

**EASTTOWN TOWNSHIP BOARD OF SUPERVISORS
BUSINESS MEETING MINUTES OF MAY 20, 2019**

The May 20, 2019 Regular Meeting took place in the Township meeting room at 566 Beaumont Road, Devon. Supervisors present included: Betsy Fadem, Chair; Christopher D. Polites, Vice Chair; James W. Oram, Jr.; and Karl A. Romberger, Jr. Also attending were Dan Fox, Township Manager; Eugene C. Briggs, Jr., AICP, CZO, Assistant Township Manager and Director of Planning and Zoning; Dave Obzud, Police Chief; Bill DeFeo, Finance Director; and Andrew D. H. Rau, Esquire, Township Solicitor.

CALL TO ORDER

Chair Fadem called the meeting to order at 7:00 pm, which was followed by the pledge of allegiance.

PRESENTATIONS

Presentation to Retiring Community Volunteer

Mrs. Fadem presented a certificate of recognition to Doug Swope for over 11 years of dedication and service as a member of the Easttown Township Parks and Recreation Board and stated that his commitment as a volunteer and countless contributions to the community are greatly appreciated by the Township.

BOARD MOTIONS AND RESOLUTIONS

Consideration to Adopt Ordinance 440-19 for the Creation of a Four-way Stop at South Fairfield and Sugartown Roads

Mr. Fox updated the Board on this item. At its regular meeting on May 06, 2019 the Board authorized the advertising of this draft ordinance. It was advertised in accordance of Pennsylvania's Second Class Township Code and is now ready to be considered for adoption. Chief Obzud highlighted how the implementation of this signage will occur should the ordinance be adopted.

Before discussion, Mrs. Fadem asked the Board for a motion. Mr. Oram made a motion to adopt Ordinance 440-19 for the creation of a four-way stop at South Fairfield and Sugartown Roads. Mrs. Fadem opened the floor to the Board and then the public and there were no comments. Mrs. Fadem called for a vote and the motion passed unanimously.

Consideration to Approve Subdivision Application 525 for 2175 Buttonwood Road — Final Minor Subdivision Plan

Mr. Rau introduced the Board to this item. This Minor/Final Subdivision Application was originally submitted to the Township on March 27, 2019. The Applicant seeks to subdivide one residential lot containing 29.772 gross acres with two existing dwellings into two lots. Applicant proposes no

construction with this minor subdivision plan. At the May 07, 2019 Planning Commission meeting, the Planning Commission recommended that the Board consider approving the Application with conditions. The Planning Commission recommendations are memorialized in the recommendation letter prepared by Buckley Brion McGuire & Morris LLP, dated on May 09, 2019.

J. David Shula, PLS, was in attendance representing the Applicant. Mr. Shula explained that this subdivision is being proposed to address an estate issue and is not intended to be used for the purpose of future land development. The Applicant resides in the structure on the south side of the property, which is located at 2175 Buttonwood Road, and her daughter resides in the structure on the north side of the property, which is addressed 2110 Twinbrook Road. Overall, the property is approximately 30 acres. The proposed subdivision would create a 10 acre lot on the northern side and a lot just under 20 acres on the southern side. A deed restriction for this property, which limits properties to 10 acres or larger, prevents either of the proposed lots from being further subdivided.

Before discussion, Mrs. Fadem asked the Board for a motion. Mr. Romberger made, and Mr. Polites seconded, a motion to approve Minor/Final Subdivision Application 525 for 2110 Twinbrook Road and 2175 Buttonwood Road, subject to the following conditions:

1. That the Applicant comply with the outstanding comments in the following Township review letters/memorandum:
 - a. ARRO Consulting, Inc. review letter of April 19, 2019;
 - b. McMahon Associates, Inc. review letter dated April 22, 2019;
 - c. Glackin Thomas Panzak, Inc. review letter dated April 19, 2019; and
 - d. Zoning Officer Review Memorandum dated April 14, 2019.
2. The following three (3) waivers are granted:
 - a. Section 400-24.B(9) which would require an inventory of all trees with a caliper size of over 4 inches; and
 - b. Section 400-34.A which would require road widening of Twinbrook Road and Buttonwood Road to a half width of 14 feet; and
 - c. Section 400-41 which would require curbing and sidewalks along Twinbrook Road and Buttonwood Road (the Planning Commission's support for the waiver from sidewalks was conditioned on Applicant only paving a fee-in-lieu of sidewalk for the linear feet of road frontage along Buttonwood Road).
3. The Applicant shall comply with the Township's development and permitting requirements, including but not limited to, execution of development agreements, posting the necessary financial security for the proposed public and quasi-public improvements and obtain all necessary permits for the development.

