

November 19, 2007

The Board of Supervisors of Pennsbury Township held a regular meeting on Monday, November 19, 2007. All members, Mr. Spangler and Kathleen Howley were present and the minutes approved as corrected.

Township Manager Kathleen Howley reported the following:

- The Board signed an application for a county grant covering an historic survey of the township. The grant will be submitted to the county by month end and we should know about the awarding of the grant by year end.
- Parker Preserve landscape plan change – the planning commission did recommend approval of the change. This will be coordinated with Register and Gerry McCormick, attorney for Mr. Dambro. Documents need to be drafted, signed and recorded. Mr. McCormick will contact Mr. Spangler if he has any questions.
- Mr. Spangler reported he will be recording the deed for the Waterglen emergency access way and sending the HOA copy and the township.
- The Board requested Ms. Howley contact New Garden Township advising them that we will not be a part of the regional police study.
- SECCRA sent a letter to the township advising us of their concerns with regard to Planet Aid and how that organization is run. It seems that only 23% of their monies go directly to charities. The Board reversed their decision to have Planet Aid clothing containers on township property and Ms. Howley will notify them of this decision.
- The township received the generator from East Caln Township and is in the process of hooking it up.
- A road inspection was held on November 17th with the roadmaster and supervisors.

Township Engineer Matt Houtman reported the following:

- Sunrise revised ordinance draft – lot coverage, maximum height of buildings and use by right were discussed. The planning commission recommended approval of the draft with the condition that Mr. Houtman's comments be properly addressed. It was noted that there is a Sunrise on Rt. 202 in Westtown if anyone wants to see what their buildings look like. It was also noted that Westtown Township has a conditional use provision in their ordinance allowing Sunrise and should we also be doing this. The ordinance draft has been sent to Chester County Plan. Com. for their comments and Mr. Spangler will advertise it for adoption on December 17, 2007.

- Hanover Hunt HOA responded and said they will work with the township to get the basin repaired.
- Jurchak land disturbance permit – talked to them today and they would like to meet with me to discuss the permit process.
- **Pennsbury Village** – Noted that the Planning Commission has recommended approval with conditions for the preliminary plan. My review of the revised preliminary plans will be completed in the next couple of weeks. Mr. Crawford, attorney for the developer, stated that his client would like an **extension to December 7, 2007** for a decision on the plans which the Board granted. He will send the township a letter confirming this. Steve Woodward was also present and showed the supervisors two sketch plans of a proposal to show the development road across township property closer to the township building as suggested by the Planning Commission. Mr. Houtman was asked to give his comments on these sketch plans which he will do in his review letter. The township maintenance area would have to be relocated and Mr. Crawford noted that the developer would participate in that process. There would also be an emergency access way in back of the eastern parcel exiting into the back of the antique mall. The developer also is requesting a waiver on the tree replacement ordinance. The traffic impact on Hickory Hill Road was questioned by several residents. A copy of the “right in, right out” plan was sent to PennDot for their comments but none have been received to date. There has been no response from Mr. Pettinaro regarding a proposed road in Chadds Ford West. Mr. Spangler commented that there is a petition in the courts that needs to be decided by the judge. If the petition is in favor of the litigants, then these plans could be null and void. This is the risk that the developer takes but the township cannot ignore a plan for development which has been formally submitted by the applicant. The plans will be put on the December 3rd supervisor’s agenda.

Dewson 2 Lot Final Plan -Dan Lutz was present to request approval and signatures by the supervisors. The Planning Commission did recommend approval with the condition that all of Mr. Houtman’s comments be addressed. Mr. Houtman confirmed this and stated that the waivers being requested are reasonable for this subdivision. No construction is being done and a waiver has been requested for the planning modules. This has not been received yet from DEP but Mr. Lutz stated it is forthcoming. The Board approved the plans and will sign them when the township receives the letter from DEP.

Mr. Spangler stated the tree ordinance and amendment to the EMS (Local Service) Tax ordinance will be advertised for December 17, 2007 adoption.

Mrs. Ralph reported that the report on the findings from the 2020 seminar held on November 8th will be forthcoming. Copies will be available in the township.

Barbara Kurowski reported at the last Planning Commission members dealt with the following:

- Line House sketch
- Pennsbury Village preliminary plans
- Proposed Sunrise ordinance
- Kasowski 2 lot Final plan

Mrs. Ralph reported the township is researching the possibility of purchasing development rights on the Mendenhall farm. The Open Space Committee will be meeting shortly to give the supervisors a report on this. Mr. Spangler was told to advertise a public hearing for December 6, 2007 on this topic.

Mr. Spangler read a letter from Mr. Ewald, attorney for a group of residents who object to the publication of the litigation update that was to be published in the newsletter. Mr. Ewald reiterated that there maybe possible litigation against the township and others if this article was published. Mrs. Ralph has contacted Mr. Brutscher, attorney for the township zoning hearing board, to get his opinion on this.

Mr. Spangler stated that Mr. Spano would like to obtain a building permit for his new home. Presently, Hawks Crest subdivision has not been signed and therefore the property is still considered one lot with an existing home on it. The new dwelling would be a second home on one lot which is not allowed even though Mr. Spano has agreed not to occupy it until the subdivision is recorded. Mr. Fenton suggested that he does have relief with the zoning hearing board.

A bill list dated November 19, 2007 numbering 9241-9261 was submitted and approved by the Board. With no further business the meeting adjourned at 9:35 p.m.

Respectfully submitted:

Kathleen Howley
Township Manager