EAST BRANDYWINE TOWNSHIP BOARD OF SUPERVISORS
REGULAR SESSION
January 20, 2016

Those in Attendance:

Jay G. Fischer, Chairman
Arnold M. Kring, Vice-Chairman
Kyle P. Scribner, Member
Scott T. Piersol, Township Manager
Luke D. Reven, Assistant Township Manager
Mark Kocsi, Chief of Police
Matthew T. VanLew, Roadmaster
Mary Beth Smedley, Secretary/Treasurer

The East Brandywine Township Board of Supervisors meeting of Wednesday, January 20, 2016 was called to order by Chairman Fischer at 7:30 P.M. at the East Brandywine Township Municipal Complex. Also in attendance were 12 visitors.

Opening of Meeting

Chairman Fischer opened the meeting with a Salute to the Flag.

Public Comment on Non-Agenda Items

Chairman Fischer asked if there were comments from the public on non-agenda items. There were no public comments.

Minutes: Board of Supervisors – December 16, 2015

Chairman Fischer asked if there were any additions or corrections to the above minutes. There were none. Vice-Chairman Kring made a motion to approve the December 16, 2015 minutes as presented. Chairman Fischer seconded the motion, with both voting Aye. Mr. Scribner abstained from voting since he wasn't on the Board in December.

Minutes: Board of Supervisors – January 4, 2016

Chairman Fischer asked if there were any additions or corrections to the above minutes. There were none. Vice-Chairman Kring made a motion to approve the January 4, 2016 minutes as presented. Mr. Scribner seconded the motion, with all voting Aye.

Minutes: Planning Commission – December 2, 2015

Chairman Fischer asked if there were additions or corrections to the minutes. Seeing none, Vice-Chairman Kring motioned to approve the minutes. Mr. Scribner seconded the motion, with all voting Aye.

Minutes: Planning Commission – January 6, 2016

The January 6, 2016 Planning Commission minutes are not yet available for review.

Treasurer's Report

Mrs. Smedley read the account balances as of January 20, 2016. After review of the financial reports, Vice-Chairman Kring made a motion to approve the Treasurer's Report and authorize payment of the bills. Mr. Scribner seconded the motion but abstained from voting on check #20190. Chairman Fischer seconded the approval of that check, with all voting Aye.

Township Manager's Report

Mr. Piersol, Mr. Reven and Mr. VanLew met with representatives of Hopewell United Methodist Church last week to approve the use of our Community Park as a host location for The Wall that Heals, a miniature version of the Veteran's Memorial Wall in Washington, D.C. The Wall travels all across the United States, and we are pleased to be able to host this event. We received word that the Church's application to host the Wall has been approved. The Wall and supporting information trailer will arrive the afternoon of Tuesday, July 26th. Setup will occur Tuesday and Wednesday, with the display being open to the public 24 hours a day from Thursday, July 28th through Sunday, July 31st. Hopewell UMC has agreed to underwrite the cost of the display, and solicit volunteers to provide site security, computer work and other staffing needs. More information will be provided through our Milemarker, website and social media sources.

Mr. Piersol met recently with consultants for the Delaware County Community College to discuss their plans to redevelop the existing gymnasium portion of their building, which is underutilized by the College, into additional classrooms with construction of a two-floor building. The College is planning to consolidate some of their satellite campus operations to this campus over the next few years. The College is hoping to bid the project to begin construction in the summer of 2016, and open the new classrooms in the winter of 2017.

The Pennsylvania State Association of Township Supervisors recently announced that our newsletter, the Milemarker, was awarded second place in its Citizen Communications Contest for communities with populations between 5,001 & 10,000. This is the 9th time the State Association has recognized the Township with a citizen communications award, and the 7th time for our newsletter. Special thanks go to Bob & Nina Pringle, John Barton & George Holmes for their efforts in making the Milemarker a wonderful communications tool.