4. The Applicant shall reimburse the Township for all outstanding fees and charges incurred by the Township in processing and considering the Subdivision and Land Development Application, including but not limited to legal, engineering and consulting review fees.
5. The proposed use and development, and intensity thereof, shall be consistent with the testimony and evidence of this Public Meeting.

Mrs. Fadem opened the floor to the Board. Mr. Polites asked if there is a precedent for the compromise of fee-in-lieu of sidewalk condition being recommended by the Commission. Mr. Briggs responded that there is.

Mrs. Fadem opened the floor to the public. Diane Warner, of 872 Llewellyn Road, sought more clarification regarding the subdivision application process. Kathleen Anderson, of 933 Ethan Allen Road, sought more clarification regarding the Easttown Township 2018 Comprehensive Plan's Pedestrian and Bicycle Mobility Map. Mr. Briggs explained that Township Code requires Applicants to construct sidewalks on properties subject to approved subdivision and land development but may seek a waiver and a fee-in-lieu of sidewalks as part of the review process. This property is not in a key corridor for sidewalk construction as outlined on the Pedestrian and Bicycle Mobility Map and an assigned fee-in-lieu would be held in an account to be used for costs associated with sidewalk construction in a key corridor of Township.

Mrs. Fadem called for a vote and the motion passed unanimously.

Consideration to Approve a Field Adjustment to the Original Conditions of Approval for Subdivision Application 521 — 729 First and 61 Knox Avenues

Mr. Rau updated the Board on this item. This Subdivision and Land Development Plan was conditionally approved by the Board on February 19, 2019. One of the conditions was for the Developer to work out the details, with the Township Traffic Engineer, to install a sidewalk along the fronts of 737, 739, and 741 First Avenue, in lieu of installing them on Knox Avenue. This condition was tied, in part, to the willingness of the property owners of 737, 739, and 741 First Avenue to accept the sidewalk.

After lengthy discussions with the owners, two of the three owners agreed to accept the sidewalk. The Developer is willing to install the sidewalks on the lots of the two property owners agreeing to accept them and offer a fee-in-lieu of installing the sidewalk on the lot of the property owner not agreeing to accept it. Consequently, this field adjustment from the plan should be memorialized through an amendment to the original conditions of approval.

Before discussion, Mrs. Fadem asked the Board for a motion. Mr. Oram made, and Mr. Polites seconded, a motion to amend Condition 2 of its February 19, 2019, Conditions of Approval for Subdivision and Land Development Plan 521, as follows:

2. The following three (3) waivers are granted:

- a. A waiver from Section 400-34.A to not widen the road of First Avenue or provide a fee-in-lieu of widening this road along the frontage of 729 First Avenue conditioned upon the Applicant installing the sidewalk, as deemed acceptable by the Township Transportation Engineer, along the frontages of 737 and 741 First Avenue.
- b. A waiver from Section 400-34.A to not widen the road of Knox Avenue or provide a fee-in-lieu of widening this road along the Knox Avenue frontage of 729 First Avenue and along the frontage of 61 Knox Avenue conditioned upon the Applicant installing the sidewalk, as deemed acceptable by the Township Transportation Engineer, along the frontages of 737 and 741 First Avenue.
- c. A waiver from Section 400-41 to not install curb and sidewalk along Knox Avenue or provide a fee-in-lieu of installing curb and sidewalk along the Knox Avenue frontage of 729 First Avenue and along the frontage of 61 Knox Avenue conditioned upon the Applicant installing the sidewalk, as deemed acceptable by the Township Transportation Engineer, along the frontages of 737 and 741 First Avenue and paying a fee-in-lieu of installing the sidewalk along the frontage of 739 First Avenue in the amount of \$1,500.

Mrs. Fadem opened the floor to the Board. Mr. Polites spoke on behalf of Supervisor Heppe, who was unable to attend the meeting. Mr. Heppe, he said, requested that it be noted that he would like to see this sidewalk be constructed continuously as this property is located within an identified key corridor of the Easttown Township 2018 Comprehensive Plan's Pedestrian and Bicycle Mobility Map.

