

August 21, 2013

The Board of Supervisors of Pennsbury Township held a regular meeting on Wednesday, August 21, 2013. Supervisors Fenton, McIntyre, and Scottoline, and Mr. Oeste and Ms. Howley were present and the minutes of July 17, 2013 approved as submitted.

**Manager Kathleen Howley** reported the following:

1. **Wedgwood Drive Bid** – A bid was received at the July 17, 2013 meeting in the amount of \$77,500. Resident Eileen Mallouk expressed concern about the importance of the preservation of tulip poplar trees in the area of this lot. Board members moved and passed unanimously to defer the decision on the disposition of the bid.
2. **Qualls ZHB Supervisor position** – Supervisor Scottoline gave some background on the zoning of the Village Commercial area which encompasses the historic village of Fairville. Mr. Qualls, the applicant, is requesting 5 zoning variances and the hearing is scheduled for September 4, 2013. Mr. Lyons, attorney for Mr. Qualls as well as Jim Hatfield, engineer and Todd Breck, architect were also present. Mr. Lyons noted that the Planning Commission at its last meeting recommended to the supervisors that support the application before the Zoning Hearing Board and subject to 5 conditions. The Board of Supervisors discussed the issues at length with the applicant's team and expressed their concerns, and a number of residents were present and expressed their concerns with the possible granting of each variance. The following few are noted:
  - The allowable floor area in the zoning ordinance is currently exceeded by 60% and the proposed addition to the barn/forge would increase that to 90%
  - Although one of the primary reasons for the barn addition presented by the Qualls team was to make the building ADA compliant, it was revealed that the barn could either be made ADA complaint or could qualify for exceptions without the proposed additions.
  - Increased traffic particularly at the intersection of Rt. 52 and Fairville Road
  - Storm water management with regard to the Gates property next door and also downstream at the Wattman and Odom properties.
  - Screening the parking lot and moving entrance away from the Wiley driveway directly across from the Qualls driveway.
  - Fairville Village is a National Historic Village and preservation of historic buildings is important, and a new addition to two sides of the barn would be a detriment
  - Mrs. Luft noted the Historical Commission does not support the variances and recommended that the supervisors not support the application for reasons noted above and letters that she has submitted to the Board as the Chair of the Historic Commission.

The supervisors thanked everyone for their thoughtful comments and noted their concerns. Supervisor McIntyre made the following motion. He moved that the Board take no position with the Zoning Hearing Board subject to the following conditions:

- *Applicant will not object or appeal the zoning hearing board decision.*
- *The building will comply to the plan submitted to the zoning hearing board including that the footprint of the addition be in the exact location depicted on the plan, the addition*

*be set back a minimum of 13.4 feet from the Fairville Road street line; the addition be limited to a gross floor area of 853 sq ft and the maximum floor area ratio of the building with the proposed addition be 12.0%*

- *The parking lot entrance shall be moved to the east as generally depicted on the alternative layout plan presented at the Aug. 21, 2013 Board of Supervisors public meeting*
- *Maximum parking spaces to be 18*
- *The parking lot is to be relocated out of the front yard area to the maximum extent feasible as generally depicted on the alternative layout plan*
- *All season vegetation buffers shall be installed to screen the view of the parking lot and the western side of the proposed addition from Fairville Road satisfactory to the Board of Supervisors.*
- *Development will comply with all storm water management regulations and the applicant shall use their best effort to eliminate storm water flow on adjacent properties.*

Supervisor Fenton seconded the motion. Motion carried: Fenton and McIntyre “yes” and Scottoline – “no”.

**EMS Coordinator Lloyd Roach** reported that he had recently testified in Harrisburg regarding a rewrite of Title 35 which establishes emergency management services in townships. He also state each township in Chester County will be contacted regarding the revising of a mitigation plan and went over several areas of concerns in Pennsbury which he will review with the County. The County has issued an 800 MHZ radio for each township and we are in receipt of one. We now have the capability of talking to the County EMS and other townships. The communication system operates independently of land lines and cell systems. He noted he has resigned from all position in Birmingham Township and now is only acts for Pennsbury.

Supervisor Scottoline noted there are now 35 MPH signs on Rt. 926 near Cartmel. PennDot’s letter stated they would not be able to reduce the speed limit but it appears that it has in fact done so.

Ms. Howley read Mr. Allen’s road report. Road bank mowing continues and did some repairs to the mower. Crew has installed piping along Chandler Road and also piping and water inlet box at the intersection of Brintons Bridge & Pocopson Roads. Crew is looking into fixing a pipe underneath McMullan Farm Lane and also working on a drainage correction along Cossart Road between Fairville and Kennett Pike.

Mr. Houtman reported that he continues to work on several land disturbance permits in the township and the Hillendale School storm water project is nearing completion. The Hillendale project is designed to mitigate problems that have existed for decades.

**Toll Brothers** – Andrew Semon and Michael Downs representing Toll Brothers were present to review a sketch plan for Pennsbury Village which was prepared consistent with the stipulation between the Township and previous owner, Pennsbury Village Assoc. The following was noted:

1. The footprint for their product is larger therefore; there are fewer units on the East/West Parcels (105 vs 111).
2. They moved the access road from the west parcel closer to the Rt. 1 jug handle per township request

3. Submitted color photos of townhouses and carriage homes similar to what they plan on building here. Similar projects can be found at Toll/Riverside development in Pocopson Township and Toll/Applewood Meadows in Willistown Township.
4. Construction will be phased and they'll start on the east parcel first.
5. They'll start each phase when 50% of units in that phase are sold – no spec homes to be constructed.
6. Sewage plant location is proposed at Chadds Ford West, per existing Township Draft 537 Plan.
7. The White Barn at the corner of Rt. 1 and Hickory Hill Road will be tied into their sewage plant
8. Construction will not start for 2-3 years out until receipt of the permits necessary for the sewage plant.
9. Townhouses are typically 1800-2300 sf, carriage homes 2200-2900 sf, single homes 2800-3200 sf.
10. The green space on the east parcel is reduced because of a larger house/lot footprint and they will adjust the storm water management system accordingly.

Mr. Semon stated their next step will be to engineer the plans and submit to the township for review. With no further discussion the Board thanked them for their presentation.

Dennis Smith, Planning Commission, had no further comments. A bill list dated August 21, 2013 numbering 14090-14164; State Fund 295 was submitted and approved for payment by the Board. With no further business the meeting adjourned at 9:40 p.m.

There were no additional public comments.

Respectfully submitted,

Kathleen Howley, Township Manager