

**REGULAR MEETING of the BOARD OF SUPERVISORS
CHADDS FORD TOWNSHIP
Tuesday, April 4, 2023 at 6:30PM**

MINUTES

CALL TO ORDER: PLEDGE OF ALLEGIANCE

A regular meeting of the Board of Supervisors of Chadds Ford Township, Delaware County, was called to order by Chair Samantha Reiner at 6:30 PM. In attendance were Noelle M. Barbone, Supervisor; Emily Pisano, Assistant Manager; and Mike Schneider, Township Engineer. Frank Murphy, Vice Chair; Matt Baumann, Township Manager; and Mike Maddren, Township Solicitor were not in attendance. Fifteen (15) members of the public were in attendance and two (2) members of the public were on Zoom. The Pledge of Allegiance was recited.

ANNOUNCEMENTS

Chair Reiner made the following announcements:

- The Board met in Executive Session on April 4th prior to the evening's meeting to discuss legal, real estate, and personnel matters.
- North American Land Trust (NALT) is seeking community volunteers to help plant trees on May 6th from 9 AM to 4 PM, with a rain date scheduled for May 13th. Light refreshments and lunch will be served. Please bring your own tools if possible. Please RSVP at brintonrunpreserve@nalt.org
- On April 15th, from 9 am to 11 am there will be a Mother Archie's clean up event. The public is invited to attend. Please park vehicles at the Township building. Due to limited parking at the site, there will be transportation to and from the site. All those attending are asked to bring their gardening gloves.

PUBLIC COMMENT Agenda Items

APPROVAL OF MINUTES

1. March 1, 2023 – Board of Supervisors Regular Meeting Minutes

Supervisor Barbone made a motion to approve the Board of Supervisors Regular Meeting minutes from March 1, 2023 as amended. Chair Reiner seconded the motion and it passed 2-0.

SUPERVISORS' REPORT

Chair Reiner reported that she sits on the Ordinance Committee as the Supervisor liaison and the Committee is currently revising Chadds Ford's Subdivision Land Development Ordinance. The revisions will allow the ordinance to match and mirror definitions and activities required for subdivision approval. The Committee, when finished with their revisions, will send the ordinance to the Planning Commission for review.

1. TOWNSHIP MANAGER'S REPORT

Ms. Pisano provided the Manager's Report on behalf of Mr. Baumann.

Website Update

The Township's new website is scheduled to go live on Friday, April 7, 2023. The Township is excited to share the changes with the community. Staff asks the public to review the site and send any comments, suggestions, or edits to staff via email.

Easter Egg Hunt Recap

Chadds Ford's first Easter Egg Hunt took place on April 2, 2023. Thank you to all those who attended. A total of about eighty (80) children participated in the event.

Staff Training

Since the beginning of the year, Township staff have attended trainings on zoning, the subdivision land development review process, building codes, and stormwater management.

Chair Reiner thanked staff for organizing the Easter Egg Hunt and for the continued updates on the website launch. Chair Reiner also provided an update that the two links on the current website reported as broken during public comment at the Board's Regular meeting in March have been corrected.

2. TREASURER'S REPORT

Supervisor Barbone shared the Treasurer's Report.

Supervisor Barbone made a motion to approve general fund expenditures in the amount of \$58,086.86. The motion was seconded by Chair Reiner and passed 2-0.

Supervisor Barbone made a motion to approve Open Space expenditures in the amount of \$21,231.80. The motion was seconded by Chair Reiner and passed 2-0.

Supervisor Barbone made a motion to approve Capital expenditures in the amount of \$1,176.15. The motion was seconded by Chair Reiner and passed 2-0.

3. ENGINEER'S REPORT

Mr. Schneider reported that the annual road survey was completed, and a list of maintenance issues was created based on the survey. Mr. Schneider will provide a recommendation for the Township's Road Program at next month's meeting. Mr. Schneider said conditions were dry when the survey was conducted, and Mr. Baumann participated in the survey as well.

4. OLD BUSINESS

ACTION ITEMS

5. NEW BUSINESS

ACTION ITEMS

- a. Authorization to Release Escrow Accounts for:
 - i. 19 Carriage Path
 - ii. 1392 Baltimore Pike

- iii. 19 Ridings Way
- iv. 19 Ridings Way (Grading)
- v. 75 old Orchard
- vi. 86 Rocky Hill
- vii. 346 Ring Road

Escrows were discussed as part of the Treasurer's Report. Mr. Schneider confirmed that all projects have been completed and reviewed prior to releasing the escrows.

