

February 15, 2017

The Board of Supervisors of Pennsbury Township held a regular meeting on Wednesday, February 15, 2017 at 7 p.m. in the township building. Present: Supervisors Fenton, McIntyre, Scottoline (by phone), Solicitor Oeste and Manager Kathleen Howley. The minutes of the organizational meeting and Board meeting of January 3, 2017 were approved as submitted.

**Manager Howley reported the following:**

1. Brezski Zoning Hearing Board application – Mr. Brezski was present to ask for support of his variance application for a pool in his backyard at 6 Penn Drive. He is asking for a variance to the impervious coverage limit. He also added that he will amend his application to include a side yard variance. The proposed impervious coverage would be 24.1%. The maximum limit is 15%. He also stated that he is pursuing support for the application from his one neighbor but has not heard back from him yet. The Planning Commission voted to recommend the supervisors not support the application because of the steep slopes in the backyard as well as the high amount of impervious coverage being requested. There also appears to be no particular hardship present. With no further discussion Supervisor McIntyre moved to oppose the application. Supervisor Scottoline seconded the motion. A vote was taken and all were in favor. Motion carried. Ms. Howley will send a letter to Mr. Foley, attorney for the Zoning Hearing Board, advising him of the vote. Ms. Howley also suggested to Mr. Brezski that he contact Mr. Foley and advise him of his desire to amend the application.
2. Catherine Stenta who lives in Hamorton Woods asked the Board to consider having an opening to the park directly across Hickory Hill Road at Deer Path so residents can access the park there rather than going around to Rt. 1 and into the township parking lot. The Board suggested she contact Pennsbury Land Trust since they hold the easement placed on the park and ask their advice. She said she would follow up with them.
3. The Board voted unanimously to appoint **Pat Barron** to fill the vacant seat **of Auditor** left by the resignation of Jim Sears. Mr. Sears had 2 years left in his term as auditor. Mr. Barron will serve until the next general election in November. The Board also voted unanimously to appoint **Mrs. Gummey** to the **Historic Commission** effectively immediately.
4. **Resolution 2017-02-15-1 titled PA 811 Safe Digging Month** was unanimously passed by the Board. This resolution recognizes PA One Call System and its importance for all contractors and residents to call 811 before digging. April, 2017 is designated as “Safe Digging Month”.
5. **Resolution 2017-02-15-2 titled Records Disposition** was unanimously passed by the Board. This resolution lists all records to be disposed of by the township. These records have been purged from the files according to the state records manual and will be properly disposed of.

**Road Master Dave Allen submitted a report** which stated the road crew continues to trim trees, do crack sealing of roads and repair storm inlets. The Co-op will be opening bids for road materials at the end of this month. Mr. Allen and Mr. Sears will be working with Mr. Oeste to develop a scope of work for the salt shed bid package.

Mr. Fenton reported the Township is working with Chester County Agricultural Land Preservation Board and the **Trammel** family who own property along Hillendale Road to place an easement on their 41 acres. The Ag Board has valued the proposed 41 acre easement at \$9900 per acre, a total of \$405,900. Pursuant to its policies, it will pay 50% of this amount to the landowner if the Township will pay the balance. The Trammells obtained an independent appraisal of the proposed easement at \$12,000 per acre. To secure the easement the Township will be required to pay its share of the AG Board-determined value (\$202,950) plus an additional \$2100 acre so the Trammells will receive the appraised value of the proposed easement. The total amount per the Township will pay is \$289,050. This would come out of the open space (old) money which is not tied to the referendum. Mr. Fenton stated that this property along Hillendale Road would remain open and encourage further conservation along that road. Upon motion duly made and seconded it was unanimously agreed to pay \$289,050 to participate with the Ag Board in the purchase of the proposed agricultural easement.

**Gosik Road Plan** – Mr. Gosik was present and went over his proposal with the Board to open up the right of way at the end of the cul de sac on Independence Way in order to access his lot. He purchased the 9+ acre lot a year ago, and currently the access is off Route 1 which he considers dangerous. He would like to have a safer access at the traffic light on Independence Way. He would also have to take out many trees in order to put in a driveway from his lot to Route 1. He will have to get an easement from the Barretts whose land he would have to cross over in order to access the right of way. The driveway would be installed at his expense, and he would maintain it as well as landscape it and put in a fence to protect the adjacent property owners. The road would be 110 feet. Neighbors present expressed concern about the following:

- Increased traffic alongside their property as well as trash trucks and mail delivery for the back lots.
- Mr. Smith is in favor of a small width of the road. He has concern about the additional room needed to place mailboxes and the potential for further development of the back lots which would mean increased use of this road. He would like to see it constructed more like a private drive. He also is concerned about the liability issues since this is on part of his land. Mr. Gosik said he would provide an indemnification agreement to the adjacent property owners.

The board is generally in favor with conditions of the opening of the right of way because it would be a safer access for residents onto Route 1. The plans should address trash pickup, mail delivery and also there should be no additional parking by back lot owners on the existing cul de sac. Mr. Gosik thanked the Board for its input and will continue with his plans.

Rusty Drumheller stated he did a cursory review of the salt shed plans and had no problem with them.

Bob Crandell, Vice Chair of the Planning Commission, reported to the Board on the last two meetings of the commission. They reviewed the Brezski application as well as the Gosik road plan and continued

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discussion on water exportation. They will have members of the Save the Water group at the next meeting to give an update on their work in southern Chester County.

A bill list dated 2/15/17 numbering 17004-171-23, State Fund 3732, 373 was submitted and approved for payment by the Board. With no further business the meeting adjourned at 8:05 p.m.

Respectfully submitted:

Kathleen Howley  
Township Manager