

EAST BRANDYWINE TOWNSHIP BOARD OF SUPERVISORS
WORK SESSION
Thursday, July 07, 2016

Those in Attendance:

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

Chairman Fischer called the East Brandywine Township Board of Supervisors meeting of Thursday, July 7, 2016, to order at 8:00 AM at the East Brandywine Township Municipal Complex. Also in attendance were four visitors.

Public Comment on Non-Agenda Items

Chairman Fischer asked if there were any comments from the public on non-agenda items. Mr. Geoffrey Ruch, owner of the property at 240 Zynn Road attended the meeting to discuss his driveway. Mr. Ruch has created a second means of access to his property that is connected by a small strip of land to his neighbor's driveway at 230 Zynn Road. Mr. Piersol believes that this has created a second driveway, which violates Section 399-81C of the Zoning Ordinance. In addition, it appears that Mr. Ruch has added stone which creates additional impervious surface, so he needs to verify that the stormwater basin is sized correctly and will capture any additional stormwater. It is Mr. Ruch's position that he has not created a second driveway and is simply accessing his property from his neighbor's driveway, which the neighbor permits him to do. In addition, he said he has removed some impervious cover so essentially has a net reduction. He also said that some of the impervious the Township said he created previously existed. Mr. Ruch provided examples of other properties in the Township that have two driveways. He also provided a Runoff Volume Differential Form that he said confirms the net loss in impervious. Mr. Ruch feels he is being singled out because of previous issues the Township had with his contractor. Chairman Fischer said that the Supervisors and Mr. Piersol would review the information Mr. Ruch provided, but did say that some of the examples where two driveways exists were probably in existence before zoning. He also said that once Mr. Ruch's lot was subdivided from 230 Zynn Road he was required to comply with the current ordinances. Mr. Ruch currently has a conditional Use and Occupancy Permit for his property, so this and some other outstanding issues will need to be resolved prior to issuing a final Use and Occupancy Permit. The Supervisors will review the information provided and let Mr. Ruch know what they decide. Mr. Ruch thanked the Supervisors for their time.

Approval of the Planning Commission Minutes for June 1, 2016

Chairman Fischer asked if there were any questions or comments. Seeing none, Vice-Chairman Kring made a motion to approve the June 1, 2016 Planning Commission minutes as presented. Mr. Scribner seconded the motion, with all voting Aye.

Approval of the Board of Supervisors' Minutes for June 15, 2016

Chairman Fischer asked if there were any questions or comments. There were no comments. Vice-Chairman Kring then made a motion to approve the June 15, 2016 minutes. Mr. Scriber seconded the motion with all voting Aye.

Proposed Concept for a Regional Emergency Management Group by the Western Chester County Council of Governments

At the June COG meeting, the group discussed the idea of creating a regional Emergency Management Group. Mr. Piersol, East Brandywine Township's Emergency Management Director and Ray Stackhouse, Caln Township's Emergency Management Director thought this idea has merit and should be explored. Mr. Chuck Friese, the Emergency Management Director for AGREM (Avon Grove Regional Emergency Management) will be discussing the benefits of regionalizing emergency management services in a future meeting. Mr. Piersol asked if the Board was interested in participating in this type of activity. Vice-Chairman Kring said that he also attended the COG meeting and the consensus was that regionalization was a good idea. The Supervisors agreed that this was worth pursuing.

Hopewell Land Development Holdings, LP Development and Financial Security Agreements

Mr. Scalies has established an account with DNB First for completion improvements on Tax Parcel 30-05-0069.000, which will be used as the parking lot for the Hopewell Road Pharmacy. Vice-Chairman Kring made a motion to execute and approve the Development Agreement and Financial Security Agreement for Hopewell Land Development Holdings, LP. Mr. Scribner seconded the motion, with all voting Aye.

Chairman Fischer closed the regular meeting to open the Public Hearing on Ordinance 04 of 2016.

An Ordinance of East Brandywine Township, Chester County, Pennsylvania, Amending Chapter 399, Zoning, of the Code of the Township of East Brandywine, Article XII, Historic Resource Protection Standard, Article XVI, Signs and Article XVIII, Administration, Regarding Historic Resources

Chairman Fischer entered the following exhibits into the record:

- B-1 A copy of Ordinance 04 of 2016
- B-2 A copy of the Public Notice advertised in the Daily Local News.
- B-3 A copy of the June 22, 2016 letter from Patrick McKenna, Esq. to the Chester County Law Library

- B-4 The April 25, 2016 letter from Scott T. Piersol to the Chester County Planning Commission requesting they conduct their Act 247 review.
- B-5 A copy of the May 13, 2016 Chester County Planning Commission review.
- B-6 Excerpts from the June 1, 2016 Planning Commission meeting recommending the Supervisors advertise the Ordinance and the June 2, 2016 Board of Supervisors minutes authorizing the advertisement.

