of the Board for consideration. She also inquired about any waivers the applicant would request. Mr. Strohm responded that the applicant would rather not run the applications concurrently due to the cost involved. Chairman Murphy commented that the Board would like to know exactly what is going to be built on the property if it is re-zoned with a formal SALDO plan, and that he is not prepared to separate the zoning amendment request from a formal SALDO application. Mr. Ahmad responded at this point in time the applicant is not anticipating any waiver requests or variances. Engineer Schneider commented that steep and very steep slopes on the site do need to be identified.

Bruce Prabel, Heyburn Road, inquired if it was legally permissible to condition the zoning change upon the approval of a SALDO plan, which Solicitor Maddren responded that he didn't think that was legal—conditioning a zoning change upon a SALDO plan.

The applicant will be in front of the Township's Planning Commission on April 13th for further consideration of the re-zoning application of the parcel from PBC to PBC-1.

Other Discussion Items: Hillman Drive Extension SALDO Application

Manager Serock reported a meeting with PennDot regarding the Hillman Drive Extension SALDO application.

Other Discussion Items: Brandywine Mills Remediation

Manager Serock reported that because of ground contamination caused by a dry cleaner that used to be on the site of the current Brandywine Mills Shopping Center, public water must be supplied to certain businesses along Wilmington Pike adjacent to the Shopping Center. She continued, that the Township needs to consider whether or not a fire hydrant should be installed and the Board agreed that one should be. The Fire Marshal concurred that it's a good idea.

Other Discussion Items: Public Single-Stream Recycling Bins

It was briefly discussed that the Township is still interested in having public, single-stream recycling bins as a service to residents offering them an area to dispose of recyclables, but a site would still need to be determined.

Other Discussion Items: SPCA Contract

Solicitor Maddren reported that the Animal Control Board will no longer exist and the Township will need to consider a contract with the Brandywine Valley SPCA or another alternative.

Adjournment

Chairman Murphy's motion to adjourn the Workshop at 8:45PM was seconded by Supervisor Barbone and passed unanimously.

Respectfully submitted,

Matt DiFilippo
Assistant to the Manager/ Township Secretary