

April 17, 2019

The Board of Supervisors of Pennsbury Township held a regular meeting on Wednesday, April 17, 2019 at 7 p.m. in the township building. Present were Supervisors Scottoline, Fenton, McIntyre, Solicitor Oeste and Manager Howley. The minutes of March 20, 2019 were approved as submitted.

Manager Kathleen Howley reported the following:

1. **SECCRA Report** – Township Representative Will Sappington reported that last year SECCRA opened their new recycling center. The township recycled 172 tons delivered to the landfill. He also gave a summary of the workings of the landfill as well as the background on its beginnings. Pennsbury Township is one of the founding townships. The landfill was started in 1968 and continues to grow. The present tipping fee is \$74.50/ton and \$1.00 of that goes to the grant monies offered by SECCRA. The main takeaway of his report was that recycling needs to be done better since the largest importer of our recyclables is China, and they have closed the door to accept any recyclables. Main reason is the poor condition of recyclables. We need to do a better job and Mr. Sappington stated there are changes coming in order to make recyclables profitable again.
2. **Historic Commission Report** – Judi Wilson stated the Brandywine Battlefield Task Force has been awarded a grant for historic markers to be placed in the municipalities where the battle took place. The plaque for Pennsbury Township would be placed either at the township building or maybe at the Gables Restaurant. There is a need to have parking for a small number of cars since visitors will be driving. The cost is being covered by the grant. The township may have to initially put up some money but would be reimbursed. The Board is supportive of this program and it will be determined by June where the marker would go.

Road Dept Report – Ms. Howley read Mr. Allen's report. The road crew are working on raising some storm inlets on Blue Stone and Fox Run. They finished chipping branches throughout the township and had 8 truck loads of chips. Cleaning defaced road signs as well as prepping roads for oil & chip this summer. Drainage swales are being repaired.

Codes/Engr – Matt Houtmann reported the following:

1. Parker Preserve – the proposed road dedication in this development is well underway. The roads should be ready for dedication to the township by summer.
2. **Gosik Lot Line Change Plans** – this plan is ready for approval. All items have been satisfied in the review letter and the Planning Commission as well as the County Planning Commission have commented. Mr. Gosik is purchasing a minimal amount of land from his neighbor to bring his lot up to 10 acres in order to qualify for Act 319. The Board asked that a note be placed on the plan prohibiting access to Route 1 from his property since he now has a safer access to Independence Drive. He had no objection. The Board moved to approve this plan. A vote was taken and motion passed unanimously.
3. A request to extend the deadline for action on the Anderson 3 lot Subdivision an additional 30 days was received by the township. The Board moved to grant this extension. A vote was taken and motion passed unanimously. This extends the date to July 9, 2019.
4. Mr. Houtmann reported he has been in contact with Mr. Cillini, owner of the lot at the corner of Rt. 1 and West Pennsbury Way to discuss an easement along the backside of the property for a drainage swale. He will be meeting with him next week.

5. Mr. Houtmann contacted the Conservation District regarding the Neilson property and Brintons Bridge Road and the runoff onto the road from the pasture where the horses are kept. The District does not make initial contact with the property owner but the township can. The Board authorized Mr. Houtmann to make that contact to start discussion on the solution for the storm water runoff problems in this area.
6. The Schaller application to the Zoning Hearing Board will be reviewed at the next supervisor meeting on May 15, 2019. They are requesting a variance for impervious coverage in order to install an inground swimming pool.
7. Supervisor McIntyre asked Mr. Drumheller about residents creating a pull off into their front yards for parking cars on gravel. Mr. Drumheller said this does count as impervious surface even though it is gravel.

Raintree Road Applications before the Zoning Hearing Board.

Attorney for the applicant, Wali Rushdan was present to review with the Board their applications for #5 and #19 Raintree Road. Developer Broderick Harrison, H&S Construction, requests variance/special exception for development in the riparian buffer zones on both lots. The hearing is scheduled for April 23rd at 7 p.m. in the township building. Raintree Road development was approved in 1965. #5 Raintree was purchased in 2016 and #19 Raintree purchased in 2015. Both lots are 2+ acres. The following was noted:

1. #5 Raintree – there is a reforestation plan for this lot. The driveway crosses the front of the house into the riparian buffer. It was suggested that the driveway might be flipped to the other side to avoid this disturbance into this zone. The footprint of the house is 4603 sf.
2. #19 – storm water will be piped into the pond on the backside of the lot. Most of the lot is in the riparian buffer zone – all except approximately 285 sf. This type of lot is a prime example of a major violation of the current zoning and that is why they have applied to the Zoning Hearing Board for relief. The house footprint is 3542 sf. There will be a retaining wall parallel to the stream. Access will be from Sycamore Lane. Supervisor Scottoline pointed out that there is an area outside of the buffer zones that is suitable to build on without variances although it would have to be a smaller house. Martha Strauss, landscape architect, addressed the proposed reforestation of both lots. She said this would improve riparian buffers on both lots. A maintenance plan for plants would be required for both lots.

Mr. Rushdan stated that the size of the proposed homes was in keeping with the size of the other homes in the neighborhood and there were some larger and some smaller. That assertion was presented without proof.

Several Raintree Road homeowners were present to express their concern with the possible granting of variances for these lots. Mr. Rushdan summarized that he believed the applicant has proved sufficient hardship for the granting of variance.

Mr. Fenton moved to support the application for #5 Raintree with the condition to consider flipping the driveway to the other side of the house, complying with all notes drawings/plans as shown and having a maintenance agreement for the reforestation plan. There was no second and motion failed.

Mr. McIntyre moved to stay neutral on both applications with conditions as noted above in Mr. Fenton's motion as well as on #19 Raintree, the house footprint be reduced as much as possible to minimize impact to environmental features, e.g. Riparian Buffer Zones.

The motion was seconded and vote taken separately for each lot.

#5 Raintree Road – Board voted to remain neutral with conditions – vote taken and all were in favor. Motion passed.

#19 Raintree Road – Board voted to remain neutral with conditions – vote was taken and Supervisors Fenton and McIntyre voted yes, Supervisor Scottoline voted no. Motion passed.

This will be conveyed to Mr. Foley, attorney to the Zoning Hearing Board. It will be included in the hearing.

Dennis Smith, Chair for the Planning Commission reported on the last two meetings of the Commission. The Raintree Road submission were discussed at their 3/26 meeting. Another Zoning Hearing request by the Schaller's was discussed at the 4/9 meeting. They request a variance for impervious coverage for a swimming pool. Members voted to recommend remaining neutral.

A bill list dated April 17, 2019 numbering 18817-18881, State Fund #435, 436 was submitted and approved by the Board. With no further business the meeting adjourned at 9:30 p.m.

Respectfully submitted,

Kathleen Howley
Township Manager