

Draft of 9/1/16

Chadds Ford Township  
Delaware County, PA

Board of Supervisors' Workshop  
Wednesday, July 27, 2016  
7:00PM

Call to Order

The Board of Supervisors' Workshop was called to order at 7:00PM. Chairman Frank Murphy, Vice Chair Samantha Reiner and Supervisor Barbone were present. Ms. Amanda Serock, Manager, Mr. Michael Maddren, Esq., Solicitor, Mr. Michael Schneider, PE, Engineer and Mr. Matthew DiFilippo, Township Secretary and Assistant to the Manager were also present. Seventeen (17) people from the public were present.

Announcements

Chairman Murphy announced that the PRD hearing for the proposed Wonderland Farms residential development along Oakland Road would be on August 3<sup>rd</sup>, and asked that all surrounding neighbors be notified.

Public Hearing: Ordinance 144, Special Events

Solicitor Maddren opened the hearing, invited the public to comment and confirmed that the Special Events Ordinance hearing had been advertised. Chairman Murphy expressed concern over balancing people's property rights and the overall health, safety and welfare of the Township. He continued that the proposed Special Events Ordinance can't be adopted in its current condition, adding that he was concerned with the exemptions. He said, as an example, that if a property owner is using his property by right or for activities that have been approved by conditional use, such as permitting religious services, then it's approved, so there may not be a reason to have a religious exemption in the Special Events Ordinance. Chairman Murphy said that the proposed Special Events Ordinance needs to be re-advertised and is not ready for adoption. Vice Chair Reiner thanked Chairman Murphy, and added that the ordinance has been worked on and that she wants to make sure organizations such as the Conservancy and the Historical Society can use the ordinance. Supervisor Barbone thanked Chairman Murphy and emphasized that the Board needs to get it right. She added that she understands that a property being used by right or per conditional use approval possibly doesn't require additional approval for a special event. Chairman Murphy reiterated that a property approved for certain uses may not need special permission for an event when it's already an approved use on the property, but the major concern for events is sufficient parking and controlling traffic. Supervisor Barbone commented that property owners holding events need to be prudent in their management especially when they're expecting a large crowd. Chairman Murphy added that he sees the need for a Special Events Ordinance to protect the health, safety and welfare of the community, but doesn't want to put the burden of an extra layer of government on property owners. Vice Chair Reiner stated that the best plan would be to circulate changes among the Board and to come up with a version of the text that's a

workable draft to vote on. Manager Serock said that the advertisement for the Special Events Ordinance could be authorized today, and if the Board still isn't ready then nothing needs to be done, but if the Board is ready, then it's been advertised and action can be taken at the regular meeting of September 7<sup>th</sup>.

Public Comment: Ordinance 144, Special Events

Alan Horowitz, High Ridge Road, asked about the motivation for a Special Events Ordinance, and if it is to ensure the public's health, safety and wellness, then what are those risks that the Township is trying to manage; and, whether or not a property has an approved use, could the Special Events Ordinance apply in a situation where a property with an approved use no longer adequately mitigates its special event. He added that there is a lot of potential for Township events in this community and adjustments are needed to accommodate future events but hopefully not to stifle the events.

Chairman Murphy responded with an example stating that if the Conservancy is holding an educational event that is an approved use on its property, but they're expecting 10,000 cars and 8,000 people then it could be considered a special event and needs to be clarified and organized properly but the Township shouldn't infringe on their rights or approved use of their property.

Maurice Todd, Harvey Lane, expressed concern with the religious exemption in the current draft of the ordinance, adding that when an event is not compatible with the site then the event needs to be addressed. He asked why there were any exemptions to the ordinance stating that if an event is anticipated to be a large event then proper planning should be done.

Chairman Murphy responded about the exception to 1<sup>st</sup> Amendment activities stating that it's only allowed on Township streets or sidewalks.

Chairman Murphy read a letter into the record submitted by Eric Gartner of Harvey Lane in opposition of the current draft of the ordinance.