Mrs. Fadem opened the floor to the public. Margaret D'Alesandro, of 610 Clovelly Lane, asked if the fee-in-lieu of sidewalks is a one-time cost assigned to the property or if subsequent development would trigger renewed consideration. Mr. Rau responded that it is situationally dependent.

Mrs. Fadem called for a vote and the motion passed unanimously.

Consideration to Advertise an Ordinance Amendment to Change the 30 Minute Parking Restriction to Two Hour Parking on 600 Block of Lancaster Avenue

Chief Obzud introduced the Board to this item. The amendment was first proposed as part of the Berwyn Parking Study process by the Berwyn Devon Business Association. The draft ordinance proposes installing signage to change parking limits on the south side of the 600 block of Lancaster Avenue from 30 minutes to two hours during business hours, Monday through Saturday, from 8 am-6 pm. The two parking spaces in front of the Berwyn Post Office located at 662 Lancaster Avenue, would remain restricted to 30 minutes during the Berwyn Post Office business hours, Monday through Friday, from 8 am - 4 pm, and Saturdays, from 8 am -1 pm, as requested by the United States Postal Service. If this motion passes, the draft ordinance will be advertised in accordance with Pennsylvania's Second Class Township Code and considered for adoption by the Board at a future public meeting.

Before discussion, Mrs. Fadem asked the Board for a motion. Jim Oram made a motion to authorize Staff to advertise an ordinance amendment to change the 30 minutes parking restriction to a two hour parking restriction on the 600 block of Lancaster Avenue. Mr. Romberger seconded the motion. Mrs. Fadem opened the floor to the Board, and Mr. Oram sought clarification on signage and stripping, which will both be utilized to enhance parking instructions on this block. Mrs. Fadem opened the floor to the public and Mr. Wacey, of 1049 Beaumont Road, asked if the Easttown Police Department will enforce the restrictions and Chief Obzud answered in the affirmative. Mrs. Fadem called for a vote and the motion passed unanimously.

DEPARTMENTAL REPORTS

Finance

Mr. DeFeo outlined the contents of his memo, dated May 20, 2019.

Planning and Zoning

Mr. Briggs outlined the contents of his memo, dated May 10, 2019.

Police

Chief Obzud asked the Board if there were any questions on his monthly report. He also stated that the Department was awarded a grant for \$47,000 from PA Commission on Crime & Delinquency to initiate Live Scan, an internal fingerprinting system. He thanked Dayna Antonio, the Department's Administrative Assistant, for applying for and securing the funding, which is from a highly competitive grant funding stream. Additionally, Mr. Oram and Mr. Romberger, Police Liaisons, commented on the success of the Department's new body cameras.

Mrs. Fadem opened the floor to the public. Jay Hughes, of 874 Llewellyn Road stated his concern over the increased presence of police activity on Route 252, specifically as it pertains to pulling over cars and the addition of an unmarked police truck. Chief Obzud responded that the uptick in pull-overs can be attributed to the addition of license plate readers to police vehicles and that unmarked vehicles are crucial to various types of police work. Ms. Anderson agreed that there appeared to be more cars being pulled over on Route 252 and that it can delay traffic flow. Richard Bearinger, of 1105 Waterloo Road, inquired into a large pothole on Route 252 near the Greens of Waynesborough. Mr. Briggs responded that he and the Public Works Director have made this issue a priority and have been working to get PennDOT to address it as Route 252 falls under state jurisdiction.

REGULAR TOWNSHIP BUSINESS

Minutes

Before discussion, Mrs. Fadem asked the Board for a motion. Mr. Polites made a motion to approve the Board of Supervisors meeting minutes of May 06, 2019. Mr. Oram seconded the motion. Mrs. Fadem

opened the floor to the Board and there were no comments. Mrs. Fadem then opened the floor to the public and there were no comments. Mrs. Fadem called for a vote and the motion passed unanimously.

