

August 16, 2023

The Board of Supervisors of Pennsbury Township held a regular meeting on Wednesday, August 16, 2023 at 7 p.m. in the township building. Present were Supervisors McIntyre, Boyle, and solicitor Ari Christakis. Solicitor Tom Oeste was on vacation. The minutes of July 19, 2023 were approved as submitted. It was noted by Mr. Christakis that the Board held an executive session before the meeting to discuss legal matters regarding title of property.

**Township Manager Kathleen Howley reported the following:**

1. The Board moved and unanimously passed a motion to sign a letter of commitment to Chester County Planning Commission regarding a Vision Partnership Program grant application. The application will be submitted by Brandywine Conservancy and if granted, the Conservancy will act as our consultant. The Conservancy will help draft language to update our zoning ordinance about specimen trees, protection of riparian buffer and medical marijuana.
2. Judi Wilson, Chairperson of the Historic Commission stated members are still working on submission to the township regarding inclusion of the Twin Bridge Historic District on our historic survey map. She also has had 3 virtual meetings of a total of 6 with the County regarding updates to the historic resource ordinance.

**ROAD MASTER DAVE ALLEN** submitted a written report updating the Board on road closures for tree damage during the recent storm on August 7, 2023. Power was out on all 4-traffic light intersection and generators were installed to provide power Monday to Tuesday evening when it was restored. They continue to clean up debris from the storm. Line painting has been scheduled and Roger Summers tree service was employed to take down a dangerous high limb over a road.

**Illum ZHB** – Mr. & Mrs. Illum were present to request support from the Board regarding their variance to erect a pole barn larger than the 600-sf maximum. The barn will be 786 sf to house equipment to maintain their 5.9 acres of ground and the structure sits far off the road. He has three neighbors who will appear at the hearing tomorrow to support his request. He also has a small shed and chicken coop on the property. There was much discussion about what constitutes a hardship and the importance of enforcing our zoning ordinances. Mr. Christakis explained what the role is of the Board of Supervisors in the process and that the Zoning Hearing Board will be the deciding body for the variance. Mr. McIntyre explained the importance of our zoning regulations and any deviation from that (variance), the township must give serious consideration. Mr. McIntyre made a motion to not support the application and a second was called for. There was no second and the motion failed. Mr. Boyle moved to stay neutral and a second was called for. There was no second and the motion failed. With no vote, there was no position taken. Mr. Christakis will contact Ed Foley, ZHB attorney with this decision.

**Hillendale School amended ZHB for outdoor classroom** – Loren Szczesny, attorney for the school district was present to explain the amended application. Because of a potential appeal by a neighbor to the previous decision, the school district reached out to that neighbor to negotiate a compromise. A different location was identified for the classroom which was acceptable to all neighbors along Hickory Hill Road. Because of the relocation, the structure will now sit in front of the school building along

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Hickory Hill Road and in the front yard. The School District is seeking variances for this as well as the size of the building which is beyond the maximum of 600 sf. A special exception was granted with conditions at the last hearing. The Board moved to remain neutral with respect to the application provided that, should the ZHB grant the requested relief, the Township would ask the ZHB to consider a condition of approval requiring the Applicant to provide vegetative visual screening of the proposed pavilion from Hillendale and Hickory Hill Roads, to the satisfaction of the Township's Landscape Architect. The motion was seconded and a vote was taken. All were in favor and the motion passed.

**Atkins Subdivision Extension Request** – a written request was received for a 60-day extension to **October 30, 2023** for review of this subdivision. The Board moved to accept the extension and it was seconded. A vote was taken and all were in favor. Motion passed.

Dennis Smith, Planning Commission Chairperson stated their last meeting was held on July 25<sup>th</sup> and all subject matter has been discussed at this meeting so no further comment on that. The next meeting is scheduled for August 22<sup>nd</sup> and the content for the zoning update with the Conservancy will be discussed.

A bill list dated August 16, 2023 numbering 1736-1763 was submitted for payment by the Board. With no further business the meeting adjourned at 8:15 p.m.

Respectfully submitted:

Kathleen Howley  
Township Manager