Chairman Murphy closed the hearing.

Old Business

There was no old business.

New Business: Delaware County Contract Extension for Zoning Task Force

Vice Chair Reiner's motion to approve the extension of the Zoning Task Force was seconded by Supervisor Barbone and passed unanimously.

New Business: Ordinance 143, Solid Waste Amendment

Solicitor Maddren confirmed that proposed Ordinance 143, Solid Waste Amendment was advertised and invited public comment. There was no public comment regarding proposed Ordinance 143, Solid Waste Amendment.

Motion

Vice Chair Reiner's motion to approve Ordinance 143, Solid Waste Amendment, extending the Township's contract with Delaware County to 25 years until 2041 was seconded by Supervisor Barbone.

Public Comment

Chairman Murphy inquired about limiting trash truck traffic on roads when trash doesn't need picked up. Solicitor Maddren responded that this ordinance is only to extend the contract terms allowing haulers in Chadds Ford Township to unload at the County's waste station.

Decision

The motion passed unanimously.

New Business: Ordinance 144, Special Events

Vice Chair Reiner's motion to authorize Manager Serock to advertise the text of the Ordinance when the Board is satisfied and ready with the text was seconded by Supervisor Barbone and passed unanimously.

New Business: Resolution 2016 – 19, Fee Schedule Amendment for Special Events

Chairman Murphy tabled Resolution 2016 – 19.

New Business: Resolution 2016 – 20, Budget Expense Line Item Amendment

Chairman Murphy's motion to move funds in the amount of \$10,000 from expense line item 430.18, Road Program, to expense line item 414.45, Ordinance Development, was seconded by Supervisor Barbone and passed unanimously.

Chairman Murphy's motion to authorize the expenditure of a sum not to exceed \$10,000 for the purposes of Ordinance development to Thomas Comitta and Associates was seconded by Supervisor Barbone and passed unanimously.

New Business: Resolution 2016 – 21, Green Light Go Grant Agreement Execution (Grant awarded for upgrades to shared traffic signal with Birmingham Township at Wilmington Pike (Route 202) & Brinton's Bridge Road)

Manager Serock reported that a resolution is necessary to execute the contract for traffic signal upgrades to the shared traffic signal with Birmingham Township at Wilmington Pike (Route 202) and Brinton's Bridge Road.

Motion

Vice Chair Reiner's motion to approve Resolution 2016 – 21, Green Light Go Grant Agreement, authorizing Manager Serock as the signatory for the grant and responsible for ancillary items was seconded by Supervisor Barbone.

Public Comment

Susan Darrell, Brintons Bridge Road, asked what was being done to the signal at Brinton's Bridge Road, and requested if a turn lane from Brinton's Bridge Road

onto Wilmington Pike (Route 202) could be constructed. Manager Serock explained that a new battery back-up will be installed, and the loop detection system updated with new cameras. Chairman Murphy asked Engineer Schneider to look into the possibility of a turn lane and turn signal at the light.

#### Decision

The motion passed unanimously.

#### Public Comment

Tom Singer, Heyburn Road, brought up neighboring Township's projects and attending those meetings pertaining to possible impacts they could have on Chadds Ford Township.

There was discussion about keeping informed about what neighboring Townships are doing and sending a representative from Chadds Ford Township to attend such meetings.

Manager Serock responded that Township staff could make it a part of their process to check neighboring Township's agendas and forward them to the Township's committees.

Tom Singer, Heyburn Road, brought up the sketch plan for 1392 Baltimore Pike, the old New Horizon's property, and said that he thought the applicant would need a zoning variance, but can't increase density, so if the project were to come to fruition he would advise the Board to grant a waiver.

#### Adjournment

Vice Chair Reiner's motion to adjourn the Workshop at 8:05PM was seconded by Supervisor Barbone and passed unanimously.

Respectfully submitted,

Matthew DiFilippo  
Township Secretary/ Assistant to the Manager