

Special Meeting of the Board of Supervisors  
April 1, 2011

The Board of Supervisors of Pennsbury Township held a special meeting on Friday, April 1, 2011 at 5 p.m. to discuss Pennsbury Village Plan and the stipulation agreement associated with it. Messrs. Fenton, Scottoline, McIntyre, Oeste and Ms. Howley were present.

Mr. Fenton opened the meeting stating it had been duly advertised and posted on the township website. Mr. Fenton asked Mr. Oeste to summarize the differences from the proposed settlement plan that was discussed at the March 29<sup>th</sup> meeting. The following changes were made to the plan:

- The Hickory Hill Road parcel has 5 single or attached homes. There will be no commercial. The previous plan showed 8 residential dwelling units.
- Hope House – the developer agrees to seal the building and move it to a new site chosen by the township. He will make the house weather tight and provide seed money in the amount of \$5000 to start the process of identifying funding for potential rehab and upkeep of the house. The township has 15 months from the date of the court approved stipulation to make a decision on the Hope House. If the township elects not to have the house relocated, it may be demolished by PVA per the stipulation.

Mr. Fenton moved to accept the stipulation in the form presented to the meeting consisting of 21 pages with 5 exhibits. Mr. Scottoline seconded the motion. The floor was then opened for discussion.

Mr. Ed White representing Hamorton Woods HOA submitted a letter to the township supporting residential use only for the corner of Hickory Hill Road and Rt. 1. The township also received an email from Mr. & Mrs. Demnicki in support of low density residential for this corner. Mr. Blankenbaker and Mr. Axarlis asked for a “no” vote. Mr. Blankenbaker supports Village Lane as a township road, not private. Mr. Axarlis is concerned about the proposed seepage beds on the Becker property which abuts their property. He is concerned about his well water and possible contamination. Mr. Scottoline stated DEP will make sure all safety issues are addressed.

Mr. Oeste reviewed the status of pending litigation. He stated the developer was willing to settle the township litigation which named the Township (as represented by the Board) as well as Mr. Fenton as an individual supervisor on the Board. The stipulation has the potential of settling other lawsuits pending with private citizens of the township. Mr. Oeste stated the developer’s counsel has stated they have no objection to any of the supervisors voting on the plan/agreement.

Mr. McIntyre commented he would recuse himself from the vote for a number of reasons which he stated. A vote was taken and Mr. Fenton and Mr. Scottoline approved and

signed the stipulation agreement and exhibits. Mr. Filler representing PVA also signed all of the documents. The agreement will be presented to the Chester County courts for approval. Mr. Fenton stated this now resolves an issue that has been before the township for many years. Ward Kissell stated he would like to see better communication with the public and more peaceful relations between certain residents now that the issues presented have been resolved. He offered to help in this endeavor wherever he could. With no further business the meeting adjourned at 5:35 p.m.

The next step is for PVA to formalize the settlement plan and stipulation provisions into a formal re-submittal of its Preliminary/Final plan. Upon approval of the Prelim/Final Plan application by the Township (and after a certain waiting period), the Board shall rescind the Preliminary Plan approval dated December 7, 2007 at the next public meeting thereafter and PVA shall immediately thereafter withdraw its current Pending Final Plan.

Respectfully submitted:

Kathleen Howley  
Township Manager