Supervisor Barbone made a motion to approve the following escrows, 19 Carriage Path in the amount of \$741.25 for a pool application, 1392 Baltimore Pike in the amount of \$3,422.70 for a sketch plan, 19 Ridings Way in the amount of \$1,250 and \$3,000.00 for grading with \$1,665.25 released to the applicant and \$1,334.75 to Chadds Ford Township for outstanding fees, 75 Old Orchard in the amount of \$1,250.00, 86 Rocky Hill in the amount of \$3,000.00, and 346 Ring Road in the amount of \$1,250.00. The motion was seconded by Chair Reiner and passed 2-0.

- b. Motion to approve Resolution 2023-17 Reaffirming Glen Mills Veterinary Land Development Application

On May 4, 2022, via Resolution 2022-14, Township Supervisors approved the Preliminary/Final Land Development Plan for MEP Realty, LLC, which was prepared by D.L. Howell & Associates, Inc.. Due to the length of time that has passed, it is necessary to "reaffirm" this approval and the conditions set forth therein.

Supervisor Barbone made a motion to adopt Resolution 2023-17 as follows: This Board's grant of Final Plan Approval is hereby affirmed. The intent of this affirmation is to reset the ninety (90) day time period within which the Applicant may record the Final Plan pursuant to Section 513(a) of the Pennsylvania Municipalities Planning Code. All Conditions set forth in Resolution 2022-14 remain applicable and shall be satisfied by Applicant as set forth therein. The motion was seconded by Chair Reiner and passed 2-0.

- c. Motion to Appoint Helene Badeau to the Brandywine Valley Scenic Byway Commission

Helene Badeau has been nominated to the Brandywine Valley Scenic Byway Commission to complete the term formerly held by Debbie Reardon. Ms. Badeau has accepted the nomination and her term will end on December 31, 2023.

The Brandywine Valley Scenic Byway Commission studies, advocates for, seeks funding for, and implements Township approved plans for the improvement and protection of the Byway. Municipalities involved with the Commission include Birmingham, East Marlborough, Kennett, Pennsbury, and Pocopson Townships.

Supervisor Barbone made a motion to approve the appointment of Helene Badeau as a member of the Brandywine Valley Scenic Byway Commission. Chair Reiner seconded the motion and it passed 2-0.

- d. Motion to Approve Three (3) Special Event Permits – Calvary Chapel – 500 Brandywine Dr

Calvary Chapel, 500 Brandywine Drive, has submitted a Special Event Permit Applications for outdoor Wednesday Worship Services for the following dates:

- 1st Application - May 17th and May 31st
- 2nd Application – June 14th and June 28th
- 3rd Application July 12th, July 26th, and August 2nd

The application has been reviewed by the Township Manager, Zoning Officer and Fire Marshall.

Al Pinero, Director of Operations at Calvary Chapel was in attendance representing the applicant. Chair Reiner asked if Mr. Justin Meyer and Mrs. Alison Meyer were included in the mailing notifications sent by Calvary. Mr. Pinero confirmed the Meyer's were included in the mailing. Chair Reiner stated that the Board asked Calvary to meet with those who stated concerns with Calvary's events in 2022, the Meyer's had stated such concerns. Mr. Pinero said resident Eric Gartner hosted the neighbors and Calvary Chapel and discussions went well.

Eric Gartner, Harvey Lane, thanked Calvary Chapel for working with the neighbors and listening to their concerns. Mr. Gartner said Calvary Chapel has made strong efforts to manage the neighbors' sound concerns for summer 2023 events.

Chair Reiner said the event duration as stated on the application is 6pm to 9pm. Mr. Pinero said attendees generally eat between 6pm and 7pm. The Board thanked Calvary Chapel for being great neighbors.

Supervisor Barbone made a motion to approve the three special events permits for Calvary Chapel, 500 Brandywine Dr, to conduct 2023 summer outdoor worship services on Wednesday May 17th and 31st, June 14th and 28th, July 12th and 26th, and August 2nd with hours of operation as noted on the approval form and subject to compliance with conditions set forth in the Building Inspector and Zoning Officer's letter dated March 27, 2023. Chair Reiner seconded the motion and it passed 2-0.