Assistant Township Manager's Report

1. **Toter Cart Purchase & Implementation**

   Mr. Reven reported that distribution of approximately 2,900 Toter recycle carts was completed on January 14th. Feedback has been mostly positive and more than 50 residents have asked for either larger or smaller carts. Requests from residents continue to trickle in and staff continues to make deliveries as needed. Implementation of this grant-funded program has taken many hours of staff time across all departments. Mr. Reven thanked all those involved. Since the Board's Regular December meeting Staff has mailed 3,021 post cards, created a dedicated web page, spent hours in the field, and answered countless calls. The Board and Mr. Piersol commended Mr. Reven for this work on this project.

   Reimbursement of 90% of all costs incurred with this project will be from a PA Department of Environmental Protection Grant. Staff is waiting on final costs of the January *Milemarker* newsletter before applying for DEP reimbursement. Total Township expenses will not exceed 10% of Toter cart purchase and delivery ($15,626.74). Further, all General Fund expenditures for educational materials to date directly offset the required local match for the equipment purchase.

   The next step for Staff is to propose revisions to *Chapter 218: Solid Waste and Recycling* of the *East Brandywine Township Code* that reflect the new equipment for consideration by the Board of Supervisors.

2. **Department of Environmental Protection Performance Grants**

   Staff has received payment in the amount of $17,393 for the performance of our recycle program in the calendar year 2013. This reflects approximately 1,122.8 tons of material diverted from the landfill. This is the result of an application filed in September of 2014.

   Initial reports from 2015 indicate that our curbside recycling program experienced dramatic growth over 2014—up some 14.2%. The only substantive policy changes in this period were the transition to a new hauler and the move to single-stream recycling. Studies have generally shown higher participation rates in municipalities with single-stream collection systems, and Staff anticipates even greater recycle tonnage in 2016 as a result of the increased container capacity.

3. **LED Sign Work**

   As you no doubt have noticed, the entrance to the Municipal Building has a new programmable LED sign! The sign joins existing communication tools like the award-winning *Milemarker* newsletter and the re-designed eBrandywine.org website as part of an effort to keep residents informed. Staff participated in a training session on the use of the sign on Monday, January 18th. Updates may be made via the cloud from any computer with web access. Work was completed within the contractual period (60 days from Notice

Proceed issued on November 20th) and significantly under budget (Actual: $29,975 / Budgeted: $50,000).

The next step for Staff is to propose a policy for the use of message board by parties other than the Township to the Board of Supervisors for consideration.

4. Spring Deadline: Chester County Vision Partnership Program (VPP) Grant Application to fund an East-West Bicycle and Pedestrian Facilities Plan.

On January 12th the East Brandywine Trails Committee voted to recommend the Board of Supervisors authorize Township Staff to re-apply to the Chester County Planning Commission for assistance funding this multi-municipal project. The goal of this project is to complete a planning study of a proposed trail that will provide safe pedestrian and bicycle connections between Hibernia County Park in West Brandywine Township and the County's Struble Trail in Uwchlan Township.

A similar application was made in September of 2015, and copies of the entire application package and supporting documentation are available on our website:

- Grant Application (http://ebrandywine.org/DocumentCenter/View/432)
- West Brandywine Letter (http://ebrandywine.org/DocumentCenter/View/431)
- Uwchlan Township Letter (http://ebrandywine.org/DocumentCenter/View/427)
- East Brandywine Letter (http://ebrandywine.org/DocumentCenter/View/418)
- Denial Letter (http://ebrandywine.org/DocumentCenter/View/435)

Initial indications are that funding was denied as a result of an unexpected increase in the number of competing applications in 2015, rather than a particular defect in our application. Accordingly the Trails Committee anticipates few, if any, amendments to our earlier application. Total cost of the study would be $50,000 with grant funding covering 70% of the costs. Total grant-matching cost to East Brandywine Township would be $7,000, an expense anticipated in our 2016 Annual Budget adopted in December. Final application is due March 2, 2016.

Mr. Reven asked the Board to authorize staff to proceed with preparing a VPP Grant Application to include (1) soliciting West Brandywine and Uwchlan Townships for their participation, and (2) meeting with Chester County Planning Commission Staff to determine if any changes are needed to the 2015 application. Staff anticipates returning to the Board with a Letter of Municipal Commitment for the Board's consideration in February. Vice-Chairman Kring made a motion to authorize Mr. Reven to prepare the VPP Grant. Mr. Scribner seconded the motion, with all voting Aye.

