

February 17, 2021

The Board of Supervisors of Pennsbury Township held a virtual regular meeting on Wednesday, February 17, 2021 at 7 p.m. Present were Supervisors McIntyre, Fenton, Boyle, Solicitor Tom Oeste, Manager Kathleen Howley and Township Engineer Matt Houtmann. The minutes of January 4, 2021, January 25, 2021 and organization meeting minutes of January 4, 2021 were approved as submitted.

Manager Kathleen Howley reported the following:

1. Resolution 2021-2-17-2 acknowledging the organizations serving the township for emergency and police coverage was submitted to the Board. The Board moved to pass this resolution. A vote was taken and all were in favor. Motion carried.
2. The township property tax bills for residents will be mailed by March 1, 2021.

Road Master Report – Dave Allen submitted a written report. The road crew have been very busy with weather events. Cars have been parked on roads and in cul de sacs making it impossible to plow snow and dangerous for our drivers. Letters have been sent out to residents on Misty Meadow and East Pennsbury Way regarding this issue. Between storm equipment maintenance and repairs are being done.

Adams Reverse Subdivision – Mr. Adams was present and requested final approval for his reverse subdivision. It was noted that the Planning Commission did recommend approval with the condition that all items in Mr. Houtman's review letter be satisfied as well as receipt of the Chester County Planning Commission letter. Mr. Houtman acknowledged the plan is ready for action by the Board. Mr. Oeste stated the County Planning Commission letter recommends a restriction of further subdivision of the lot. Mr. Adams stated that he has no problem with this. Mr. Oeste stated he will draft language stating this for Mr. Adams which can be signed by him and recorded with the plan. With no further discussion the Board moved to approve the subdivision and the waivers requested. A vote was taken and all were in favor. The motion passed. Mr. Adams will wait to receive Mr. Oeste's draft. Once that is signed by him, he will get his signature notarized on the plans and drop them off at the township building for signature by the Board.

Hall 4 lot Final Subdivision - Mr. Oeste stated the subdivision has received clean review letters from Township Engineer Matt Houtman as well as Landscape Architect Anne Walters. Attorney representing Mr. Hall, Max O'Keefe as well as Tom Schreier, Hillcrest Assoc., were present. Mr. Oeste and Mr. O'Keefe have been in contact with each other finalizing the legal documents. Mr. Oeste noted that the preliminary plan approved by the Township showed a shared driveway off of Cossart Road for lots 2 & 3. The final plan reviewed by Mr. Houtman as well as the Planning Commission depicts the driveway for lot 2 off of Fairville Road and lot 3 off of Cossart. The Supervisors contend that the preliminary plan showing a shared driveway is favored by the Township and do not want the driveway off Fairville. Mr. Oeste read a resolution 2021-02-17-1 approving the final subdivision based on the preliminary plan version of a shared driveway. Mr. Fenton moved to adopt this resolution and Mr. McIntyre seconded the motion. A discussion followed.

Mr. Fenton stated the shared driveway as depicted on the preliminary plan is an important issue and an entrance on Fairville Road is not what was approved for the preliminary plan. The Board was not aware of the change of driveway in the final plan even though Mr. Houtman and the Planning Commission reviews do not state any opposition. The preliminary plan approval was part of the conditional use approval for the flag lot.

Max O'Keefe stated that Mr. Hall has a potential buyer for the lots who does not wish to share a driveway and prefers a separate driveway for lot 2. He sees this as a minor change and our regulations do not prohibit it. His client did not think this would be a problem. Lynn Luft was also present and objected to the driveway coming out onto Fairville Road because of impact on viewshed, traffic and too close to the intersection of Cossart and Fairville Roads. Mr. Hall stated he has done all the township has requested of him and wishes to keep the driveway on Fairville Road. It was suggested that all lots could have a separate driveway onto Cossart Road. However, Mrs. Oblonsky, neighbor to Mr. Hall, suggested that it was not favored by her to have all three proposed lots with single driveways coming out onto Cossart Road within a short distance of each other.

There was also discussion and clarification of items #7 and 13 in the resolution that was on the table for a motion. Mr. Houtman explained #13 as to the dedication of right of way on Cossart Road. He also stated that #7 dealing with storm water management can be handled during the application process of a land disturbance permit – whichever lot comes first to get developed.

Mr. Oeste stated if both Mr. Hall and the Board of Supervisors agree, an extension of time for action on the final can be given and a special meeting can be held by March 3, 2021. This will give everyone more time to think about a resolution to the problem. Mr. Hall gave permission to extend the time and agreed to the special meeting. Max O'Keefe will send the township something in writing to confirm this. The Board of Supervisors moved to accept the extension of time to March 3, 2021. A vote was taken and all were in favor. Motion carried.

Mr. McIntyre stated that the Pennsbury Land Trust will be funding Phase I for the study of the Hope House by John Milner Assoc for potential renovations of the historic home owned by the Township. The Land Trust will fund up to \$17,000 which was approved at their meeting. The Township will pick up the cost for any other extra expense connected to Phase I. No commitment has been made for Phase II or III. There is a 7-day termination clause and the contract has been reviewed by Mr. Oeste. With no further discussion the Board moved to accept Phase I of the contract. A vote was taken and all were in favor. Motion carried. Mr. McIntyre will discuss this with John Milner's office.

Planning Commission chair Dennis Smith reported at the January 26th meeting the Adams reverse subdivision as well as discussions with Kathleen McCaig and Grant DiCosta from the Brandywine Conservancy who are helping with the proposed solar ordinance. The next Planning Commission meeting is February 23, 2021 and they will continue discussion on the solar amendment.

A bill list dated February 17, 2021 numbering 20167-20244 was submitted and approved for payment by the Board. With no further business the meeting adjourned at 8:40 p.m.

Respectfully Submitted: Kathleen Howley, Township Manager