

September 18, 2013

The Board of Supervisors of Pennsbury Township held a regular meeting on Wednesday, September 18, 2013. Present were Supervisors McIntyre, Scottoline Supervisor Fenton by phone, Solicitor Oeste and Kathleen Howley. The minutes of August 21, 2013 were approved as submitted.

**Manager Kathleen Howley** reported the following:

1. **Wedgwood Drive Lot Bid Decision** – Supervisor Scottoline commented that there was some concern about the removal of tulip poplar trees on this lot. Michael Lane, landscape architect, was asked to make a site visit to determine trees and size of large trees that may have to be removed for a house site. He submitted a report to the Board with suggestions on how to work around the existing trees. With that information in hand, Mr. McIntyre moved to award the bid for the purchase of Wedgwood Drive property, UPI 64-5-49.22, to Blaze Kotler in the amount of \$77,500 subject to a condition that any large tulip poplar trees on the property be preserved to the extent feasible and that prior to any land disturbance a plan be submitted to the Township for approval showing the approximate trunk diameter at breast height and location of tulip poplar trees to be removed, the approval not to be unreasonably withheld considering the environmental constraints on the property. Motion was seconded by Mr. Fenton. Motion was unanimously passed. Mr. Kotler was in attendance and understands the conditions. Mr. Oeste will contact Mr. Kotler with specifics on the transfer of the property.
2. **Qualls – Board motion from 8/21/13 meeting** – Mr. Lyons, attorney for Mr. Qualls, was present to ask the Board to revise the previous motion, condition #6 for a Board position of neutrality the Zoning Hearing Board, which speaks to the “elimination of storm water” onto neighboring properties post development. His client requests the condition refer to a percentage of elimination of storm water as per our ordinances and not the total elimination. Mr. Houtman stated that the decrease of storm water can be measured so this can be done. Mrs. Wattman who lives on Fairville Road downstream from Fairville Village expressed her concern with water runoff into their pond. Mr. Houtman, Township Engineer, stated development should not increase runoff downstream and this will be monitored. The proposed development should result in a decrease of water volume and rate of stormwater flow off of the property. Mr. McIntyre made the following motion and Mr. Fenton seconded it: amend condition 6 of a Motion adopted at the Board of Supervisors meeting on 8/21/13 regarding the Zoning Hearing Board Application of Spence Qualls for property at 1699 Fairville Road as follows:

*6. The development shall comply with applicable storm water management ordinances and regulations and the following more stringent requirements:*

- a. The total post-development volume of runoff from the 2 year storm shall be reduced, at a minimum, to a volume no greater than 80% of the pre-development condition.*
- b. The post development peak discharge rate shall be reduced to 80% of the pre-development rate for all regulated storms.*

Residents present expressed concern about the enforcement of such a condition. The Board reminded everyone that the township is staying “neutral” in the variance request and these conditions do not necessarily have to be attached to the decision if the Zoning Hearing Board grants the variances. With no further discussion, the Board voted two YES and one NO to the motion. Motion carried.

3. Open Space Money Use Resolution – the Board unanimously moved and passed to support this resolution which encourages support of House Bill 1523. This House Bill would allow municipalities who have an open space tax to use this money for open space plan designs, purchase of open space purchase settlement expenses and open space maintenance for trails etc.
4. The minimum municipal obligation for the township pension plan for 2014 is \$9571. This is a budget number for 2014 and will be sent to PMRS. State aid covers this cost.

**Road Department Report** – Dave Allen submitted a report stating the road crew continues to work on Chandler Road drainage, also refacing signs, repainting railroad crossing signs on roads, will do last road bank mowing in October and had Mark Hood from LTAP out here Sept. 4<sup>th</sup> to review possible solutions to the traffic volume and speed on West Pennsbury Way. Mr. Hood will be submitting a written report to the township. Ms. Howley also stated that the railroad will be doing repair work by year end at the Hillendale Road and Fairville Road crossing. There will be a detour for three(3) days over a weekend. The Board asked Ms. Howley to set up a meeting with Bob Parker of East Penn Railroad to discuss issues that have been coming up.

Mr. Drumheller reported that works continues at the Longwood Gardens Webb Farm house and also with the meadow expansion. He also continues inspections at Crosslands which most likely will go through 2014. Mrs Mallouk asked Mr. Drumheller about the Ramsey House and what is being done to maintain it. He stated Mr. Qualls did do a termite treatment last March and has addressed other maintenance issues on the property. He reported that some work has been done but he will pursue with Mr. Qualls outstanding maintenance issues that need to be addressed.

Mr. Houtman reported that he continues to work on Act 167 storm water County wide ordinance which must be adopted by Jan. 4, 2014. He will be reviewing this with the Planning Commission on 9/24 and expects to wrap things up and have it ready for adoption at the December BOS meeting. Mr. McIntyre expressed concern about the undue burden this ordinance places on the individual property owner. Mr. Houtman concurred that the ordinance does not have much flexibility built into it.

Mr. McIntyre reported that the Hillendale School project is almost complete. This storm water project has been built into the school's science curriculum. Wes Horner from Brandywine Conservancy, BVA, and Pennsbury Land Trust have been very helpful with the project. There will be a community- wide tree planting to finish the project on October 12<sup>th</sup>.

Mr. McIntyre reported he attended the KARPC meeting last night. TheKARPC will be exploring the hiring of an expert to assess municipality contribution to the Longwood Fire Company. They are also considering the pooling of KARPC member property liability, health and dental insurance.

Dennis Smith, Planning Commission Chair, reported members will be meeting with Mr. Houtman on 9/24 to review the Act 167 ordinance. The second round of the VPP grant for the update of the SALDO was submitted to the county on 9/10. We should know early October if we receive any grant money. The draft of an amendment to the zoning ordinance relative to swimming pools was submitted to the Board and Mr. Oeste for review and advertising.

A bill list dated 9/18/13 numbering 14154-14209, State Fund #296 was submitted for approval for payment by the Board. With no further discussion the meeting adjourned at 7:50.