Report: Building Inspector/Zoning Officer – Report for December 2015

Mr. Piersol read the Building Inspector/Zoning Officer's Report for December as submitted by Mrs. Norann King. There were 20 building permits issued, 1 zoning permit issued, 15 use and occupancy permits issued and 91 inspections conducted during the month. The total fees collected were $15,903.42.

Report: Roadmaster's Report

2015 Road Bid Contract

Last year for our 2015 Road Program approximately 3 ¼ miles of road were repaved. The Road Department completed the Locust Knoll and Wooded Acres Developments and Hilltop Road and Blakely Road from Helm Way to the cul-de-sac in the Tunbridge Development. Last year Pennsy Supply was the contractor with a final project cost of $815,374.45. Tyler Faust and Jeff Sweigart of Pennsy recommended a different paving method. In past the entire damaged asphalt base was removed and new base installed. This year only the base that was completely unstable was removed. The entire roadway was paved with a scratch coat, this is a thin layer of asphalt that fills in low areas, recreates a crown, and gives additional thickness to the surface. Next a layer of fabric was installed using tack coat sprayed on the asphalt. Finally a 1 ½" overlay of asphalt was installed. This process saved the Township a substantial amount of money which in turn allowed us to complete the roads within the Tunbridge Development. Mr. VanLew thanked Jeff and Tyler from Pennsy Supply assisting us to get the job completed.

Chipping and Mulch

2015 was a normal year for chipping. We chipped at 318 locations which was less than half of the previous year's 689 locations. We collected $2,475.00 in chipping fees. Our mulch sales increased over 100 yards from 383 to 486 with $7,246.50 in fees collected. Mulch will be available in early spring for $20.00 per yard.

Leaf collection

In 2015 we collected 319 tons of leaves which increased from 271 tons from the previous year. Our spring leaf collection is scheduled for April 11th.

Parks

Last year repairs were made to the Community Park Maintenance Garage roof. There was a substantial leak around one of the skylights which we removed and installed plywood and shingles. We also installed 8 benches at the park in various locations. Each bench was dedicated to a member of the community. Thanks to all who have made contributions to the park for these improvements. The Township continues to receive compliments about the trails and condition of the park.

2016 projects

There is approximately $875,000.00 budgeted for our 2016 road projects this year. The projects include repairs and overlay to Dilworth, East Fisherville, Buck and East Buck Roads. Also included in this budget is $100,000.00 for repairs to Lyndell Bridge and $150,000.00 for Hawthorne Drive stormwater solutions. Mr. VanLew anticipates the projects to be bid in early spring for completion in early summer.

This month we have begun inspecting our stormwater systems on all Township-owned roads. We will be compiling a list of repairs that will be scheduled in the spring and throughout the summer.

Snow

Finally, Mr. VanLew reminded residents that parking on streets is not permitted two hours after the start of a snowfall and until the snow has been completely plowed for the full width of the road. The enforcement of our snow ordinance will help ensure the safety of the Road Department crew and the public using our roads.

East Brandywine Township Police Chief's Report for December 2015 and year end 2015

	Monthly Statistics	2015 Totals
Incidents Reported	155	1,946
Criminal Arrests	1	51
Summary Arrests	1	31
Juvenile Petitions	0	1
Accidents Investigated	5	146
Traffic Citations Issued	55	1,774
Warnings Issued	19	373
Vacation House Checks	33	493
Patrol Miles Logged	9,977	119,824

Chief Kocsi thanked Mrs. Ruth Lammey who sent a donation to the Police Department this past month thanking the Police Officers for the fine work they do for the Township. The donation has been placed into the Police Pension fund.

This past week Office Jeffrey Yankanich, along with 25 other Police Officers were recognized by the Chester County Chief's of Police Association for their success in using Naloxone / Narcan to save the life of persons who overdosed on heroin during 2015. Officer Yankanich's save was the first for Chester County by a Police Officer after the Naloxone program went into effect. Chief Kocsi offered his congratulations to Officer Yankanich.

The Police Department officers completed the Harris Radio training in December.