The Proposed Ordinance has been available for public review since June 22, 2016.

Mr. Piersol explained that, at the request of the Historical Commission, the Ordinance Task Force amended the Ordinance to allow the Historical Commission up to 60 days for review of demolition and building permits. He also said that the sign section was slightly changed.

Chairman Fischer asked if there were questions from the Board or audience. There were no questions.

The Hearing closed at 8:20 A.M.

Ordinance 04 of 2016

Vice-Chairman Kring made a motion to adopt Ordinance 04 of 2016. Mr. Scribner seconded the motion, with all voting Aye.

Chairman Fischer closed the regular meeting at 8:21 to open the Public Hearing on Ordinance 05 of 2016.

An Ordinance of East Brandywine Township, Chester County, Pennsylvania, Amending Chapter 399, Zoning, of the Code of the Township of East Brandywine, Regarding LED Signs and Changeable Display Signs.

Chairman Fischer entered the following exhibits into the record:

- B-1 A copy of Ordinance 05 of 2016.
- B-2 A copy of the Public Notice advertised in the Daily Local News.
- B-3 A copy of the June 22, 2016 letter from Patrick McKenna, Esq. to the Chester County Law Library.
- B-4 The April 12, 2016 letter from Scott T. Piersol to the Chester County Planning Commission requesting they conduct their Act 247 review.
- B-5 A copy of the May 3, 2016 Chester County Planning Commission review.

- B-6 Excerpts from the June 1, 2016 Planning Commission meeting recommending the Supervisors advertise the Ordinance and the June 2, 2016 Board of Supervisors minutes authorizing the advertisement.

The Proposed Ordinance has been available for public review since June 22, 2016

Mr. Reven stated that this Zoning Ordinance provides rules and regulations for LED and Changeable Display signs. Mr. Piersol stated that the Task Force created this Ordinance to address new technology for LED signs.

Chairman Fischer asked if there were questions or comments from the Board or audience. There were no questions.

The Hearing closed at 8:25 A.M.

Ordinance 05 of 2016

Vice-Chairman Kring made a motion to adopt Ordinance 05 of 2016. Mr. Scribner seconded the motion, with all voting Aye.

Chairman Fischer closed the regular meeting at 8:26 to open the Public Hearing on Ordinance 06 of 2016.

An Ordinance of East Brandywine Township, Chester County, Pennsylvania, Amending Chapter 399, Zoning, of the Code of the Township of East Brandywine, Part III, Land Use Legislation, Regarding New Chapter Titles, New Article Titles and New Definition Section

Chairman Fischer opened the Hearing and entered the following exhibits into the record:

- B-1 A copy of Ordinance 06 of 2016.
- B-2 A copy of the Public Notice advertised in the Daily Local News.
- B-3 A copy of the June 22, 2016 letter from Patrick McKenna, Esq. to the Chester County Law Library.
- B-4 The April 12, 2016 letter from Scott T. Piersol to the Chester County Planning Commission requesting they conduct their Act 247 review.
- B-5 A copy of the May 3, 2016 Chester County Planning Commission review.
- B-6 Excerpts from the June 1, 2016 Planning Commission meeting recommending the Supervisors advertise the Ordinance and the June 2, 2016 Board of Supervisors minutes authorizing the advertisement.

The Proposed Ordinance has been available for public review since June 22, 2016.

Mr. Piersol explained that this Ordinance creates a new the Definition Chapter of the Land Use Code, which includes Zoning, Subdivision and Land Development, Stormwater Management, Mobile Home and Transportation Ordinance definitions. The Ordinance eliminates duplication and conflict in the Land Use Code

Chairman Fischer asked if there were questions from the Board or audience. There were no questions.

Chairman Fischer closed the Hearing at 8:28 A.M.

Ordinance 06 of 2016

Vice-Chairman Kring made a motion to adopt Ordinance 06 of 2016. Mr. Scribner seconded the motion, with all voting Aye.

Additional Public Comments

Chairman Fischer asked if there were additional comments from the audience. There were no questions or comments.

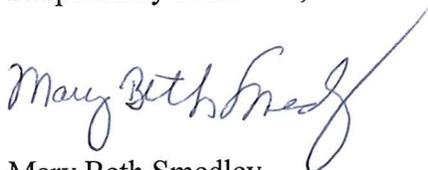
Notice

Chairman Fischer stated that there would be an Executive Session immediately after this meeting to discuss legal and personnel issues.

Adjournment

There being no further business, Vice-Chairman Kring moved to adjourn the meeting at 8:32 A.M. Mr. Scribner seconded the motion, with all voting Aye.

Respectfully submitted,



Mary Beth Smedley
Secretary/Treasurer