OTHER DISCUSSION ITEMS

PUBLIC COMMENT Non-Agenda Items

Betsy Collier-Grosskopf, Webb Road, stated concerns shared by Chadds Ford residents who attended the meeting held by The Henderson Group regarding a proposed project to build an age-restricted community of 240 apartment units in five (5) buildings on the northeast corner of Route 1 and Brandywine Drive. Ms. Collier-Grosskopf stated an increase in traffic congestion and community involvement from renters among her top concerns. Additionally, Ms. Collier-Grosskopf shared her concern on the impact excessive amounts of exhaust will have on children and their cognitive development. Ms. Collier-Grosskopf mentioned a recent incident involving vehicle break-ins that occurred in her neighborhood and her concerns with similar incidences becoming more common.

Supervisor Barbone thanked the public who attended the Henderson meeting and said that their feedback is appreciated. Chair Reiner emphasized all the Township has done to increase the safety of the residents including revising the Township's Comprehensive Plan and consistently updating ordinances so they are forward thinking and cooperative.

Mr. Gartner asked if Henderson was told by the Township to attend the April 4th Board meeting. Chair Reiner stated that if Henderson wishes to attend a Board meeting to discuss their proposed project, notice would need to be given to the Township so Henderson could be added to the agenda. Chair Reiner said that Henderson did not reach out to inform the Township they would like to attend the April 4th meeting.

Mr. Gartner asked what the Board has done to improve the issues raised by Mr. Gartner's presentation made at the June 8, 2022 joint Board of Supervisors and Planning Commission meeting. The presentation focused on stormwater runoff pollution and concerns on the impact the proposed Henderson project would have on the environment. Chair Reiner referred to Mr. Schneider to address stormwater related questions. Mr. Schneider asked Mr. Gartner to send him the presentation he made in 2022. Mr. Schneider shared that wetlands and streams would need to involve DEP but if there was any illegal discharges that occurred recently, the Township may be able to refer to their stormwater management ordinance. Mr. Schneider said that a new sewage treatment plant was built and resolved issues caused by the old one which was in poor shape. Mr. Schneider said there are wetlands on the property Henderson is proposing to develop.

Betsy Collier-Grosskopf shared her concerns on a parking issue between Chadds Ford Tavern and a landscaping company next door. Ms. Collier-Grosskopf also reported diesel fuel trucks parking in close proximity to Harvey Creek. Chair Reiner responded that the owner of Chadds Ford Tavern should consult with an attorney. Supervisor Barbone recommended that the owners of Chadds Ford Tavern review their deed to determine if there is an easement on the property and confirmed that the owners of Chadds Ford Tavern need to consult their own legal representation. The Board said that the Township's Code Enforcement Officer will visit the Chadds Ford Tavern parking lot to review the use and zoning in comparison with the use and the proximity to any diesel engines to Harvey Creek.

Helene Badeau, Creek Road, suggested sending the Code Enforcement Officer at different times of the day and different days of the week as the crowd size can fluctuate. Ms. Badeau also asked about a digital speed sign on Creek Road that has been up for a while. Ms. Badeau asked how long the signs are typically up before the data is collected. Chair Reiner said the Township is still searching for a Roadmaster. Mr. Schneider said that the data is sent to PennDOT by the Roadmaster. Chair Reiner informed Ms. Badeau that Ms. Pisano would follow-up after the meeting.

Lisa Vonderstuck, Brandywine View Antiques, shared that the traffic light when turning right onto Route 1 from Brandywine Drive does not always trigger. There is a no turn on red sign posted so drivers are often stuck when the light does not change. Mr. Schneider stated he would contact Higgins to check the camera and will see if there is a chance of removing the no turn on red sign. Ms. Vonderstuck also mentioned a ditch/hump at Brandywine Drive and Route 1 (when crossing Route 1 from Harley Davidson to Brandywine View Antiques). Mr. Schneider said he would take a look at the ditch/hump. Lastly, Ms. Vonderstuck discussed how traffic can back up on Brandywine Dr onto 202 due to a lack of a right-hand turn lane and that there is a similar situation on Hillman Dr and 202. Mr. Schneider stated he would review these matters as well, however regarding the Hillman Dr situation, Hillman is owned by Henderson but there are currently two potential avenues to create a right-hand turn lane. It was requested by the Township for PennDOT to add additional timing to the light to help with the issue.

Karen Maxim, Old Orchard, introduced herself as a new resident of the Township.

ADJOURNMENT

There being no further business or public comment, upon motion of Chair Reiner, seconded by Supervisor Barbone and unanimous vote, the meeting was adjourned at 7:41PM.

Respectfully submitted,

Matthew Baumann
Township Manager