Fire Company's Activity Report for December 2015

The following is a summary of the December 2015 Fire Company Report as presented by Fire Chief John Edwards. In December there were 22 fire incidents and 34 medical incidents in total. In East Brandywine Township there were 6 fire incidents and 18 EMS incidents. In West Brandywine there were 7 fire incidents and 15 EMS incidents. In Upper Uwchlan Township there was 1 EMS incident. The Fire Company provided assistance in Wallace Township, Caln Township and West Caln Township.

Chief Edwards said that the Fire Company approved a balanced budget, making up for the deficit by using Capital Reserve funds. The Fire Company is considering implementing a Citizens Fire Advisory Board with residents of East Brandywine, West Brandywine and Upper Uwchlan Townships. The members will not belong to the Fire Company and will provide assistance in looking at financial needs and perhaps other policy matters. Chief Edward also asked that he be given advance notice for when the 2016 Budget Committee will meet and asked that one of the meetings be held in the evening. Chairman Fischer said that a schedule will be provided to him.

Chairman Fischer said that he has contacted Supervisors in West Brandywine and Upper Uwchlan Townships to discuss Fire Company funding. He hopes to schedule a meeting with the other Townships and then bring the Fire Company into the process.

Chief Edwards congratulated Deputy Fire Chief Joseph Edwards for recently performing CPR on an individual who collapsed at Planet Fitness in Downingtown. The Board joined Chief Edwards in offering their congratulations.

Marone Zoning Hearing

The East Brandywine Township Zoning Hearing Board will meet on Tuesday, February 2, 2016 to consider the application of Stephen Marone to construct a 750 square foot accessory dwelling in the basement for his mother. He is seeking a Special Exception from the Section 399-91 of the East Brandywine Township Zoning Ordinance.

Mr. Marone is proposing to construct a 2,791 square foot detached single family dwelling for himself and a basement accessory dwelling for his mother. The proposed dwelling will create impervious cover of approximately 5.8% with a total impervious area of approximately 7.5%. The accessory dwelling will be located in the basement and therefore will not be visible from public view.

In addition to the Zoning Hearing application the applicant has submitted a building permit, which is being reviewed by Building Inspector Jeffrey Cantlin and a stormwater management application, which is being review by Cedarville Engineering. The stormwater management plan will be designed for 12% impervious, the maximum allowed in the R-2 Zoning District.

Approval of both permits must be obtained prior to construction or earthmoving activities. The accessory dwelling will have access to the main house from the first floor and the garage. The accessory structure/basement will also have direct access to the outside.

The applicant has agreed to record a Memorandum of Zoning Hearing Board Decision as notification to future property owners that the accessory dwelling has restrictions, specifically limiting the number of occupants to two persons and one of the two occupants must be related by blood, marriage or adoption to the owners of the principal residence and one of the two dwelling units must be occupied by the owner of the lot.

The Planning Commission unanimously supported the application with the condition that the applicant complies with all items in the December 29, 2015 Yerkes review letter, all representations made in these minutes and record a Memorandum of Zoning Hearing Board Decision with the conditions outlined above.

After review of the application Vice-Chairman Kring made a motion to support the application with the conditions outlined in the January 6, 2016 Planning Commission minutes. Mr. Scribner seconded the motion, with all voting Aye.

Vice-Chairman Kring commented that the Memorandum of Zoning Hearing Board Decision limited the occupant to blood, marriage or adoption. Vice-Chairman Kring and his wife had a foster son who lived with his family for many years and is still considered part of his family. He suggested that foster family members might also be considered in future decisions.

Gladwyne BH Investments, LLC – Watters Tract Sketch Plan/Waiver Requests

Mr. Don Sample from Land Development Services, LLC, Robert Flinchbaugh, PE from Nave Newell, and Michael Braver from MAB Investments attended the meeting to discuss a sketch plan of the Watters Tract and waivers that the applicant is requesting.

The Watters Tract, consists of approximately 41.5 acres, is situated on the northeast side of Horseshoe Pike near the intersection of Horseshoe Pike and Bollinger Road in the R-3 Zoning District. The tract has frontage along both Horseshoe Pike and North Guthriesville Road and is a predominantly open lawn/meadow area, sloping moderately, generally from the north to the south.

