



BOARD OF SUPERVISORS

Regular Meeting Minutes

July 19, 2021

The Regular Meeting took place in the Hilltop House and also via an Authorized Telecommunication Device (GoToWebinar). Supervisors present included Marc Heppe, (Chair) Betsy Fadem (Vice Chair), Michael Wacey, Beth D'Antonio and Jim Oram. Also present were Eugene Briggs (Township Manager), Lieutenant James Seshier, Don Curley (Assistant Township Manager and Director of Public Works), Bill DeFeo (Finance Director), and Andy Rau (Township Solicitor). Also in attendance were Bryan Kulakowsky, Township Engineer and Chris Williams, Township Traffic Engineer. Attending virtually was Sharon Norris, (Administrative Assistant to the Township Manager.)

Call to Order – Chair Marc Heppe called the meeting to order at 7:00 PM. Mr. Heppe announced that this meeting is being recorded and reviewed general meeting protocols especially with regards to the large audience and the anticipated public comment period.

1. Pledge of Allegiance – Mr. Heppe led the Pledge of Allegiance.

2. Board Motions, Presentations and Resolutions

A. Consideration of Hiring/Appointing Matt Lubitz as Zoning Officer – Mr. Curley summarized the process to hire Mr. Lubitz. Mrs. Fadem made a motion to appoint Matt Lubitz as the Township Zoning Officer beginning on July 26, 2021. Mrs. D'Antonio seconded the motion. The Board discussed the position. Mr. Heppe called for public comment. Margaret Dalesandro, 610 Clovelly Lane, commented on the appointment. Mr. Heppe called for the vote. The motion carried 5-0.

B. Consideration of SD 533 – 578 Lancaster, 4 Midland and 5 Woodside Avenues – Preliminary Subdivision and Land Development Plan for Mixed Use Building – Township Engineer, Brian Kulakowsky, gave a brief overview of the project. Mr. Todd Pohlig, the Applicant and Applicant Attorney, Mr. George Broseman, gave a review of this mixed-use plan and answered questions from the Board. Mr. Oram made a motion to approve SD 533, "Preliminary Land Development and Lot Consolidation Plan Berwyn Square Mixed Use Building 578 Lancaster Avenue, 4 Midland Avenue, 5 Woodside Avenue. The motion was seconded by Mrs. D'Antonio. Mr. Rau reviewed the conditions of approval as follows: The Applicant and application shall comply with all outstanding comments and recommendations as stated below (and as outlined in the Township Engineer's memorandum of July 15, 2021 and in Tom Oeste's letter of July 09, 2021).

- 1) Eugene C. Briggs Zoning Officer's review memorandum dated July 02, 2021;
- 2) ARRO, Township Engineer, review letter dated July 02, 2021;

- 3) McMahon Associates, Township Traffic Engineer review letter dated June 23, 2021;
- 4) The Applicant and the design and construction of the proposed mixed-use building and exterior spaces depicted on the revised plan shall substantially comply with the following: a) Architectural Renderings, Drawings ASK-01 through 08, and the Street Wall and Building Height Diagrams, Drawings ASK-09 and ASK-10 all dated June 15, 2021; the plan titled "Berwyn Square Mixed Use Illustrative Plan With Use Overlay" dated June 16, 2021; which were all submitted with the application;
- 5) The Applicant shall evaluate the future traffic conditions of the intersection of Woodside Avenue and Lancaster Avenue in cooperation with McMahon Associates and implement any changes approved by and satisfactory to the Township subject to PennDOT approval which may include prohibition of the left turn movement and/or designation of Woodside Avenue as one-way southbound;
- 6) The Applicant shall confirm in writing that the Application (SD 533) is amended to request approval of the Revised Plan as defined hereinabove and the Revised Plan is substituted and replaces the prior plan as defined;
- 7) The following waivers are subject to approval:
 - 1) Section 388-17.A which regulates post-construction stormwater runoff, provided the Applicant receives NPDES permit approval;
 - 2) Section 388-18 which regulates stormwater infiltration, provided the applicant receives NPDES permit approval;
- 8) The tree removal and replacement are per Zoning Officer, Eugene Briggs' July 02, 2021 ZO memo;
- 9) The fee in lieu is \$267,500 (107 units x \$2,500 per dwelling unit) as set forth in the Township's Fee Schedule;
- 10) The Applicant must go through Final approval and comply with all permitting and development requirements including Financial Security;
- 11) The Applicant must pay any and all outstanding fees prior to Final Plan filing;
- 12) The Final Plans must be consistent with what was discussed tonight.