Authorize Payment of Bills

Before discussion, Mrs. Fadem asked the Board for a motion. Mr. Oram made a motion to authorize payment of the bills totaling \$521,633.10; date ending May 15, 2019. Mr. Romberger seconded the motion. Mrs. Fadem opened the floor to the Board and it questioned the staff on miscellaneous aspects of the bills. Mrs. Fadem requested that Staff provide the Board with the detail of costs associated with Township Auditor, Maillie LLP, for 2019. Mrs. Fadem then opened the floor to the public, there were no questions. Mrs. Fadem called for a vote and the motion passed unanimously with Mrs. Fadem recusing herself from invoice 27810 as it is a reimbursement to her for travel costs associated with attending the Pennsylvania State Association of Township Supervisors annual conference.

BOARD OF SUPERVISOR REPORTS

Municipal Authority (Karl Romberger and Alt Betsy Fadem): Mr. Romberger reported that the Authority met on May 14 and discussed a sewer forcemain break that recently occurred. Members tasked the Authority Engineer with investigating pipe infrastructure and to report back to the Authority at its regular meeting in July.

Park & Recreation Board (Christopher Polites and Alt Karl Romberger): Mr. Polites reported that the Committee will meet on May 22 to continuing discussing the Spring Knoll proposed trail.

Planning Commission (Marc Heppel and Betsy Fadem): Mrs. Fadem stated that the Commission met on May 07 and that she had nothing to add to Mr. Brigg's department report.

Policy Committee (James Oram and Betsy Fadem): Mrs. Fadem stated that the Committee met on May 13 and talked about establishing templates for agendas and minutes for the Township's Authorities, Boards, and Commissions and a general schedule for posting associated meeting materials on the website. The Committee also discussed the importance of ensuring that each Authority, Board, and Commission has a chair and vice chair in place each year.

Easttown Citizens Advisory Committee (James Oram and Betsy Fadem): Mr. Oram reported that the Committee met on May 13 to discuss its charter process and to review the completion of the Hilltop House third-party vendor management analysis and implementation. Mrs. Fadem added that, at this meeting, she updated the Committee on the progress of the Emergency Services Planning (ESP) committee and its current next steps.

Historical Commission (Karl Romberger and Alt Jim Oram): Mr. Romberger reported that the Committee met on May 08 to review subdivision application 526 for 422 Waterloo Road. It also discussed how to honor former members of the Commission who have contributed immensely to the Township.

Library Board (Marc Heppel and Alt Chris Polites): Mr. Polites reported that the Committee met on May 15 and reviewed unexpected facility expenses.

Mrs. Fadem opened the floor to the public. Ms. Anderson sought clarification regarding the process the Parks and Recreation Board is using to solicit input regarding its proposed trail behind the Spring Knoll pumping station and her concern that members of that Board are not listening to concerns from residents regarding the proposal. Mrs. Fadem responded that the Parks and Recreation Board is taking public comment and, as an advisory body, will then make a recommendation to the Board. Additional residents in attendance expressed concerns over problems that could arise from this proposed trail, including a lack of parking and garbage removal.

Lauren Pederson, of 959 Ethan Allen Road, sought clarification regarding the clearing of Township right-of-way to access sewer line infrastructure and asked what the process is for obtaining documentation. Mr. Fox responded that she may speak to the Public Works Director and file a right-to-know request with the Township. She also expressed interest in seeing the deed and recorded subdivision plan for the property containing the Spring Knoll Pumping Station for potential restrictions.

OTHER BUSINESS

Mrs. Fadem stated that she presented retiring Library employee Susanne Martin with a certificate of appreciation for her decades of service to the community at a library staff meeting on May 15.

Mr. Oram added that Public Works employee Chuck LeGar was presented with a certificate of appreciation for his years of volunteer service to the Berwyn Veterans Association Victory Run 5K event at the event on May 18.

ANNOUNCEMENTS

The Municipal Election Primaries take place on Tuesday, May 21, 2019. Township Administrative Offices will be open. More information is available at www.easttown.org.

Township Administrative Offices will be closed on Monday, May 27, 2019 in observance of Memorial Day.

The following public meetings will be held at the Township Building, unless otherwise stated:

- Parks and Recreation Board on Wednesday, May 22, 2019, at 7:00 p.m. at the Hilltop House
- Next Board of Supervisors meeting on Monday, June 03, 2019, at 7:00 p.m.

PUBLIC COMMENT

Ms. Pederson noted a typo on the Township website and Staff responded that it would be corrected.

ADJOURNMENT

The meeting adjourned at 8:25 pm.

Respectfully submitted,

Kate Jones

Recording Secretary