The sketch plan proposes a 167-unit townhouse clustered residential development that will be serviced by a road and alleys with some on-street parking spaces. Areas have been designated on the plan for sewage disposal and stormwater management. Preliminary site grading has also been provided.

Francis Newhams, MCP, the East Brandywine Township Zoning Officer, issued a Preliminary Opinion Letter dated September 30, 2015. In his letter, Mr. Newhams stated that the proposed townhome residential cluster development did comply with Section 399-37.E(3).a of the East

Brandywine Township Zoning Ordinance. With regard to the minimum net lot area, and a planned community, Mr. Newhams determined that they are permitted in the proposed townhouse residential cluster development requested for this site.

The applicant is requesting certain waivers from the Subdivision and Land Development Ordinance. Chairman Fischer said that on the advice of the Township Solicitor, the Board could not make a recommendation for waivers until a formal preliminary land development plan was summited to the Township. Mr. Sample said that he understood but wanted to determine if the Supervisors had any initial objections to the waiver requests.

1. Section 350-53.D.(1) – All grading and earthmoving on slopes exceeding 15% shall be minimized; and

   Section 350-53.D(3) – Grading or earthmoving on all sloping lands of 15% of greater shall not result in earth cuts or fills whose highest vertical dimension exceeds 10 feet, except where no reasonable alternatives exist for construction of public roads, drainage structures, and other public improvements, in which case such vertical dimensions shall not exceed 20 feet. Finished slopes of all cuts and fills shall not exceed 3:1, unless the applicant can demonstrate that steeper slopes can be stabilized and maintained adequately.

   Mr. Sample explained that the area where the roadway will align with Bollinger Road at Rt. 322 is very steep. However, this is the most appropriate location which will create a 4-way intersection. The existing driveway to the adjacent property to the west will be abandoned. Mr. Sample isn't sure whether or not the existing house will be demolished. Mr. Padula is recommending that these waivers be granted so the intersection can be aligned. So as to avoid confusion with 911, the roadway is tentatively named Warren Lane.

   Mr. Sample indicated that the new intersection will comply with the Subdivision and Land Development Ordinance. The roadway will be two lanes and is proposed to be dedicated to the Township. All other roads/alleys within the development will be private and maintained by the Homeowner's Association. On-street parking will be prohibited on Warren Lane and appropriate signage will be installed.

   The applicant said that two styles of townhouses will be offered; one with a front garage entry and the other with a rear garage entry. Stop signs will be installed at each alley intersection. Sidewalks will be installed within the development; some will connect to a central open space area. Some of the sidewalks in the alleys are shown with additional driveway aprons. It was suggested that a trail system connect to the proposed Giant shopping center.

At their January 6th meeting, the Planning Commission unanimously supported these waiver requests.

2. Section 350-29 – Lots and lot sizes.

   a. Section 350-29.H – On a cul-de-sac street, no more than three driveways may front or obtain access from the bulb portion of the cul-de-sac or its return radii.

      There are two intersections with large broad-axe designs. However, there are no proposed cul-de-sacs on the plan. No parking will be permitted on the broad-axe roads and signage will be installed.

      Township Engineer Mark Padula suggested that this section of the ordinance does not apply to the plan so a waiver is not needed. The Planning Commission agreed with Mr. Padula's assessment.

   b. Section 350-29.B – Except as provided in Subsection F, all lots shall have frontage on and direct access to a street, existing or proposed.

      Although the proposed units do not have direct access to a street and some units do not have frontage on a street, all units have frontage on an alley. Eight alleys are proposed and construction and paving will comply with the zoning ordinance. However, the specifications for width and right-of-way will not meet the definition for a road.

      Mr. Padula indicated that it was previously determined that this section was not applicable so no waiver is needed. The Planning Commission agreed with Mr. Padula's assessment.

   c. Section 350-29.G – For any lot proposed to front on the curved portion of a street, including a cul-de-sac street, the required minimum lot width must be obtainable at some point on the lot measurable on a line generally parallel to the street and at a radial distance from the street line which shall be dimensioned on the plan and which shall be deemed the setback line for the lot.

