

October 15, 2014

The Board of Supervisors of Pennsbury Township held a regular meeting on Wednesday, October 15, 2014. Present were Supervisors Scottoline, Fenton, McIntyre, Solicitor Tom Oeste, Manager Kathleen Howley. The minutes of September 17, 2014 were approved as submitted.

Manager Kathleen Howley reported that the Board held a public meeting to open new storage building construction bids October 15, 2014 at 10 a.m. in the township building. The meeting was duly advertised and the lowest bid was from CB Structures for \$97,783. Four (4) bids were opened and all documents will be reviewed by the township solicitor and addressed at the Board's November 19th meeting.

Roadmaster Dave Allen reported the road bank mowing is complete for this year. Road crew is addressing drainage along Fairville Road. The fall road inspection was held on September 29th with all supervisors attending. Salt bids were opened at the Co-op meeting on September 25th. Oceanport had the lowest bid at \$58.78/ton. This is the same price as PennDot offers.

Lot 17 Parker Preserve – Mr. Mikkelson

Mr. Mikkelson was present with his attorney, Mr. O'Neill. Mr. O'Neill gave a summary of the status of their application for a proposed subdivision lot line change. Mr. Mikkelson is seeking to add additional acreage to his lot taking it from the HOA open space. He has reached out to his neighbors for their input and support. Mr. O'Neill handed out papers supporting this. However, the Board noted some homeowners have changed their minds and are not in support of the proposal. Mr. O'Neill stated that the proposed subdivision complies with township ordinances and they continue to work with property owners for consensus. He noted our Planning Commission recommended approval earlier in the year when the plan was before them. However, it was pointed out to Mr. O'Neill that the Planning Commission conditioned its recommendation on an agreement from 100% of the current lot owners (which has never been obtained). A point was made by the Board that important conditions had changed since the Parker Preserve Final Approval, including the adoption of a new ZO in 2012 that contained revised open space design option (and traditional design) requirements and the fact that were approximately 36.6 acres of open space that were no longer owned by Parker Preserve and therefore could not be counted to satisfy the new ZO open space requirements. Reopening the subdivision would fail under either the new open space design option or new traditional development requirements. With no further discussion Mr. Scottoline moved to deny the proposed subdivision and Mr. Fenton seconded the motion. The Board noted that the property owners in Parkers Preserve bought their lots with the knowledge that they had specific number of acres of HOA open space. This proposed subdivision would reduce the number of acres of HOA open space. A vote was taken and the motion was unanimously passed. Mr. Oeste noted several other reasons why the subdivision is being denied by the Board and this will be sent in letter form to the applicant.

Steger-Gowie – an application is before the zoning hearing board to request relief from the number of parking spaces needed for adding a dental practice in their office building located on Old Baltimore Pike and Rt. 1. Mr. Steger was present and stated they have 33 spaces for the building of which they use only 20. They have 13 full time employees and 2 additional during tax season. The dental office needs 10 spaces, and Mr. Steger does not want to add more parking spaces when they are underutilized as it is. Mr. Fenton moved to support the application before the zoning hearing board. There was no second. Motion failed. Mr. McIntyre moved to stay neutral and Mr. Scottoline seconded the motion. A vote was

taken and passed unanimously. This will be conveyed to the solicitor of the zoning hearing board for that hearing. The hearing is scheduled for October 30, 2014.

Mr. & Mrs. Wilson ZHB Request – an application to the Zoning Hearing Board for a hearing has been submitted to request the granting of 5 variances in order for the Wilson's to build a home, accessory structures and pool on a 2 acre lot at 19 Raintree Road in Pennsbury Township. The Planning Commission recommended support of the application by a vote of 5-0 with 1 abstention. Mr. Jaros, applicant's attorney was present to explain the application. Mr. & Mrs. Wilson were also present and Mr. Wilson produced an artist rendition of the lot and proposed home site. The lot was created in 1965 and has many land constraints. Mr. Fenton moved to support the request and Mr. McIntyre seconded the motion. Discussion followed and Mrs. Luft stated she had concern with the placement of the septic system possibly near water courses per our zoning ordinance. Also noted was the long breezeway attaching the garage area with the main house and if this was actually one structure or two. It was suggested that Mr. Jaros review this before the hearing to determine if there might be other variances needed. A vote was taken and the motion passed unanimously.

Fairville Village Land Development Plan request for approval – Mr. Hatfield, engineer for the Qualls (owners) was present to ask the Board for approval of the land development plan. The Planning Commission has recommended approval with conditions as stated in its September 23, 2014 minutes. Mr. Hatfield gave a summary of the land development process and the status of satisfying all issues for approval. Mr. Houtman's October 14th review letter and Mrs. Walter's October 10, 2014 review letters were discussed and all issues are generally resolved. Mr. Oeste read a list of conditions for approval and this will be sent to Mr. Qualls. The conditions covered issues involving proof of septic system viability, storm water management maintenance, annual inspection of storm water systems, compliance with Mrs. Walter's Oct. 10th letter, recording of final plan when all issues resolved and the granting by the Board of Supervisors of the 4 waivers as requested by the applicant. Mr. Fenton moved to approve the final land development plan with conditions stated and discussed. Mr. Scottoline seconded the motion and the motion passed unanimously. Mr. Oeste will send the applicant a conditional approval letter.

Resolution 2014-10-15-1 authorizing the addition of certain lands into the open space plan as recommended by the Open Space Review Board, was unanimously passed by the Board of Supervisors.

Resolution 2014-10-15-2 authorizing the acquisition and condemnation of certain lands for open space, recreation and conservation was unanimously passed by the Board of Supervisors. Mr. Oeste stated that he met with the Board of Supervisors in executive session on Friday, October 10, 2014 to discuss real estate matters pertaining to this acquisition. He also state that he had informal discussions with the potential seller over the past year.

An ordinance authorizing the incurrence of nonelectoral debt of \$4,000,000 was duly advertised for consideration by the Board at the October 15, 2014 public meeting. The Board moved and unanimously passed the motion to adopt Ordinance 2014-10-15-1. Delaware Valley Regional Finance Authority will be handling the loan for Pennsbury. The loan will be repaid over 20 years nominally at a fixed interest rate of 2.696%. There may be a variable rate component to the debt. In order to incur the debt, the township must go through a rating agency similar to a bond agency to get a rating. The Board moved and passed the motion to enter into an agreement with KBRA Rating Agency.

Planning Commission Chair Dennis Smith stated the members are continuing with the SALDO review and expect to meet with Matt Houtman and John Snook on October 28th for this review.

A bill list dated October 15, 2014 numbering 15039-15104, State Funds 322, 323 was submitted and approved for payment by the Board. With no further business the meeting adjourned at 9:45 p.m.

Respectfully submitted:

Kathleen Howley, Township Manager