Mr. Oram made a revised motion to include these conditions. Mrs. Fadem seconded the motion to additionally include the open ended tabling of SD 537 (the 116 unit multifamily subdivision) SD 530 (gas station) and SD 531 (original plan that was denied). The Board continued discussion of the plan and asked questions of the Applicant and the consultants. Mr. Heppe called for public comment. The following people provided comment:

Buck Buchanan, 683 Wetherby Lane, commented on the plan, civility, and the condition of the property. Leslie Kupstas, 217 Church Road, commented on density and speed of traffic. Cheryl Harper commented on design, density, Berwyn Village and Ordinance 417-13. Michael Cappelletti, 606 Midland Circle, commented on development and the plan. Bridget Mancano, 297 Stonegate Drive, commented on traffic, the police, change and impervious cover. Joan Bergquist, 217 Devon Boulevard, commented on the Planning Commission and the site. Debbie Dooling, 736 Berwyn Avenue, commented on renters, townhouses, and taxes. Michael DeFlavia, 125 Bartholomew Road, commented on Landscapes 3, density, conditions of properties and scale. Scott Carpenter, 539 Woodside Avenue, commented on the Solicitor's letter, open space waivers and tonight's

vote. David Warlick, 14 Midland Avenue, commented on scale. Bob Nusbickel, 455 Chandlee Drive, commented on the time span of the project, design and parking. Nicholas Panagoplos, 71 Walnut Avenue, commented on sidewalks, traffic and speed. Casey Buchanan, 18 Midland Avenue, commented on civility, challenges and the project. Stacey Ballard, 72 Main Avenue, commented on the plan, development, by-right plans, zoning, the plaza, and retail access to the plaza. Michael DiAndrea, 131 Bartholomew Road, commented on emergency services, schools, and opinions. Joe Kohn, 245 Sugartown Road, commented on stormwater and contamination. Avis Yuni, 231 Waterloo Avenue, commented on compromise, and scale. Marilyn Gerber (no address available) commented on addiction, emergency services, and safety. David Schwartz, 231 Waterloo Avenue, commented on asbestos and demolition, wastewater and stormwater. Sue Roberts, 609 Berwyn Avenue, commented on the scale of the project. John Leone, 117 Woodside, commented on public notice, the contamination, scale and transparency. After public comment, the Supervisors spoke about the process and the plan. Mr. Heppe took a roll call vote. The vote was 3-2 with Mr. Wacey and Mrs. D'Antonio voting nay.

- C. Consideration of SD 537 – 578 Lancaster, 4 Midland and 5 Woodside Avenues – Preliminary Subdivision and Land Development Plan for Multifamily Building** – at the Applicant's direction, this item was removed from the agenda.

3. Departmental Reports

- A. Finance Report** – Mr. DeFeo summarized his report and answered questions from the Board. There was no public comment.
- B. Planning and Zoning** – Mr. Curley summarized his report and answered questions from the Board. There was no public comment.
- C. Police** – Lt. Seshar summarized his report and answered questions from the Board. There was no public comment.

4. Regular Township Business

- A. Consideration of the July 06, 2021 Regular Meeting Minutes** – Mr. Heppe called for a motion. Mrs. Fadem made a motion to approve the July 06, 2021 Regular Meeting Minutes. The motion was seconded by Mr. Oram. Mr. Heppe called for public comment. There was no public comment. Mr. Heppe called for the vote to approve the minutes. The motion carried 5-0.
- B. Authorize the Payment of Bills: \$717,875.99, a total of Warrants (\$569,788.60), and Payroll (\$148,087.39) date ending July 19, 2021.** Mr. Heppe called for a motion to pay the bills. The motion was made by Mrs. Fadem. The motion was seconded by Mr. Oram. The Board of Supervisors reviewed the bills with Mr. DeFeo and staff. Mr. Heppe called for public comment. There was no public comment. Mr. Heppe called for the vote to approve the payment of the bills. The motion passed 5-0.

- 5. Board of Supervisors Liaison Reports** – due to the late hour, this agenda item was tabled.

6. Other Business – Mrs. Fadem requested confirmation regarding Policy 144, Audio & Video Recording of Board of Supervisors and Planning Commission Meetings. The Board decided that if a recording needs to be edited, the Board of Supervisors should be notified prior to making the edit and not both prior to and after the edit has been completed.

7. Announcements

Mr. Heppe read the following announcements:

The Township building is open weekdays to the general public by appointment only.

The following meetings are scheduled and will be held in person in the Township meeting room with the option to attend virtually:

- Parks and Recreation Board, July 20th is canceled
- Environmental Advisory Council (EAC), July 22nd at 7:00 PM
- Policy Committee, July 26th is canceled
- Board of Supervisors Meeting, August 2nd at 7:00 PM

Please visit the Township website at www.easttown.org to find information on how to view and participate in each of the meetings.

- Mark your calendars for the Saturday, August 21st, “Rain Gardens Workshop” sponsored by the EAC and hosted by the Trinity Presbyterian Church. The program is presented by Pam Koch, the EarthCare Team Leader of Trinity Presbyterian Church, and will be held outdoors at 9:00 AM and again at 10:00 AM. RSVP via email to: easttown@easttown.org.

8. Public Comment

Mr. Heppe called for public comment. Joan Bergquist commented on the SD 533 project. Mrs. Norris gave a summer camp update.

9. Adjournment

The meeting adjourned by unanimous consent at 10:04 PM.

Respectfully submitted,

/s/ Sharon Norris

Sharon Norris
Administrative Assistant to the Township Manager