      Since the project is being developed under the Uniform Planned Community Act and does not propose lots, it was determined that this Section is not applicable for the proposed layout. The HOA is responsible for everything external to the structure such as landscaping and maintenance of alleys. Mr. Sample described the townhouses as a fee-simple conveyance. The Planning Commission agreed with this assessment.

3. Section 350-33.B – To insure adequate sight distance, minimum center-line radii for horizontal curves shall be as follows:

a. Local streets: 250 feet.

b. Collector streets: 750 feet.

c. Arterial streets: 850 feet.

Warren Lane has been designed using minimum horizontal curves required for local streets. There are no minimum curve requirements for alleys. The applicant has provided information using an HP95 truck as a template, that demonstrates the fire trucks will be able to maneuver through the alleys and that the alleys will provide clear sight triangles. This information has been reviewed by Mr. Piersol and he concurs with the applicant's assessment.

Mr. Padula and the Planning Commission support this waiver request.

4. Section 350-40 – Driveways.

a. Section 350-40.B – All driveways shall contain a reasonably straight length of at least 40 feet, measured from the cartway edge of the intersecting street and extending inside the lot.

Mr. Sample said that this portion of the ordinance contradicts the zoning ordinance which requires a 20 ft. front yard setback. Although initially Mr. Padula indicated that this section of the ordinance wasn't applicable, the Planning Commission, with Mr. Padula's support, recommended the Board of Supervisors grant a waiver.

b. Section 350-40.I – No center line of any driveway shall be closer than 100 feet to the center line of the road cartway, measured from the center line of the driveway where it intersects with the road cartway and the center line of the parallel center line of the street intersection.

Before making a recommendation to the Board, the Planning Commission suggested that the applicant submit a traffic routing plan for their review. Discussion of this item was tabled until the preliminary plan is submitted.

Mr. Sample did provided an exhibit showing the alleys that will intersect with Warren Lane. The first intersection from Rt. 322 has a 4-way stop sign. The nearest driveway to the second intersection and third intersections are back 60 feet from the intersection; the alleys are one way, south bound only. Mr. Sample said that a motorist's inclination will be to back out to the north when exiting a driveway, not backing on to Warren Lane. The fourth intersection will also have a 4-way intersection. Additional signage may be posted on other intersections.

Mr. Scribner said that he was concerned about the 20 ft. driveways. First because of maneuverability onto the alleys and also they will be difficult to plow and push off snow. Vice-Chairman Kring commented that in the Timbers they remove snow with a front end loader. Mr. Scribner also asked if there will be posted speed limits on the streets. The Township will post the speed limit on Warren Lane and the interior streets can be posted with the authorization of the Homeowner's Association.

Mr. Rawlings, Chairman of the Planning Commission, said that he can't speak for the Commission, but thought the exhibit was helpful in explaining the circulation pattern for the development.

Parking will exceed what is required by the Township ordinance. Each townhouse will have either one- or two-car garages and additional parking in the driveways, which will be 20 ft. long and 16 to 18 ft. wide. There will also be parallel parking on Vincent Court and Alley C.

Mr. VanLew is concerned about installing stop signs at each intersection and cautioned that stop signs can't be used for traffic calming.

c. Section 350-40.N(1) – For residential driveways, a minimum radius of five feet, or the drive shall have a flare constructed that is equivalent to this radius at the point of the intersection with the cartway edge.

The applicant has provided five-foot radii for the outer edge of driveways serving end units with the remainder of the driveway edges meeting the roadway without a radius.

Mr. Padula and the Planning Commission support this waiver request.

d. In order to provide adequate turnaround maneuverability from residential properties, all new driveways shall be provided with a minimum L-shaped backup area of thirty-foot width and thirty-foot length and fifteen-foot turning radius.

As previously discussed, there is a conflict in the ordinance which requires a thirty foot driveway length when the zoning ordinance only requires twenty feet.

Mr. Padula and the Planning Commission unanimously supported this waiver request.

5. Section 350-39.D – A private street shall provide access to not less than four nor more than six lots.

As previously discussed, is has been determined that the plan shows one large lot with townhouse being accessed by alleys.

Mr. Padula and the Planning Commission unanimously supported this waiver request.

6. Section 350-41 – Alleys, service streets and emergency access routes.

   The applicant proposes alleys to serve as primary access to the front of the proposed units. It is Mr. Sample's opinion that this is a better design, moves traffic off the public streets and minimizes the impervious cover.

   Mr. Padula and the Planning Commission unanimously support the waiver.
   Mr. Scribner asked about the width of alley D. Mr. Sample said that alleys D, E, B. and Vincent Court will be 20 ft. wide with a 30 Ft. ROW, which meet the SALDO requirements.

The Board was generally in favor of the waiver requests, but did not take a formal vote on the advice of their Solicitor.

The meeting temporarily adjourned at 8:30 P.M. to hold a public hearing on Ordinance 01 of 2016

Public Hearing - An Ordinance of East Brandywine Township, Chester County, Pa., Amending Chapter 350, Zoning, of the Land Use Code of the Township of East Brandywine Regarding Riparian Corridor Management Standards

Chairman Fischer opened the hearing on Ordinance 01 of 2016 and entered the following exhibits into the record:

B-1 A copy of Ordinance 01 of 2016.

B-2 A copy of the Public Notice advertised in the Daily Local News.

B-3 A copy of the November 18, 2015 letter from Patrick McKenna, Esq. to the Chester County Law Library.

B-4 The July 24, 2015 letter from Scott t. Piersol to the Chester County Planning Commission requesting they conduct their Act 247 review.

B-5 A copy of the October 6, 2015 Chester County Planning Commission review.

B-6 Excerpts from the November 4, 2015 Planning Commission meeting recommending the Supervisors advertise the Ordinance and the November 5, 2015 Board of Supervisors minutes authorizing the advertisement.

The Proposed Ordinance has been available for public review since November 18, 2015.

Mr. Piersol explained that the Ordinance Task Force has been working with the Brandywine

Conservancy since the summer of 2015 on reviewing the Township's riparian buffer language in the Subdivision and Land Development Ordinance and the Zoning Ordinance. This amendment provides additional protection to water sheds, streams and helps avoid erosion along stream banks. Chairman Fischer said that he participated in crafting this Ordinance and since the Township already had a progressive Ordinance this is a refinement of what was already in place.

Chairman Fischer asked if there were comments from the audience or the Board. Seeing none he closed the hearing at 8:35 P.M.

Ordinance 01 of 2016

Vice-Chairman Kring made a motion to adopt Ordinance 01 of 2016. Mr. Scribner seconded the motion, with all voting aye.

Personnel Contracts

Vice-Chairman Kring made a motion to approve the personnel contract of Scott T. Piersol, Township Manager. Mr. Scribner seconded the motion, with all voting Aye.

Vice-Chairman Kring made a motion to approve the personnel contract of Luke R. Reven, Assistant Township Manager. Mr. Scribner seconded the motion, with all voting aye.

Additional Public Comments

Chairman Fischer asked if there were additional comments from the audience.

Mr. Don Anders asked if there has been any discussion or plans for a Fire Tax. Chairman Fischer said that it is premature to address this until all the Townships served by the East Brandywine Fire Company have had the opportunity to meet. However, a Fire Tax is not off the table. Each municipality will have to decide how they will fund fire protection. Mr. Ander then asked if the budget could be reopened. Chairman Fischer said he thought it could but without investigating wasn't prepared to discuss the mechanism for doing this. He also said that a budget is simply a guide. Mr. Scribner said that he has spoken to a Supervisor in East Fallowfield Township where they recently enacted a Fire Tax. This Supervisor made several suggestions including having East Brandywine Township being the provider for fire service and have other municipalities contract with East Brandywine if they wish to have fire protection through the Fire Company. He will discuss this and other suggestions with his fellow Supervisors.

Executive Session

The East Brandywine Township Board of Supervisors will meet in Executive Session directly following this meeting to discuss personnel and land acquisition issues.

Adjournment

There being no further business, Vice-Chairman Kring moved to adjourn the meeting at 8:40 P.M. Mr. Scribner seconded the motion, with all voting Aye.

Respectfully submitted,

Mary Beth Smedley,
Secretary/Treasurer